

Ethno-Politics and AKP Government: An Analysis on Kurds in Turkey under the Impact of European Union 2002-2014

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Abstract¹

This article assesses the impact of Europeanization on the minority protection policies in Turkey. The diffusion of European norms into European Union and the declaration of the Copenhagen Criteria in 1993 marked the respect for minority rights as a condition for EU membership, which is defined as part of the “*acquis communautaire*” of the European Union.² In this paper, I ask, “which domestic factors lead to the Europeanization of minority policies” to analyze the impact of Europeanization on the minority policies in Turkey. Utilizing the data from European Union official documents and reports from the year of official candidacy to accession, I explore the influence of “the position governments”, the “veto players” and “mobilization of ethnic minorities” on the Europeanization process of minority protection rights in Turkey.

Keywords: ethnic minorities, Europeanization, Kurds, Turkey, AKP

1. Introduction

Turkey is a republican parliamentary democracy. As part of the EU accession process, Turkey is required to adopt the legal framework on anti-discrimination to harmonize its legal framework with the EU *acquis communautaire* like all other candidate states. However, the Turkish constitution has no reference to the word ‘minority’. The status of minorities in Turkey is established by the 1923 Treaty of Lausanne, which defines minorities on the basis of religion.³ Therefore it only covers non-Muslims not Kurds who are also Muslim.⁴ Thus, there is no legislative framework for minorities in Turkey, either directly through laws granting minority rights or indirectly through an anti-discrimination law. So, the rights of every citizen are protected under a general equality provision by law which is not applied to all circumstances in practice.

Nevertheless, as the Constitution does not recognize ethnic minorities, the Kurds who are the largest minority group in Turkey have been ignored both politically and legally, despite the fact that Turkey is the state that has the biggest Kurdish population in Middle East.⁵ Thus, the political space of Turkey has been ethnically restrictive, which prevented Kurds to mobilize as an ethnic group.⁶ The state policy of Turkey throughout history towards the Kurds can be best explained by the speech of Turgut Ozal. As one of the former Prime Minister and President of Turkey, Turgut Ozal, who supported the limited rights for Kurds, stated that the best solution for this problem would be assimilation of Kurds.⁷ These suppressive policies of Turkey provided a ground for the Kurdish guerilla group, Kurdistan Worker’s Party, or in Kurdish, *Partiya Karkerên Kurdistan* (PKK) to gain support from the Kurds, who have problems of living their identity.⁸

1.1. Brief History of Kurds in Turkish Republic

The Kurds have been the most important minority group in Turkey since the foundation of the Republic in 1923. The size of the Kurdish population has been perceived as a threat for the unity of the state. Also, the presence of the Kurdish population in the neighboring states further consolidated the fear of Kurdish identity in Turkey. Since the 1930s, Kurds have resisted government policies to assimilate them.⁹ The governments’ main strategy for assimilating the Kurds has been language suppression. Yet, despite official attempts over several decades to spread Turkish among them, most Kurds have retained their native language specifically Kurmanji, which is used by the majority of Kurds, and Zazaki, which is spoken in southeastern Turkey as well as in parts of Iran.¹⁰ Despite these policies, during the 1960s and 1970s, Kurdish intellectuals attempted to publish Kurdish-language journals and newspapers. However, none of these publications survived for more than a few issues because of

¹ This article is partially published as part of my doctoral dissertation.

² *Acquis communautaire* is a French term meaning, the rights and obligations that EU member states share

³ Sule Toktas, and Bulent Aras, “The EU and Minority Rights in Turkey”. *Political Science Quarterly* 124: 4 (2009): 705.

⁴ Ali Carkoglu, and Barry Rubin, eds., *Turkey and the European Union: Domestic Politics, Economic Integration and International Dynamics*, (London: Frank Cass and Company, 2003), 109.

⁵ Robert L. Brenneman, *As Strong As Mountains: A Kurdish Cultural Journey*. (Illinois: Waveland Press, 2007), 125.

⁶ Denise Natali, *The Kurds and the State*. (New York: Syracuse University Press, 2005), 92.

⁷ Brenneman, *As Strong As Mountains: A Kurdish Cultural Journey*, 46.

⁸ Christopher Houston, *Islam, Kurds and the Turkish Nation State*, (New York: Berg, 2001), 108.

⁹ David McDowall, *A Modern History of the Kurds*, (UK: IB Tauris & Co, 2007), 209.

¹⁰ Nedar Entessar, *Kurdish Politics in the Middle East*, (UK: Lexington, 2010), 5.

legal bans.¹ Prior to the 1980 military coup, government authorities considered Kurdish one of the unnamed languages banned by law. Use of Kurdish was strictly prohibited in all government institutions, including the courts and schools.² Between 1980 and 1983, the military government passed several laws expressly banning the use of Kurdish and the possession of written or audio materials in Kurdish.³

Table 1. Total Population and the Percentage of Ethnic Minorities in Turkey⁴

YEAR: 2012	Population	Percentage of Ethnic Minorities in overall Population
TURKEY	79.4 million	Kurds 14.29 million (18 %) Others (Armenian, Greek, Roma, Jews, Laz, Georgian, Bulgarian, Azeris) 5.55 million (7 %)

1.2. Political and Violent Struggle of Kurds after 1980s in Turkey

After the unsuccessful attempts for integration of the Kurdish population into the society by the discriminatory policies towards Kurds, since 1984 Kurds followed both a peaceful political struggle and a violent armed movement to obtain rights in Turkey. The leaders of the nonviolent struggle have worked within the political system for the recognition of Kurdish cultural rights, such as linguistic rights for using Kurdish in public, reading, writing, and publishing. Prior to 1991, these Kurds operated within the mainstream political parties of left wing such as Social Democratic Populist Party (SHP) and Republican People's Party (*CHP*).⁵ Although the Kurdish representatives succeeded in getting seats in the Parliament by joining these parties, they could not fight for the rights of Kurds due to legal obstacles and public opinion. Following the parliamentary elections in 1991, famous Kurdish deputies, including Hatip Dicle, and Leyla Zana, formed the People's Labor Party (HEP), a party with the explicit goal of campaigning within the National Assembly for the equal rights for the Kurds.⁶

In Ozal government, that served between 1983 and 1989, the term Kurd was used for describing the people living in eastern part of Turkey.⁷ However, the term 'Kurd' or 'Kurdish' in was still prohibited in government institutions such as the courts and schools. Right after the death of Ozal in 1993, the Constitutional Court issued its decision, declaring People's Labor Party (HEP) as an illegal political party.⁸ In anticipation of this outcome, the Kurdish deputies had resigned from the People's Labor Party (HEP) only days before and formed a new organization, the Democracy Party (DEP). When the DEP was banned in June 1994, Kurdish deputies formed the new People's Democracy Party (Halkin Demokrasi Partisi or HADEP).⁹

The initiation of armed insurrection by the Kurdistan Workers' Party (Partiya Karkere Kurdistan or PKK) in 1984 was the beginning of recognition of the minority problem by Turkey's political elite as well.¹⁰ The Kurdistan Workers' Party (PKK), which does not represent all of the Kurds, sought to establish an independent Marxist state in southeastern Turkey, where the majority of the Kurdish population lives. The armed attacks targeted mostly the Turkish army units and elite police forces.¹¹ The violence increased after 1991, with PKK guerrillas from camps in Syria, Iran, and Iraq, as well as from inside Turkey itself, attacking Turkish military and police outposts and targeting civilian community leaders and teachers.¹² In the later years, the Kurdistan Workers' Party (PKK) sought military targets outside the southeastern region of Turkey as well as Turkish diplomats and businessmen in West European cities, particularly in Germany, where more than one million Kurds live.¹³ The extreme violence of the Kurdistan Workers' Party (PKK)'s methods enabled the government to portray the PKK as a terrorist organization and to justify its own discriminatory policies including the destruction of about 850 border villages and the forced removal of their populations to western Turkey. The peak of violent attacks of the Kurdistan Workers' Party (PKK) had been between 1984 and 1990, when the governments forcibly displaced a large number of residents from the villages in the southeast. The statistics show

¹ Aliza Marcus, *Blood and Belief: The PKK and the Kurdish Fight for Independence*, (New York: New York University Press, 2007), 126.

² Zehra F. Arat Kabasakal, ed., *Human Rights in Turkey*, (Philadelphia: UP Pennsylvania, 2007), 254.

³ Entessar, *Kurdish Politics in the Middle East*, 130.

⁴ Sources: "The EU Countries", accessed March 3 2013, http://europa.eu/abouteu/countries/index_en.htm;

"CIA World Fact Book", accessed March 3 2013., <https://www.cia.gov/library/publications/the-world-factbook/>

⁵ Marcus, *Blood and Belief*, 124.

⁶ McDowall, *A Modern History of the Kurds*, 414.

⁷ Murat Somer, "Ethnic Kurds, Endogenous Identities, and Turkey's Democratization and Integration with Europe," *Global Review of Ethnopolitics* 1: 4 (2002): 86.

⁸ Marcus, *Blood and Belief*, 227.

⁹ McDowall, *A Modern History of the Kurds*, 209.

¹⁰ *Ibid*, 450.

¹¹ Entessar, *Kurdish Politics in the Middle East*, 122.

¹² *Ibid*, 199.

¹³ Joost Jongerden, *The Settlement Issue in Turkey and the Kurds: An Analysis of Spatial Policies, Modernity and War* (Netherlands: Koninklijke Brill NV, 2007), 173.

that there were from one to three million Internally Displaced Persons (IDPs) during this process.¹

Table 2. Timeline of Important Political Events in Turkey

Year	Political Event
1923	Foundation of Republic of Turkey
1952	Turkey abandoned Kemalist neutralist policy and joins Nato.
1960	Military Coup against ruling Democratic Party.
1961	New constitution established two-chamber parliament.
1963	Association agreement signed with European Economic Community (EEC).
1974	Turkish troops invaded northern Cyprus
1980	Military Coup
1982	New constitution created seven-year presidency, and single house Parliament.
1983	General election won by Turgut Ozal's Motherland Party (ANAP).
1984	Kurdistan Workers' Party (PKK) launched separatist guerrilla war in Southeast Turkey.
1987	Turkey applied for full EEC membership.
1992	20,000 Turkish troops entered Kurdish safe havens in Iraq in anti-PKK operation.
1993	Tansu Ciller became Turkey's first woman prime minister, and the ceasefire with Kurdistan Worker's Party (PKK) broke down.
1995	Turkey entered EU customs union.
1996	Welfare Party leader Necmettin Erbakan headed first pro-Islamic government since 1923.
1997	Coalition resigned after campaign led by the military, replaced by a new coalition led by the centre-right Motherland Party.
1998	Pro-Islamist Welfare Party banned.
1999	PKK leader Abdullah Ocalan captured in Kenya, received death sentence, later commuted to life imprisonment.
2000	Ahmet Necdet Sezer became the President.
2001	Constitutional Court banned opposition pro-Islamic Virtue Party, saying it had become focus of anti-secular activities.
2002	Parliament approved reforms aimed at securing EU membership such as removing death sentence and bans on Kurdish education and broadcasting.
2002	Islamist-based Justice and Development Party (AKP) won elections.
2003	For the EU membership, Parliament passed laws easing restrictions on freedom of speech, and Kurdish language rights.
2004	State TV broadcasted first Kurdish-language program, and four Kurdish activists, including former MP Leyla Zana, freed from jail.
2005	EU membership negotiations officially launched.
2006	Kurdish separatist group, the PKK, declared a unilateral ceasefire in operations against the military.
2006	EU partially freezed Turkey's membership talks because of Ankara's failure to open its ports and airports to Cypriot traffic.
2007	AK Party won parliamentary elections, and Abdullah Gul is elected as President.
2008	Petition to the Constitutional Court to have the governing AKP banned for allegedly undermining the secular constitution failed by a narrow margin.
2009	Prominent Kurdish politician Ahmet Turk defied Turkish law by giving speech to parliament in his native Kurdish. State TV cut live broadcast, as the language is banned in Parliament.
2011	Ruling Justice and Development Party (AKP) won resounding victory in general election, and 35 Kurdish parliamentarians took seat as well.
2012	Turkey started permitting schools to offer the Kurdish language as an optional course.
2013	PKK leader Abdullah Ocalan calls for a ceasefire as part of peace negotiations with the government.
2014	Peace process negotiations continue

1.3. European Union's Pre-Accession Conditionality and Demands from Turkey on Minority Protection Issues

The annual progress reports of the European Commission, which are published for tracing the Europeanization in various policy areas, focuses on the human rights and minority protection under two titles for the case of Turkey. The two specific topics related to minority protection in Turkey are specifies as cultural rights and political rights.

1.3.1. Cultural Rights

The European Commission states that as far as the cultural rights, especially use of languages other than Turkish is concerned for no particular problems have been reported for citizens belonging to minorities covered by the 1923 Lausanne Treaty, including Jews, Armenians, Greeks. However for those belonging to groups that are outside the scope of the Lausanne Treaty, such as the Kurds, can not enjoy cultural rights.

As a candidate for the European Union since 1999, Turkey has never been willing to consider any ethnical groups with a cultural identity and common traditions as "national minorities", and thus members of

¹ McDowall, *A Modern History of the Kurds*, 440.

such groups have been clearly still largely denied certain basic rights.¹ Cultural rights for all Turks, irrespective of their ethnic origin, such as the right to broadcast in their mother tongue, to learn their mother tongue, or to receive instruction in their mother tongue, are not guaranteed. Ethnic minorities, especially Kurds, are not allowed to give their children names of their choosing. In practice, some names are sometimes not accepted by the population registrar's personnel.²

Furthermore, other issues related to language such as broadcasting and education have been problems for Kurds as well. The state law Number 3984 stipulates that radio and television broadcasts will be in Turkish, with an exception for languages that will contribute to the development of universal culture and science.³ In the field of education at all levels, no language other than Turkish is allowed for teaching purposes.⁴ The European Commission requires Turkey to allow the enjoyment of cultural rights for all Turks irrespective of their ethnic origin, in particular the population of Kurdish origin.

1.3.2. Political Participation

In addition to the problems with the cultural rights, the European Commission progress reports on Turkey since 1999 has indicated that, the Kurds, as the citizens of Turkey, are not given opportunities to express their views on such issues. In the case of Turkish citizens of Kurdish origin, it should be mentioned that the expression of pro-Kurdish views was still problematic for the Turkish State. There are examples of imprisonment of several Kurdish politicians for expressing their demand for cultural and political rights. Many mayors from the Southeast belonging to the pro-Kurdish political party are accused of being linked to the PKK and imprisoned. The executives of the Kurdish political parties are generally sentenced to imprisonment for their activities, such as ongoing demonstrations or initiating hunger strikes following Ocalan's capture, who is the leader of Kurdistan Worker's Party (PKK).⁵ In addition to the problems in participation, several newspapers and magazines have been forbidden that represented the Kurdish population and aimed at demanding the rights of this ethnic minority group. Similarly, certain pro-Kurdish associations have been closed in the region under emergency rule.⁶

2. Analysis: Turkey's Compliance with the 'Acquis Communautaire' on Minority Protection

This case study covers Turkey's Europeanization process since it became an official candidate state for European Union membership in 1999 until the most recent European Commission's annual progress report in 2014. I look at the influence of the 'position of the government', 'significant institutions' and 'mobilization of minorities' on the Europeanization of minority protection policies in Turkey.

2.1. The position of the governments

The governments that have served after Turkey's official candidacy to European Union have been influencing Europeanization process in human rights issues. Although the minority protection policies in Turkey have been Europeanized slower than required by the European Union, the developments accelerated with the Justice and Development Party (AKP) government after 2002. (See Table 5.3 for political parties and their ideologies in Turkey)

Table 3. Major Political Parties and Their Ideologies in Turkey⁷

Name	Abbreviation	Ideology
Justice and Development Party	AKP	Right-wing
Republican People's Party	CHP	Center-right
National Action Party	MHP	Right-wing, Nationalist
Peace and Democracy Party	BDP	Pro-Kurdish Party
Democrat Party	DP	Center-right

During the Ecevit government between 1999 and 2002, the European Commission's annual progress reports on Turkey drew a negative picture of Turkey in terms of human rights and the protection of minorities, especially Kurds. Initially, Turkey's restriction on the Kurdish language is referred to an obstacle for Kurds using and sustaining their native language which is a part of their cultural traditions.⁸ Thus, TV broadcasting in

¹ "EU Commission's Regular Report on Turkey's Progress Towards Accession 1999", accessed March 4, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/turkey_en.pdf

² Ibid.

³ Carkoglu, and Rubin, eds., *Turkey and the European Union: Domestic Politics*, 118.

⁴ Entessar, *Kurdish Politics in the Middle East*, 124.

⁵ "EU Commission's Regular Report on Turkey's Progress Towards Accession 1999", accessed March 6, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/turkey_en.pdf

⁶ Ibid.

⁷ Source: "Turkey: Major Political Parties", <http://www.balkananalysis.com/turkey/major-political-parties/>, accessed on July 3rd 2013.

⁸ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2000", accessed March 6, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2000/tu_en.pdf

Kurdish at least for non-political programs should be tolerated and officially allowed, according to the European Commission.¹ Accordingly, the Ecevit government had not been interested in signing the Council of Europe Framework Convention for the Protection of National Minorities and recognizing minorities other than those defined by the Lausanne Treaty, which are only non-Muslims.²

The political participation right was another matter of concern as a few parliamentarians of Kurdish origin was imprisoned. Regarding freedom of expression, the reports are consistently more pessimistic, especially in the aftermath of the Öcalan's capture in 1999.³ According to the European Commission, using certain terminology in relation to the Kurdish question in press releases and publications by public institutions and organizations was restricted by the government.⁴ The expression of pro-Kurdish views was still against the Turkish Constitution. Accordingly, the political participation of Kurds was still problematic. At that time, three mayors from the Southeast belonging to the pro-Kurdish HADEP Party were accused of being linked to the Kurdistan Worker's Party (PKK) and imprisoned. People's Democracy Party (HADEP) as a minority political party also frequently faced difficulties from the authorities, including police investigations.⁵ Several newspapers and magazines have been forbidden and certain pro-Kurdish associations have been closed in the region.⁶ Although the celebration of the Newroz (Kurdish New Year) in that region without major incident was important, it was still banned elsewhere, including Istanbul.⁷

As a center-right conservative political party, the Justice and Development Party (AKP) government, that has served from 2002 until today has brought acceleration to Europeanization process in minority protection issues in Turkey. One of these positive signs is regarding the enjoyment of cultural rights in the Southeast Turkey, such as a festival with no ban on bands singing in Kurdish. Also, previously banned journals and newspapers were allowed to publish again. Thus, 2002 is important as the state of emergency was lifted from the Southeastern region at this time. Certainly, the imprisonment of Öcalan and, accordingly, the weakening of the Kurdistan Worker's Party (PKK) had a big impact on these improvements.⁸ However, in terms of political representation, the electoral system is criticized by the European Commission for making it difficult for minorities to be represented in Parliament. In the election of November 2002, for example, the Democratic People's Party (DEHAP) did not reach the ten percent threshold, despite receiving over 45 percent of the votes in five of Turkey's 81 provinces.⁹

Despite the problems in political representation, the AKP government launched a new policy for Kurdish guerilla group. In 2003, the Parliament adopted a "Reintegration Law" offering reduced prison sentences to combatants belonging to the PKK and other terrorist organizations as identified by the Government, in case they agree to lay down their weapons and provide information to authorities.¹⁰ Just three days after the law, 760 people who were either prisoners or active militants already applied for benefits under the law.¹¹ Although the AKP government have been seeking a peaceful solution for the armed mobilization of Kurds to some degree, political participation continued to be problematic, especially during the first years of the AKP government. The Government restricted the activities of some political parties and leaders, closed the pro-Kurdish People's Democracy Party (HADEP), and sought to close the related Democratic People's Party (DEHAP).

In terms of the cultural rights, the Justice and Development Party (AKP) governments' policies have been towards the removal of the restrictions although the implementation of the policies in local governments has been problematic. Kurds were prevented from registering their newborn children with Kurdish names. In some cases, charges were filed against the parents. In 2003, the Parliament amended an article of the Census

¹ "EU Commission's Regular Report on Turkey's Progress Towards Accession 1999", accessed March 6, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/turkey_en.pdf

² "EU Commission's Regular Report on Turkey's Progress Towards Accession 2000", accessed March 6, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2000/tu_en.pdf

³ "Turkey Celebrates Capture of Öcalan", *The Washington Post*, February 19, 1999, March 6, 2013, www.washingtonpost.com/wp-srv/inatl/daily/feb99/ocalanturkey18.htm

⁴ "EU Commission's Regular Report on Turkey's Progress Towards Accession 1999", accessed March 7, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/1999/turkey_en.pdf

⁵ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2000", accessed March 7, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2000/tu_en.pdf

⁶ Ibid.

⁷ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2001", accessed March 7, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2001/tu_en.pdf

⁸ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2002", accessed March 7, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2002/tu_en.pdf

⁹ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2003", accessed March 8, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2003/tr_tk_final_en.pdf

¹⁰ Zerrin Özlem Biner, "From Terrorist to Repentant: Who Is the Victim?", *History and Anthropology* 17: 4 (2006): 340.

¹¹ Ibid, 343.

Law that had been used to prevent the use of Kurdish names. This amendment included a different wording for explanation of the “names” that opened a door for using Kurdish names.¹ The original law prohibited the use of names contrary to the ‘culture’ or ‘customs and traditions’, but the amended law instead prohibited names contrary to ‘moral norms’ or that ‘offend the public’.² The revised wording was intended to ease the restrictions. However, according to the human rights advocates the local authorities failed to adjust these practices.³

The year 2004 is when Turkey started negotiations with the EU in order to become a member. The 2004 report of European Commission is one of the longest reports on Turkey in terms of its references to minority rights. In regard to the protection of cultural rights, the Constitution has been amended, lifting the ban on the use of languages other than Turkish. Legislative changes have been introduced, allowing for radio and TV broadcasting and teaching in languages other than Turkish, including Kurdish.⁴ Besides, a regulation entitled ‘Teaching in Different Languages and Dialects Traditionally Used by Turkish Citizens in their Daily Lives’ entered into force which allowed for the first time private courses in Kurdish.⁵ Six private schools started teaching Kurdish with some restrictions. Also, the Newroz celebrations were authorized everywhere. On the other hand, some Kurdish politicians were prosecuted for speaking Kurdish during the campaign for the March 2004 local elections.⁶ However, the provisions that allow broadcasting in languages other than Turkish, giving private courses in Kurdish and other non-Turkish languages “used by Turkish citizens in their daily lives”, generated some bureaucratic obstacles. The local authorities in Sanliurfa, Batman, and Van provinces withheld permission to open Kurdish language courses on a number of technical issues, including a requirement that the applicants change the names of the institutions.⁷

On the other hand, the Turkish Public Television (TRT) started broadcasting in five languages, including Kurdish although the duration and scope of its national broadcast is very limited. For instance, broadcasting educational programs teaching the Kurdish language are not allowed. As all the private schools teaching Kurdish has been closed, and the public schools were not allowed to teach Kurdish, the opportunities for learning Kurdish has been almost impossible in Turkey, which in turn further supported the assimilation of the Kurds by forcing them using only Turkish.⁸

Despite all the problems in implementation of the laws that the Justice and Development Party (AKP) government introduced, the perception of the government by the Kurdish population has been positive. During Prime Minister Erdogan’s visit to Diyarbakir in 2005, that is the most important Kurdish city in Turkey, because of its population, he was welcomed due to the relatively more open and tolerant approaches of the AKP government to Kurdish rights and identity.⁹

However, due to lack of enforcement for these new provisions in Turkey, the popularity of the AKP government has been decreasing among the Kurdish community. Because of the slow pace of reform in the following years, the attitudes towards the AKP government faced a massive boycott during visits to the Southeastern part of Turkey.¹⁰ This growing Kurdish reaction was reflected in the municipal elections in 2009 when AKP lost in the Southeast Turkey to the Democratic Society Party (DTP), the main pro-Kurdish party, which campaigned on a platform of Kurdish cultural identity. The DTP captured mayoral seats in nine provincial capitals out of 81 provinces and took control of 19 municipalities in Eastern part of Turkey, where the majority of the Kurds are living.¹¹

The poor performance of Justice and Development Party (AKP) in the cities of large Kurdish population, and the pressure from the European Union required addressing ethnic minorities’ problem specifically Kurdish concerns more seriously. The result was the government’s ‘Kurdish Opening’ strategy that can be considered as the most important the initiative to address the Kurdish issue since the foundation of the

¹ Kabasakal, ed., *Human Rights in Turkey*, 79.

² Ibid.

³ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2003”, accessed March 9, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2003/rr_tk_final_en.pdf

⁴ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2004”, accessed March 9, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2004/rr_tr_2004_en.pdf

⁵ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2004”, accessed March 9, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2004/rr_tr_2004_en.pdf

⁶ Ibid.

⁷ Ibid.

⁸ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2006”, accessed March 9, 2013, http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/tr_sec_1390_en.pdf

⁹ Umit Cizre, ed., *Secular and Islamic Politics in Turkey: The Making of the Justice and Development Party*, (New York: Routledge, 2008), 97.

¹⁰ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2010”, accessed March 10, 2013, ec.europa.eu/enlargement/pdf/key.../2010/.../tr_rapport_2010_en.pdf

¹¹ Mustafa Akyol, ‘Kurdish Nationalism on the Rise, Ballot Suggests’, *Hurriyet Daily News and Economic Review*, May 31, 2009.

Turkish Republic.¹ Under this strategy, the Higher Education Board (*YÖK*) endorsed the application from a Turkish University to establish a ‘Living Languages Institute’ which would provide post graduate education in Kurdish.² Thus, during the local election campaign, politicians and political parties used Kurdish in political activities. Although the use of any language other than Turkish in political life is illegal under the Law on Elections and Political Parties, in most such cases no legal action was launched. Restrictions on the private local and regional TV and radio programs were still valid.³

Although the ‘Kurdish Opening’ initiative of the Justice and Development Party (AKP) government has been perceived as a very positive step by the European Union and the international community, AKP government has not been successful in managing the integration of the Kurdish problem within the Turkish community through the ‘Kurdish Opening’ strategy. A majority of the Turks perceive Kurds as terrorists and their demand for cultural and political rights as threats against the Turkish Republic.⁴ Due to the electoral concerns, AKP government could not push for further developments in the minority issues significantly.

2.2. Significant Institutions

The presidents

The president is elected directly for a five-year term, who is also eligible for a second term in Turkey. The profiles of the two presidents, who served during the time frame of the analysis between 1999 and 2012, are significantly different. Ahmet Necdet Sezer was the tenth president of the Turkish Republic that served between 2000 and 2007. The President Sezer had a Kemalist institutional background in the judiciary, and his presidency was in many ways defined by a mission to prevent the right wing AKP government’s policies.⁵ The ideology of Kemalism, that depends on founder of Turkish Republic, Mustafa Kemal Atatürk’s views requires a secular state united as a single ethnic society, namely as Turkish.⁶

As a strong supporter of the Kemalist state ideology, the President Sezer never recognized AKP governments’ policies towards Kurdish minorities. Even the presence of Kurds in the neighboring states and Kurdistan Regional Government (KRG) was ignored by the President Sezer.⁷ Kurdistan Regional Government (KRG) is the governing body of the Kurdistan Region in the Northern Iraq, where the majority of the Kurds live, with a unicameral Iraqi Kurdistan Parliament (IKP) with 111 seats. Since the foundation of Kurdistan Regional Government (KRG) in 1992, the Turkish military strongly opposed formal contact with the Kurdistan Regional Government (KRG), which is an attitude shared by many high ranking Kemalist officials.⁸ During his presidency, Ahmet Necdet Sezer refused to officially receive his counterpart Kurdistan Regional Government (KRG) President Massoud Barzani, as he was rather a ‘tribal chief’ and thus not an acceptable partner for a dialogue with high-ranking Turkish officials.⁹

The next president, Abdullah Gul, has been serving after 2007 as the 11th President of the Turkish Republic. Before inauguration, the President Abdullah Gul served as the Prime Minister of AKP government in 2002-2003. As he was one of the founders of the Justice and Development Party (AKP) and not from a political background of Kemalist ideology, his presidency has been supportive of the provisions and policies that AKP government introduced for the rights of the ethnic minorities.

The AKP strategy of the ‘Kurdish Opening’ (a.k.a the Democratic Opening or Initiative), was announced by the Prime Minister Recep Tayyip Erdogan, with the support of the President Abdullah Gul in 2009. In his speech given to media, the President Gul declared that the biggest political problem of the Turkish Republic was the Kurdish question and the ‘Kurdish Opening’ was an opportunity that should not be missed as a plan designed to solve the problem.¹⁰

¹ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2010”, accessed March 10, 2013, ec.europa.eu/enlargement/pdf/key.../2010/.../tr_rapport_2010_en.pdf

² “Top Turkish education boards approves Kurdish language program”. *Hurriyet Daily News*, September 3, 2010, accessed March 10, 2013, <http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=yok-says-yes-to-master8217s-program-on-kurdish-language-and-culture-2010-09-03>

³ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2009”, accessed March 11, 2013, http://ec.europa.eu/enlargement/pdf/key_documents/2009/tr_rapport_2009_en.pdf

⁴ Marlies Casier, “Designated Terrorists: The Kurdistan Workers’ Party and its Struggle to (Re)Gain Political Legitimacy”, *Mediterranean Politics* 15:3 (2010): 343.

⁵ Umit Cizre, ed., *Secular and Islamic Politics in Turkey*, 90.

⁶ Kuru, Ahmet, and Stepan, Alfred C., eds., *Democracy, Islam, and Secularism in Turkey*, (New York: Columbia University Press, 2012), 75.

⁷ Kabasakal, ed., *Human Rights in Turkey*, 166.

⁸ Entessar, *Kurdish Politics in the Middle East*, 206.

⁹ Henri J. Abuket et al. eds., *Iraq, Its Neighbors, and the United States: Competition, Crisis, and the United States: Competition, Crisis and the Reordering of Power*, (Washington D.C: United States Institute of Peace, 2011), 49.

¹⁰ Aysel Karabat, “Gul: The biggest problem of Turkey is the Kurdish question”. *Today’s Zaman*, May 11, 2009, accessed March 12, 2013, http://www.todayszaman.com/newsDetail_getNewsById.action?load=detay&link=174922

Thus, not only did the President Gul indicate his interest in the minority protection issues in Turkey, but he also showed it. Like the political party leaders, he has visited the Southeastern part of Turkey, where the majority of the Kurds are living. Thus, although Prime Minister Erdogan was encountered protests in the region during his visit, the Kurds' attitude towards the President has been warmer due to his speeches about the recognition and the protection of the rights of Kurds.¹

Constitutional Court

The Constitutional Court of Turkey consists of 17 members who are appointed by the President from among candidates submitted by plenary assemblies of other courts, the Higher Education Council, senior government administrators, and lawyers. The judges are appointed for 12-year.² With the impact of the President on the selection process, the Constitutional Court takes an ideological stand.

In the analysis of the impact of institutions in the process of Europeanization in Turkey, the Constitutional Court appeared as a variable that worked against the initiatives for the protection of the rights of the ethnic minorities. Under the 1982 Constitution of the Turkish Republic, which came into force as a direct result of the 1980 military *coup*, Turkey's Constitutional Court is a stronghold of Kemalist-statist interests and an active defender of Turkey's militant secularism.³ It is vested with the power to order the closure of political parties, whose agenda is found to be "in conflict with the indivisible integrity of the State with its territory and nation, human rights, national sovereignty, and the principles of the democratic and secular Republic" or when "the internal functioning and the decisions of political parties contrary to the principles of democracy".⁴ Based on the Kemalist state ideology, the Constitution does not allow political parties founded on the ground of ethnicity.⁵ Thus, the Constitutional Court has been one of the major obstacles for Europeanization of minority protection policies by preventing the political representation of the Kurds in the Parliament during the candidacy period of Turkey in 1999 until 2012. After deliberating on the issue for more than two years, in 2009 the Constitutional Court, suddenly banned the pro-Kurdish Democratic Society Party (*DTP*).⁶

The reason behind this decision of the Constitutional Court was the close association of the party with the guerilla group Kurdistan Worker's Party (PKK). The Chairman Ahmet Türk and another legislator Aysel Tugluk were expelled from Parliament, and 35 other party members were banned from joining any political party for five years.⁷ This decision from the Constitutional Court came right after the declaration of the Kurdish Opening initiative by the AKP government, strongly supported by the President Gul. Although another pro-Kurdish political party, the Peace and Democracy Party (BDP) quickly took the *DTP*'s place, the state-ordered banning of the Democratic Society Party (*DTP*) has reinforced the 'constitutional' obstacles towards the equal treatment of ethnic minorities, even as practical initiatives proceed. Thus, this decision of the Constitutional Court slowed down the Democratic Initiative for a long time. The European Union released a statement, expressing concern over the court's ruling and urging Turkey to change its policies towards political parties which resulted with major protests throughout Kurdish communities in Turkey.⁸

Tracing the process of Europeanization in Turkey between 1999 and 2012, the Constitutional Court revealed as the most significant domestic variable, which had negatively affected the process based on the ignorant provisions of the current Constitution for the ethnic groups.

2.4. Mobilization of the Minorities

Mobilization of the ethnic minorities for cultural and political rights in Turkey has encountered restrictions and legal actions against that are supported by the Constitution of the Turkish Republic, accordingly the Constitutional Court. Despite all the legal and political obstacles, Kurdish activists follow two pathways for mobilization: political mobilization and armed insurgent action.

As the Kurdish issue has always been on the political agenda of the Justice and Development Party (AKP), the Kurdish community became more engaged in politics in Turkey after 2002. In July 2003, Parliament

¹ Mümtazer Türköne, "Abdullah Gül and the state's new Kurdish policy", *Today's Zaman*, September 15, 2007, accessed March 12, 2013, <http://www.todayszaman.com/columnist-122156-abdullah-gul-and-the-states-new-kurdish-policy.html>

² Ergun Ozbudun, and Ömer Faruk Gençkaya, *Democratization and the politics of constitution-making in Turkey*, (Hungary: Central University Press, 2009), 20.

³ Ibid.

⁴ "Article 143", Constitution of Turkish Republic, accessed March 13, 2013 http://www.anayasa.gov.tr/images/loaded/pdf_dosyalari/THE_CONSTITUTION_OF_THE_REPUBLIC_OF_TURKEY.pdf

⁵ Ozbudun, and Gençkaya, *Democratization and the politics of constitution-making in Turkey*, 25.

⁶ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2010", accessed February 13, 2013, ec.europa.eu/enlargement/pdf/key.../2010/.../tr_rapport_2010_en.pdf

⁷ "Turkish top court bans pro-Kurdish party", *BBC News*, December 11, 2009, accessed March 12, 2013, <http://news.bbc.co.uk/2/hi/europe/8408903.stm>

⁸ "Kurdish unrest erupts in Turkey after DTP ban", *Hurriyet Daily News*, December 12, 2009, accessed March 12, 2013, <http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=kurdish-unrest-erupts-in-turkey-after-dtp-ban-2009-12-12>

revoked Article 8 of the Anti-Terror Law, which prohibited the dissemination of separatist propaganda.¹ However, the updated laws still restricted non-violent expression, and court cases were still being brought against Kurdish writers and publishers, who sought for the rights of their community. Despite recent reforms, Turkish legislation still contains many restrictions on freedom of expression. As they prevent free discussion on the Kurdish question and possible solutions, these restrictions have led to many Kurdish politicians, mayors and non-governmental representatives being tried in courts and convicted.² These restrictions on freedom of speech that prevent mobilization of the Kurds violate the European Convention on Human Rights and are against the EU's Copenhagen Criteria, thus blocking the process of Europeanization in Turkey.

In parallel with the AKP policies towards ethnic minorities, there have been important changes within the Kurdish community in Turkey. The support for the armed struggle has been declining among Kurds since 1980s.³ With the possibilities of political representation, the Kurds' demand for cultural and political rights grounded on the effective use of democratic means. This view is voiced more and more frequently within Kurdish civil society, which has become more active with the Kurdish Opening strategy of AKP government.⁴

The political rhetoric used by the Kurdish politicians and activists emphasize bilingualism in education, greater cultural rights, a general amnesty for Kurdistan Worker's Party (PKK), restoring Kurdish names in eastern and southeastern Turkey, and 'democratic autonomy' in areas where Kurds have a majority.⁵ These goals are officially declared by the Peace and Democracy Party (BDP), the largest Kurdish party, and the successor to the banned DTP, which is also considered to be the political wing of the PKK.⁶ Furthermore, the PKK has also changed its rhetoric since imprisonment of its leader Ocalan and began to emphasize the cultural-identity dimension of the Kurdish problem instead of an independent Kurdish state. The ultimate goal of the group is consistently declared to be a degree of autonomy with Turkey.⁷

In addition to the legal obstacles for the mobilization of the ethnic groups in Turkey, the pressure from society and political groups against the Kurds are significant as well.⁸ The two mainstream parties in the Turkish Parliament, the National Action Party (MHP) and the Republican People's Party (CHP) have been only strongly opposing the Kurdish Opening Initiative by AKP government but also the political presence of Kurds in the parliament.⁹ The Republican People's Party (CHP), which is a strong supporter of the Kemalist and Nationalist view, accused AKP of backing PKK for its separatist goals and violating the constitution, as well as causing an ethnic polarization in the country. Thus, the National Action Party (MHP), which is the Turkish nationalist party in the Parliament have been opposing any policies proposed by either the AKP government or the European Union on the cultural and political rights of minorities in Turkey based on the view that all citizens of Turkey are 'Turkish'.¹⁰

The political opposition from the mainstream political parties in the Parliament was further consolidated by public opinion when the Kurdistan Worker's Party (PKK)'s 'peace group' returned home to Turkey with 34 guerrillas from northern Iraq with huge welcoming receptions at the Habur Border with Turkey and later in Diyarbakir.¹¹ These celebrations were broadcast throughout Turkey, provoking responses from even moderate ethnic Turks, who perceived the affair to be some sort of PKK victory parade. This peace group affair proved that neither the legal provisions nor the public and the political parties were ready to see the Kurds actively engaged in the political and cultural spectrum of the Turkish society.¹² Thus, the mobilization of ethnic Kurds in Turkey can be defined as both a failure and success. As the 30 years of armed insurgency and growing political representation of Kurds still remain a reality in Turkey today, the mobilization among Kurds can be considered as successful, and thus supporting my hypothesis. On the other hand, as neither the PKK nor the political parties or NGOs have been successful enough to bring Kurds a full array of cultural and political rights, the mobilization

¹ Entessar, *Kurdish Politics in the Middle East*, 147.

² Vera Eccarius-Kelly, *The Militant Kurds: a Dual Strategy for Freedom*, (California: Abc-Clio Llc, 2011), 31.

³ Aliza Marcus, *Blood and Belief: The PKK and the Kurdish Fight for Independence*. (New York: New York University Press, 2007), 139.

⁴ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2012", accessed March 18, 2013, ec.europa.eu/enlargement/pdf/key.../2012/.../tr_rapport_2012_en.pdf

⁵ Marcus, *Blood and Belief: The PKK and the Kurdish Fight for Independence*, 245.

⁶ Eccarius-Kelly, *The Militant Kurds: a Dual Strategy for Freedom*, 122.

⁷ Entessar, *Kurdish Politics in the Middle East*, 132.

⁸ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2006", accessed March 18, 2013, http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/tr_sec_1390_en.pdf

⁹ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2005", accessed March 18, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1426_final_progress_report_tr_en.pdf

¹⁰ Carkoglu and Rubin, eds., *Turkey and the European Union: Domestic Politics*, 148.

¹¹ "Turkish court releases all members of PKK peace group", *Hurriyet Daily News*, October 20, 2009, accessed March 23, 2013, <http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=1020095350648-2009-10-20>

¹² Ayşe Betül Çelik, "Ethno-political Conflict in Turkey: From Denial of Kurds to Peaceful Co-existence?" in *Handbook of Ethnic Conflict: International Perspectives*, Landis, Dan and Alber, Rosita D., eds., (New York: Springer 2012), 258.

of Kurds can be seen as a failure.

3. Conclusion

The policy of suppressing of the Kurdish identity and the problems related to this policy has been on the political agenda in Turkey since the foundation of the Republic of Turkey in 1923. The early assimilation policy of the Kemalist state in parallel with the Kemalist state ideology of a unified state with only 'one ethnic identity' met strong resistance among the Kurdish minority and sparked several outbreaks of unrest, which were violently suppressed, in the Eastern and Southeastern part of Turkey. In 1984 the issue took on a new dimension when the newly founded Kurdistan Workers' Party (PKK) began conducting terrorist attacks against Turkish territory from safe havens in the Qandil Mountains of Northern Iraq.¹ The struggle against the Kurdistan Workers' Party (PKK) has so far cost 40,000 lives and has hurt both Turkey's internal development and its relations with its Western allies, especially the United States.²

Especially in the most recent years, pressures for greater political and cultural rights have visibly increased within the Kurdish community in Turkey. Since assuming power in 2002, the AKP government has introduced a number of reforms designed to improve relations with the Kurdish minorities in Turkey. In August 2002, Kurdish-language broadcasting was introduced on a limited basis.³ As part of the same reform program, classes conducted in Kurdish were also approved on a limited basis. These reforms initially helped the AKP improve its political support among the Kurds, who make up about 20 percent of the Turkish population. In sum, the Justice and Development Party (AKP) government serving after 2002 has been actively engaged with the problem. In the aftermath of the 2011 election, which has been a victory for the AKP headed by Prime Minister Erdogan, as he earned more than 50 percent of the votes, the Kurdish issue is likely to move to the top of the Turkish political agenda as the country seeks to draft a new and more democratic constitution. As stated before, the current Turkish Constitution ratified in 1982 is the biggest obstacle for the recognition of another ethnic group other than Turks, as it came into force as a direct result of the 1980 military *coup*, and thus is a reflection of Kemalist-statist interests of a Turkish 'nation state'.⁴

The analysis of Europeanization of minority protection policies in Turkey during the time frame between 1999 and 2012, indicate that the legal framework of the minority protection policies is the major problem that blocks the process. Initially, because of the Constitution, the Kurdish community still is not considered to be recognized ethnic minorities in Turkey. However, in terms of cultural rights the developments have been promising after the declaration of Turkey's EU candidacy. The role of the 'position of the governments' are one of the significant variables that explain the impact of domestic factors on Europeanization process. Thus, the Justice and Development Party (AKP) government has formed the government in 2002 the Constitution has been amended, lifting the ban on the use of languages other than Turkish. This is a major development as Kurdish was not allowed to be used in 1999.⁵ However, there are still few problems concerning the registration of certain Kurdish names.⁶ On the other hand, as part of cultural rights of minorities, celebrations of Newroz, the 'Kurdish New Year' are not banned by the government anywhere in Turkey, which used to be either allowed only in the cities that the government decides or not allowed at all.⁷

On the other hand, as in the previous two case studies on Latvia and Bulgaria, enforcement of the legal provisions on the rights of ethnic groups is problematic in Turkey. For instance, the improvements in the education right of Kurds are not necessarily applicable in practice. Although Turkey allowed private schools to teach Kurdish language with permission, all of these schools were closed by 2004, which limited the rights of Kurds to learn their language that is impossible in the public schools.⁸ The major reason was the financial problems that these schools encountered due to lack of support from the state funding, as they were private institutions and relatively disadvantaged economic situation of the Kurds.⁹ Thus, the educational reforms supported by the government lacked support from the Kurdish community due to their economic situation, and ended up with closure of these schools.

¹Ibid, 263.

² Marianna Charountaki, *The Kurds and US Foreign Policy: International Relations in the Middle East*, (New York: Routledge 2011), 230.

³ "EU Commission's Regular Report on Turkey's Progress Towards Accession 2003", accessed March 22, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2003/tr_tk_final_en.pdf

⁴ Ozbudun, and Gençkaya, *Democratization and the Politics of Constitution-Making in Turkey*, 20.

⁵ Çelik, "Ethno-political Conflict in Turkey: From Denial of Kurds to Peaceful Co-existence?", 250.

⁶ "EU Commission's Regular Report on Turkey's Progress Towards Accession", accessed March 22, 2013, ec.europa.eu/enlargement/pdf/key.../2012/.../tr_rapport_2012_en.pdf

⁷ Ibid.

⁸ "EU Commission's Regular Report on Turkey's Progress Towards Accession", accessed March 22, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1426_final_progress_report_tr_en.pdf

⁹Ibid.

Nevertheless, broadcasting in the ethnic language is another part of cultural rights, which have been mentioned in all annual progress reports published by the European Commission between 1999 and 2012. The analysis of two different governments before 2002 and after 2002, shows that the ‘position of the governments’, in contrast to the ‘significant institutions’, especially before 2007 (Sezer Presidency), have been supportive of the process at the domestic level. Moreover, Justice and Development Party (AKP) government succeeded in removing the bans on newspapers, journals, TV, and radios.¹ Initially, under pressure from the EU, the state owned-channel, TRT, began broadcasting documentaries and news in Kurdish in 2004 only for about 30 minutes each week.² Later, Turkey has launched its first 24-hour Kurdish-language TV station, which is called a ‘democratic new era’ by the government for Kurdish minorities.³ Some legislative changes have been introduced allowing for radio and TV broadcasting as well and the Turkish Public Television (TRT) started broadcasting in Kurdish although some restrictions on the types of programs such as political ones were still kept.⁴

Accordingly, the restriction of Kurdish language has been a problem for the political participation of Kurds in Turkey as well. Kurdish politicians have been facing court cases because of giving speech in their own language, based on the Article 8 of the Constitution, the Anti-Terror Law, which prohibited the dissemination of separatist propaganda.⁵ As discussed before, the Constitutional Court caused many Kurdish politicians, mayors and non-governmental representatives being tried in courts and convicted.⁶ Thus, in the case of Turkey, the ‘significant institutions’ and the ‘mobilization of minorities’ have been two conflicting domestic factor affecting Europeanization process. However, with the Kurdish Opening Initiative led by the Justice and Development Party (AKP) government, pro-Kurdish politicians and political parties used Kurdish in the most recent local elections in 2009 and no legal action was launched.⁷

On the other hand, for political participation, the electoral system is also a problem that prevents minorities to be represented in the Parliament, which makes the mobilization for Kurds harder, and thus ‘mobilization’ as a variable to be less affective. In Turkey, 10 percent electoral threshold for political parties entering parliament is a level that Kurds cannot reach nationally. As this has made it difficult for Kurdish politicians to enter politics, they have been mobilizing as ‘independent’ candidates for the Parliament, who join the pro-Kurdish party after being elected. Thus, the rise of the pro-Kurdish Peace and Democracy Party (BDP), which has managed to gain 35 seats in the 550-member Parliament in 2011, has been one of the positive changes in recent years that provided ground for mobilization of Kurds.⁸

In sum, the analysis of the process of Europeanization in Turkey in the field of minority protection policies during the time frame between 1999 and 2012 indicate that the process has been under the impact of domestic factors despite the strong pressure from the European Commission for the application of the ‘conditionality’ for the EU membership. As discussed, the significant changes in the state policies towards the Kurdish minorities after 2002 shows that, the variable of the ‘position of the governments’ have strong influence on the process, which is outlined by the comparison of the governments before and after 2002 here. Thus, the analysis of ‘significant institutions’ is consistent with my hypothesis, claiming that both the President and the Constitutional Courts have been affective in the process. The two different Presidents, who served in this time frame, followed two different attitudes towards protection of Kurds. While the Constitutional Court have been blocking the process with its decisions at some points, the Justice and Development Party (AKP) government with the support of the President Gul have been significant actors for positive changes in the process. On the other hand, Turkey still employs restrictive measures on minority rights due to the reasons discussed about the Constitution, providing the Constitutional Court as a significant institution to be the major restrictor of Europeanization process in minority protection issues. In such a political settlement, the mobilization of the Kurds occurred in both political and insurgent way, which can be considered as a success, since in the most recent general elections in 2011, the Kurdish representatives took 35 seats in the Parliament and gained several cultural rights as discussed before.

¹ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2010”, accessed March 23, 2013, ec.europa.eu/enlargement/pdf/key.../2010/.../tr_rapport_2010_en.pdf

² “EU Commission’s Regular Report on Turkey’s Progress Towards Accession”, accessed March 22, 2013, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1426_final_progress_report_tr_en.pdf

³ “Turkey’s Kurdish TV channel opens to mixed reviews”, Reuters, January 2, 2009, accessed March 22, 2013, <http://www.reuters.com/article/2009/01/02/idUSL2352569>

⁴ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession”, accessed March 22, 2013, ec.europa.eu/enlargement/pdf/key.../2012/.../tr_rapport_2012_en.pdf

⁵ Entessar, *Kurdish Politics in the Middle East*, 147.

⁶ Vera Eccarius-Kelly, *The Militant Kurds: a Dual Strategy for Freedom*, (California: Abc-Clio Llc, 2011), 31.

⁷ “EU Commission’s Regular Report on Turkey’s Progress Towards Accession 2010”, accessed March 23, 2013, ec.europa.eu/enlargement/pdf/key.../2010/.../tr_rapport_2010_en.pdf

⁸ Pelin Turgut, “Turkey’s Election Offers a Last Chance to Integrate the Kurds”, *Time*, June 10, 2011, accessed March 25, 2013, <http://www.time.com/time/world/article/0,8599,2077069,00.html>