A Self-Governing Group or Equal Citizens?
Kurds, Turkey and the European Union

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This study shows how the theoretical debate between liberal egalitarianism and multiculturalism corresponds to the problem of minorities in Turkey. The differentiated group rights supported by the latter are contrasted with liberal egalitarianism policies to identify which is better suited to the goal of increasing equality in Turkey. The multiculturalist perspective is represented by the European Union (EU) which favours differentiated cultural group rights, while the liberal egalitarian perspective is represented by Turkey's constitutional citizenship policy. The central argument of this study is that awarding self-government rights to national minorities would not be sufficient to create equality in Turkey's culturally diverse society. The article points to potential injustices that might result from providing different treating to distinct groups in Turkey, and discusses these with reference to inter-group and intra-group inequalities. Within this framework, the article then provides empirical evidence for the egalitarian critique of multiculturalism and seeks to demonstrate that EU minority conditionality, and in particular the self-government rights that it proposes, are unlikely to create a more democratic society in Turkey.

Keywords: Turkey, Kurds, EU, egalitarian liberalism, multiculturalism.

The Kurdish problem is one of the major barriers to Turkey's accession to the EU, and has prompted Turkey to search for an equitable mechanism for accommodating cultural diversity in its society. This article focuses on how the debate between liberal egalitarianism and multiculturalism corresponds to the problem of minorities in Turkey, and provides a theoretical basis to point out the most possible egalitarian

solution to the Kurdish problem. The main argument of this study is that the self-government rights presented by multiculturalism contradict the egalitarian principle of classical liberalism and cannot generate equality in a multicultural Turkey. This claim will be considered through empirical evidence as I explore the potential injustices that might stem from extension of these rights to the Turkish context. These injustices will be discussed with reference to inter-group and intra-group inequalities that would arise as a result of the differentiation of groups in public life.

Theoretical framework

In this section I will compare the theories of multiculturalism and egalitarian liberalism. The differentiated group rights supported by the former will be compared to individual egalitarianism to identify which system is better suited to the goal of increasing equality in Turkey. In the literature, leading supporters of differentiated multicultural rights, such as Will Kymlicka (1995), Bhikhu Parekh (2000), and Tariq Modood (2005), have argued that minorities should be given positive rights in order to rectify the inequalities inherent in diversity. According to them, the official language used in providing public services automatically puts other linguistic minorities at a disadvantage (Kymlicka, 2001: 247). It creates inequality and leads to assimilation, which is why the state should recognize group differences and take an active role in acknowledging their different needs in public discourse. Parekh (2005) argues that providing everybody with the same rights and duties cannot create full equality, because these duties might not be compatible with the beliefs of different cultural groups and consequently may either prevent their involvement in social life or assimilate them into the majority culture. He argued that providing people with

undifferentiated rights and duties cannot achieve equality of opportunity in any real sense. For him:

> Opportunity should be understood as subject-dependent and a facility, a resource, or a course of action is just a mute and passive possibility and not an opportunity for an individual if she lacks the capacity, the cultural disposition, or the necessary knowledge and resources to take advantage of it (Parekh, 2000: 41).

From this perspective equal opportunity is meaningless if cultural practices of people prevent them from accessing those opportunities. In civic polities, although people of a particular identity might not be systematically precluded from accessing the same opportunities as people of other identities, the context in which these opportunities are offered indirectly discriminates between those who are fully capable of participating, on the one hand, and those whose cultural identity acts as a barrier, on the other. In this framework, members of religious groups should be exempt from laws that infringe upon their beliefs. Linguistic minorities should be exempt from mandatory use of an official language that is not their own mother tongue.

It is important to note that social equality is a shifting conventional term that has been used to refer not only to equal opportunities ("formal equality") but also to equality of outcome ("substantive equality"), for example, equality of income or equal access to security, educational and health services. Moreover, its meaning varies among different groups with different interests. Equality can be read as cultural equality for those who feel they experience cultural discrimination, or it might be read as economic inequality for those who believe themselves to be subject to unjust economic policies. It is very difficult to identify a hierarchy among these changing priorities of individuals and groups. Multiculturalists argue that an understanding of social equality as equality of opportunity does not always produce equality of outcome, and can sometimes even systematically undermine it. In such cases, equal treatment requires us to employ differentiated rights for these groups, in order to make

them fully capable of participating in social life and thereby ensuring substantive equality (Kymlicka, 2001: 67). However, dealing with a contextual or subjective understanding of equality makes it difficult for multiculturalists to find a common theoretical paradigm that produces absolute social equality for all. Nevertheless Modood (2005) insists that there are two distinct concepts of equal citizenship. He differentiates between tolerance of difference in the private sphere and appreciation of diversity in the public sphere. Modood claims that multiculturalism demands assistance for the realization of both (Modood, 2005: 135).

In response to this view, proponents of egalitarian discourse have emphasized that it is not the responsibility of the state to nurture the culture of any particular group. Liberal egalitarianism claims that benign neglect and equal treatment of individuals is the proper way to attain equality across both groups and individuals, and that in this way equal citizenship based on fundamental individual rights will emerge. In his reply to the above mentioned account of multiculturalism, Brian Barry (2001) argued:

> All laws have a different impact on different people depending on their preferences and beliefs, for instance speed limits inhibit only those who like to drive fast. This does not constitute unequal treatment provided the law can be justified as advancing some legitimate public objective.[1]

For Barry, a law commanding the principle of equality must be justified as advancing some legitimate public objective. However, in this context we have to consider whether there is a universal source of legitimacy and whether there can be a public objective that is legitimate for both the majority population and a national minority. Sources of legitimacy are different for different groups, whose concerns vary according to context. For example, in post-conflict states, a minority's cultural freedom might be restricted for the sake of (re)building a nation.

While the majority sees the state as a guarantor of their rights, members of certain minority groups might view it as violating one of their most fundamental freedoms, namely to speak their own language in every area of life, including both the public and the private spheres. What minority groups understand from legitimate public objective is usually quite different from what the majority perceives it to be. Drawing on Barry's views, Habermas claims that different cultural groups find justification of a law reasonable if the law's 'burden appears reasonable (preferable) to them in comparison with the burden of the discrimination which is thereby eliminated' (Habermas, 2005: 13). Granting official status to the majority language and forcing minority members to learn that language may be justified (for an egalitarian) on the grounds that knowledge of the official language would provide members of all ethno-cultural groups with equal access to economic, social, political and cultural opportunities, albeit in the majority vernacular. Nevertheless, maximizing material wellbeing or equality of opportunity might not be the primary concern of minority members who want, more than anything, to speak their own language in public discourse, who prioritize freedom over equality. However, the egalitarian approach has been sought to demonstrate that cultural group rights are incompatible with liberalism (Barry, 2001). Brian Barry, the best known proponent of the egalitarian perspective, argues that seeing groups as agents of fundamental rights is incompatible with liberalism because it creates new inequalities among individuals, and contradicts the role of a neutral liberal state that is to create and maintain political order in harmony (Barry, 2001: 305). The following section will use the empirical case study of Kurds in Turkey to illustrate what these potential inequalities might be in practice.

A case study: the Kurds and Turkey in the period of accession to the EU

The following section will assess the extent to which the self-government rights of the multiculturalist paradigm can create equality of opportunity and equality of outcome for members of the Kurdish community as well as for other citizens in Turkey. It will examine the Kurdish group in Turkey, the attitude of the state towards it, and the protection of minorities as a condition of accession to the European Union, and will discuss whether EU engagement can heal the problematic relationship between the state of Turkey and its Kurdish population. From a theoretical perspective, the EU represents the multiculturalists favouring differentiated cultural group rights, while the Turkish state's emphasis on equal treatment[2] as same treatment represents the egalitarian approach.

Turkey's official minority policy

The 1923 Lausanne Treaty, which gave minority status to non-Muslims, is still accepted as the primary source of the minority rights regime in Turkey. The treaty simply excluded Muslim groups that did not speak Turkish, like Kurds, Caucasians, Laz and Romani people (Smith, 2005: 436–470). 'The Turkish constitutional scheme solves the question of minorities without ever addressing it. There is no reference in the Constitution to the word minority, not even the Lausanne Minorities.' (Minority Rights Group, 2007: 10)

In Turkey, nationality has been reduced to citizenship. According to the Turkish Nationality Act No. 403, citizenship flows either from *jus soli* (right of land: children born in Turkey do not acquire the nationality of either parent at birth, but Turkish nationality) or *jus sanguinis* (right of the blood: either of the parents must be

a Turkish citizen at the time of birth).[3] By this definition of nationality as citizenship, members of different ethno-cultural groups in Turkey 'fit in the criteria defining legitimacy and membership in the political community' (Preece, 2005: 9), provided they were born in the country, and are therefore not treated as minority.

There are two main reasons why Turkey considers that diverse cultural groups should not be accorded special rights. First, in addition to their rights, all citizens have a duty to adopt the civic values of the society in which they live; and second, the body politic is independent of religious, ethnic or racial affiliations, and thus all citizens have the same rights and opportunities to participate in socio-economic and political life. Thus, the Turkish discussion overlaps with the ideas of political theorists who call themselves constitutional patriots. According to Müller (2007) and Habermas (2011), the best known proponents of constitutional patriotism, the criteria upon which political legitimacy is based should be different from ethno-cultural affiliation, ascriptive characteristics and descent; the state should acknowledge and respect all individuals as citizens, no matter what their ethnic identity is, so long as they commit to the civic values of the shared political community. Tezcur, drawing on the writings of Cornell (2001) and Wimmer (1997), stated that 'the ethnicisation of bureaucracy that has caused ethnic conflict in many newly independent countries has not been pervasive in Turkey. Many Ethnic Kurds have achieved positions of influence and power within the bureaucracy and are integrated into Turkish society' (Tezcur, 2009:3).

Although this understanding of community implies inclusive citizenship, it seems more likely to create new problems associated with assimilation. In the case of Turkey, Kymlicka indicates that the 'problem is not that Turkey refuses to accept

Kurds as Turkish citizens. The problem is precisely its attempt to force Kurds to see themselves as Turks' (Kymlicka, 2001: 247).

Under the political regulations associated with constitutional patriotism, special rights for different cultural groups in the public sphere are legally denied and members of these groups are considered equal citizens before the law. Kymlicka argues that in such communities the minority question is more about the assimilative consequences of integration. According to him, citizenship equality can only be achieved if the state can become neutral to cultural, linguistic and religious differences between groups. However, states cannot be detached from societal culture in practice, and their impartiality requires the imposition of a single language, which gradually leads to the erosion of minority culture (Kymlicka, 2001: 247). He indicates that, although cultural subgroups are entitled to equal citizenship rights in civic nation states, groups can hold these rights only as long as they do so in the language of the dominant culture (Kymlicka, 1995: 111).

This is the case in Turkey, where Kurds were given equal citizenship rights and considered as nationals without discrimination, but in practice were either assimilated (Yegen, 2006) or left with no option other than involving in an acculturation process (Heper, 2007). To create a nation state and a national identity the ruling elite needed strong solidarity among the people, and the 'one-language-one-nation' policy was considered the most important tool for promoting such solidarity among people of different ethnic backgrounds.

> The Turkish Republic with its strong centralized state tradition had from its foundation the means to disseminate a unified identity. On the historiographical level this has been expressed by the Turkish Historical Thesis and the Sun Language Theory, according to which the Turkish language is the source for all existing languages in the world. (Hirschler, 2001: 147)

Theoretically this approach is considered romantic, but it was deemed essential to develop and strengthen nationalism in a newly founded republic (Habermas, 1998: 115–116). Since then, the Kurdish-speaking population has been ignored and regarded as Turks (Yildiz, 2000). As a part of the Turkish understanding of equal citizenship, public education was only provided in one official language in order to provide children with equal opportunities. However, while trying to create equal citizenship, the difference between being a citizen of Turkey and being a Turk were overlooked and ignored. This neglect produced assimilative policies and ultimately raised important minority questions.

EU requirements

The application of differentiated cultural rights for minority groups had been prescribed by the EU as a mechanism to reduce the extent of cultural inequality in Turkey and develop democracy. Here it is important to clarify that the EU does not have either a consistent and agreed definition of what constitutes a national minority, or a standard minority regime that could be applied to all member countries, the minority policies of which vary considerably. Nevertheless, the EU has introduced minority rights as a condition of the enlargement process, and implicitly accepted the terms and policy advice of other international organizations such as the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe; the conventions and reports of these organizations are referred to as decisive in the European Commission's progress reports on candidate countries. In its 2009 Progress Report on Turkey the Commission of European Communities, an executive body of the European Union, made its concerns explicit:

> Turkey has not signed the Council of Europe Framework Convention for the
> Protection of National Minorities or the European Charter for Regional or

Minority Languages. There is a need for a dialogue between Turkey and the OSCE High Commissioner on National Minorities.[4]

For this reason the EU's stance on the Kurdish problem of Turkey will be presented within the conceptual framework of the conventions, charters of the abovementioned organizations whose recommendations have obviously implied a set of standards that the EU expects Turkey to meet on its road to membership.

Protection of linguistic minorities in candidate and member countries became more important with the 1990 Copenhagen CSCE Document and the Council of Europe's 1992 European Charter for Regional or Minority Languages. Members and candidate members of the Union were advised to allow the use of minority languages in public education and services. According to Article 14 of the Framework Convention for the Protection of National Minorities, 'states should endeavour to ensure adequate opportunities for being taught in the minority language or for receiving instruction in this language'.[5] Even these linguistic rights were deemed insufficient by Joost Lagendijk, the co-chair of the Turkish–EU Joint Parliamentary Commission,[6] who suggested that 'Turkey should consider regional autonomy to help solve its Kurdish problem'.[7]

In order to meet the minority criteria for accession to the European Union, in 2002 Turkey reformed its policies to allow teaching of minority languages in private institutions. Moreover, one of the state-funded national channels (TRT 6) today broadcasts only in Kurdish (Siddique, 2009). However, limitations on the use of Kurdish language in public schools and the parliament have been the subject of ongoing criticism by the EU.

Is the multicultural solution viable for Turkey?

In applying the theoretical framework to this case study, I will concentrate on new injustices that might result from introducing self-government rights to Kurds in Turkey. These will be discussed with reference to further inter-group and intra-group inequalities that can stem from providing cultural groups with differentiated self-government rights.

Multiculturalism and intra-group inequalities

As indicated before, the EU's minority conditionality expects Turkey to provide certain rights to Kurds. This policy is in line with the multiculturalist argument of scholars like Kymlicka (2001), Young (1995), and Moodod (2005), who all argue that special rights for minority groups can counterbalance circumstances in which people have been subject to discrimination as a result of their distinct cultural practices. However, their interpretation of these special rights varies to some extent.

According to Iris Marion Young (1995), in spite of the fact that minorities could attain full citizenship rights in civic nation states, they remained oppressed and were treated as 'second class citizens'. She argued that 'inclusion and participation … in full citizenship remains the goal but "*differentiated* citizenship" now presents itself as a better route to that goal than equal treatment for all groups' (Young, 1995: 176). Young proposed that the leaders of undermined cultural groups should be given the right of veto on those issues that would have a direct impact on the lives of other group members (Young, 1995: 189).

What the Council of Europe meant by the concept of self-government rights was defined in the European Charter of Regional Self-Government (5 June 1997).[8] By

this definition, the right of veto proposed by Iris Young is clearly a form of self-government right, which, I argue, cannot promote equality in Turkey.

According veto rights to leaders of minority groups violates the equality of opportunity, as the leaders in question might not have the same interests as the rest of the group, and might impede the democratic right of individual members to equally determine the rules that would impact upon them. Kukathas states that 'cultural groups are not undifferentiated wholes but associations of individuals with interests that differ to varying extents' (Kukathas, 1992: 114).

This is the case in Turkey, where 'Kurds' approach to the solutions is different. 52.1% of Kurds in Turkey think that 'the only way (of solving the problem) is to end terrorism'[9]. However, very few Kurdish leaders can represent the whole group. Those leaders who joined the Democratic Society Party (DTP), the party of ethnic Kurds, have been criticized on the grounds that they do not represent all Kurds and have a vested interest in prolonging conflict. Radical members of the Peace and Democracy Party (BDP), which is the successor of DTP, are also now criticized on the same grounds. This possibility has also been argued by Norman and Kymlicka:

> If, as Young implies, only oppressed groups are entitled to differentiated citizenship, this may encourage group leaders to devote their political energy to establishing a perception of disadvantage rather than working to overcome it, in order to secure their claim to group rights. (Kymlicka: Norman, 1995: 304)

This is now evident in Turkey, where it is argued that if the conflict were resolved the leaders of pro-Kurdish parties would not know how to dispose themselves in the political arena or how to mobilize a limited number of people around their leadership (Demir: Gumusel, 2008).

The argument that group leaders might not represent the interests of group members is supported by the case of the Kurds in Turkey. For example, members of

the DTP refused to condemn the Kurdistan's Worker Party (PKK), a terrorist

organization that used to demand a separate homeland for Kurds in south-eastern

Turkey, and which has caused the deaths of more than 30,000 people through guerrilla

attacks. Most ethnic Kurds in Turkey did not vote for the DTP because it was seen as

supporting the violent tactics of the PKK. 'In 2007's parliamentary elections, for

example, the AKP (Justice and Development Party) managed to collect 56 percent of

the southeast's votes. Even in Diyarbakir, considered a DTP stronghold, the AKP took

41 percent of votes, up from only 16 percent in the previous general elections in 2002'

(Schleifer, 2009). This data shows that the vast majority of Kurds support a peaceful

approach and "democratic" opening of the AKP government, rather than the DTP. In

light of this information, it is clear that the Kurdish leadership in Turkey does not

represent the majority of Kurdish citizens; so granting them the right of veto may

constitute a violation of the rights of benign Kurds to make decisions about their

future.

Will Kymlicka has another proposal for promoting equality; it is to grant self-government rights to national minorities in the form of regional autonomy. In

practice, the Council of Europe Parliamentary Assembly also supported this idea with

its Recommendation 1201 in 1993. The Recommendation's Article 11 stated that:

> In the regions where they are a majority, the persons belonging to a national
> minority shall have the right to have at their disposal appropriate local or
> autonomous authorities or to have a special status, matching this specific
> historical and territorial situation and in accordance with the domestic
> legislation of the State. [10]

Article 10 of the European Charter for Regional or Minority Languages, which

concerns the administrative authorities and public services,[11] also indicates that

minorities should be able to use their mother tongue within the borders of their local

or regional authorities, as recommended by Article 2(1) of the Draft European Charter

of Self-Government drawn up by the Council of Europe's Congress of Local and Regional Authorities of Europe (CLRAE).[12] Moreover, 'on November 4 2008, Joost Lagendijk, the co-chair of the Turkish-EU Joint Parliamentary Commission, suggested that 'Turkey should consider regional autonomy to help solve its Kurdish problem'.[13]

However, I argue that self-government rights in the form of regional autonomy cannot provide all Kurds in Turkey with the same opportunities to maintain their cultural identity in public discourse. This is chiefly because of the dispersed demography of Kurds in Turkey. Through its assimilationist or acculturative government policies, the Turkish state intended not to exclude but to integrate the Kurdish population into the rest of the community. From the beginning of the 1950s, Kurds were willingly moving to the western provinces in order to have better job opportunities and better economic conditions. After the armed fighting between the PKK and military forces started, a large number of villages inhabited by Kurds were vacated for security reasons. The exact number of Kurds who were internally displaced is not known for sure, but the official estimate of the Turkish government in 1998 was about 350,000.[14]

As a result of this evacuation process, the Kurdish population became relatively dispersed. Although some cities are still intensively populated by Kurdish people, the overall population in Turkey is quite mixed; and therefore it is not possible to assume that there is a clear distinction between cities dominated by different ethnic groups. According to the social structure survey conducted by the KONDA Research and Consultancy Institute in 2006, 1,571,000 Kurds live in Istanbul, compared with 618,000 Kurds living in Diyarbakir. It is clear that the greatest number of Kurds live in Istanbul, not in Diyarbakir. 'The level of the Kurdish population in Istanbul is

striking, demonstrating the high percentage of ethnic mixing among society and how inseparable ethnic groups are'.[15] The same survey also calculated that 66% of Kurds live in north-eastern, middle-eastern and south-eastern Turkey, while 34% are dispersed across the country. This information suggests that regional autonomy in south-eastern Turkey would not provide Kurds who live across the country with the same opportunities as Kurds who already reside there. If regional autonomy was granted, Kurds who lived within the authority of the regional administration could use their mother tongue in public life and schools, while Kurds residing in other parts of the country would be prevented from enjoying those same rights. Moreover, the KONDA survey indicated that, unlike those Kurds who could not integrate into the socio-economic life of the cities to which they moved years ago, more than half of the Kurds now feel settled in western cities and would not be willing to move away.

Table 1: Regional tendencies of the Kurds to move away for good

Would you like to move away from this city or village for good?								
	Istanbul	Aegean	Eastern Marmara	Western Anatolia	Mediterranean	NE Anatolia	Central East Anatolia	SE Anatolia
Yes	19.1	18.5	6.9	25.0	8.3	10.3	13.0	10.1
Depends-on conditions	35.1	25.9	17.2	25.0	33.3	51.7	53.2	26.1
No	**41.5**	**51.9**	**72.4**	**47.2**	**52.8**	37.9	31.2	60.3
Have-no idea	4.3	3.7	3.4	2.8	5.6	0.0	2.6	3.5

Source: 'A social structure survey: who are we?' Conducted by KONDA Research and Consultancy in 2006.[16]

As illustrated in Table 1, the percentages of Kurds who answered 'no' to the question, 'Would you like to move away from this city or village for good?' are 41.5% in Istanbul, 51.9% in the Aegean, 72.4% in Eastern Marmara, 47.2% in Western Anatolia and 52.1% in the Mediterranean. This raises the issue of what would happen to these people if regional autonomy were declared in the south-east.

Kurds who already live there would benefit from the advantages of the federal solution at no cost, while Kurds with good jobs and homes in the west would have to move away and risk losing their jobs to be able to enjoy the advantages of regional autonomy. It is clearly not an equal opportunity for all Kurds, some of whom are already integrated into the socio-economic life of the country.

My argument can be criticized on the grounds that Kurds who have already been integrated into the community do not need regional autonomy as much as Kurds who do not have equal access to socio-economic opportunities. However I argue that regional autonomy is an ill-advised proposal because it creates further inequalities among Kurds.

Instead, it seems that a higher level of investment by the state in places dominated by Kurds who have suffered inequality of educational and vocational opportunities would be more likely to promote equality for all citizens. Socio-economic disparities have been the most prominent inequality problem in Turkey. Demographic studies show that south-eastern and eastern Anatolia are the most underdeveloped regions of Turkey (see Figure 1) and consequently local Kurds living in these lands have been most affected by material difficulties and illiteracy.

There is no doubt that the state should increase the extent of its investment to underdeveloped regions, in order to increase equality among citizens who live in different areas of the country. By contrast, the multiculturalist solution of self-government seems far from enabling the state to remedy this regional inequality. Granting such public rights to a distinct cultural group in a deeply divided society would erode the sense of solidarity among communities. According to Rousseau and Habermas, if the sense of solidarity disappears democracy cannot function properly

(Stilz, 2009). This problem is convincingly explained by Stilz, who draws on

Rousseau's view of freedom in an egalitarian state.

> Rousseau offers us one kind of controversial answer to these problems: he claims that in order to legislate generally and impartially on one another's behalf, the citizens of a democratic state must share a special bond of identity, one that motivates them to show concern for the freedom and welfare of their compatriots. In Rousseau's view, in order to legislate impersonal laws—laws that will truly protect each citizen's freedom equally—each citizen must be capable of taking up the viewpoint of the general interest or common good, a perspective that requires solidarity with her fellow citizens (Stilz, 2009: 23).

Egalitarian liberals like Brian Barry also support the view that different

groups in a country can develop mutual understanding only 'in the presence of fellow

feeling' (Barry, 1983: 141). According to him, common language is an important

mechanism for developing this feeling and it cannot be obtained in a multicultural

discourse where the sense of solidarity would be derogated by placing subgroups to

their autonomous regions. Moreover when the state needs the majority's support to

increase the budget for rectifying regional disparities the majority members who lack

such a fellow feeling might not be willing to reciprocate to the needs of self-

governing minority groups and regions (Barry, 1983: 141).

Intra-group inequalities that can arise from differentiated multicultural rights

are not limited to unjust elements of the veto right and the regional autonomy

proposal. For example, multiculturalists also propose the permanent use of minority

languages in public services. In my opinion, this solution, in the case of Turkey,

would also cause intra-group inequality within minorities that accommodate

linguistic, religious or racial subgroups. These subgroups should ideally have an equal

opportunity to represent and shape their cultural community, but in practice cultural

communities are usually dominated, recognized and identified by the characteristics

of the subgroup(s) that has greatest power in terms of size and capacity. This is also

evident in the Kurdish community, where the rights of the Zaza-speaking minority are

overlooked while the Kurmanji-speaking majority represents the Kurdish cultural

identity as if it were an undivided whole. The exact number of Zaza people in Turkey

is not known because the last census, which noted ethnic affiliation, was conducted in

1965 and in it, people who declared their ethnic language as Zaza were recorded as

Kurds. Since then, different surveys have provided some idea of the approximate

number of Zaza people in Turkey. The most detailed social structure survey,

performed by KONDA Research Company in 2006, indicated that 8.6% of 50,000

respondents who were randomly interviewed across the country identified themselves

as Kurdish, while 0.41% defined themselves as Zaza.[17] This data shows that Zaza

speakers evidently constitute at least 5% of the Kurdish-speaking population in

Turkey.

As an outcome of assimilative policies in Turkey, Kurds who already speak

different dialects of the Kurdish language could not evolve a common understanding

of belonging. Today, the Zaza- and Kurmanji-speaking groups of the Kurdish

community can hardly communicate with each other. Scholars such as White and

O'Neil indicate that 'there are substantial differences between Zaza and other Kurdish

dialects' (O'Neil, 2007: 74). This fact was also evident when a remarkable number of

DTP parliamentarians from Zaza background could not understand the speech of their

leader (Ahmet Turk) in Kurmanji; a Zaza member of parliament (MP), Ayse Tugluk

from Diyarbakir, stated that 'I could hardly understand the speech; some of us do not

even know Kurdish at all'.[18] The following Zaza MPs also did not understand the

Kurmanji dialect of Ahmet Turk: Sellahattin Demirtaş from Diyarbakır, Ayla Akat

Ata from Batman, Şerafettin Halis from Tunceli, and Sabahattin Tuncel from Istanbul.

This is a clear indicator of the substantial difference between the Zaza and Kurmanji

subgroups of the Kurdish community in Turkey, and prove that it would be unjust to

equate the linguistic identity of Kurds with the dominant dialect of Kurmanji speakers, although these are more numerous and more present in public discourse. For instance, when the state-owned channel TRT 6 broadcasted most of its programmes in the Kurmanji dialect, the Zaza group rightfully complained on the grounds that their right to media access in their mother tongue had been ignored and that their dialect was becoming extinct.[19] The claim for a separate TV channel in the Zaza language also raised questions about the viability of providing all subgroups with differentiated cultural rights in public life. As seen from the case of the Zaza people, whose culture and language were subordinated to the broader Kurdish cultural community in multicultural discourse, the protection of one cultural minority may automatically perpetuate inequality between subgroups within that minority. In this respect, according to Shachar, 'it (the state) also indirectly partakes in the ongoing process of redefining the established traditions that constitute a group's nomos' (Shachar, 2000: 74), and thereby loses its neutrality.

Multiculturalism and inter-group inequalities

Self-government rights such as the permanent use of minority languages in public education and services not only give rise to intra-group inequalities, but also create and deepen inter-group inequalities. This will be discussed from the perspective of two main arguments. In the first place, it will be argued that the rights of different cultural groups to be treated equally in public life would be violated if multicultural principles were implemented in genuine politics, because in such cases the state's neutrality – a condition of equal treatment – would wane (Shachar, 2000: 74). Second, it will be argued that allowing some minority groups to receive public education in their mother tongue might decrease their competiveness in a labour market dominated

by the majority community. In such cases, education in a minority language might violate the right of minority pupils to access employment opportunities in the majority language (Barry, 2001: 107).

The multicultural paradigm, supported by the EU and the Council of Europe, requires states to provide their minorities with certain linguistic rights.[20] Public education and public services in minority languages are among those requirements. In Turkey there are about 16 distinct linguistic groups, who have been settled in Turkey for centuries. The percentages of those groups in the whole population of Turkey were assessed by KONDA Research and Consultancy Company in 2006 as follows:

Table 2: Population by native language

Language	% as Mother Tongue	Language	% as Mother Tongue
Turkish	84.54	Balkan Languages	0.23
Kurdish	11.97	Caucasian Languages	0.07
Zazaki	1.01	Laz	0.12
Arabic	1.38	Circassian	0.01
Armenian	0.07	Turkic Languages	0.28
Greek	0.06	Romani Language	0.1
Jewish languages	0.01	Other	0.12
West European Languages	0.03	Total	100

Source: 'A social structure survey: who are we?' Conducted by KONDA Research and Consultancy in 2006.[21]

Despite the abundance of different linguistic groups in Turkey, the EU only recommended that Turkey provide the Kurds with the right to public education in their own language. No other linguistic group was mentioned in negotiations.[22] This raised the question of the conditions under which a cultural group is entitled to the special rights as advocated by the multicultural discourse (Forst, 2001: 133).

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If the criterion for deciding whether a minority is entitled to receive public services in the mother language is its size, this undermines the starting point of the multicultural discourse, which is to secure equal rights for disadvantaged minority groups. According to Kymlicka, all national minorities who are adequately large and could develop a societal culture should be given rights of self-government (Kymlicka, 1995: 111). However, I believe that implementation of this proposal would violate the equal opportunities of people whose cultural group is too small to develop an institutionally complete societal culture. Even if the claims and grievances of a particular group warranted the application of special rights, there would nevertheless be potential inequality between groups with a greater or lesser capacity to voice their claims. This idea is also supported in Brian Barry's view that 'multiculturalism (understood as normative policy implying the recognition of identity groups) is only a formula for manufacturing conflict, because it rewards the group that can most effectively mobilize or make claims on the polity' (Barry, 2001: 21).

This is the case in Turkey where culturally distinct groups such as the Laz, Roma, Arabic, Kurds and Circassians are assumed to have an equal right to promote their cultural identities in the private sphere; however, the Kurds – who are greater in number than other cultural groups – have been able to mobilize most effectively to claim public recognition, and the EU's support of linguistic minorities in Turkey has been confined to the Kurdish group (Yildiz, 2005). Turkey initiated state television broadcasting in Kurdish ; thereafter, other Laz, Arabic and Georgian cultural groups demanded the same thing,[23] but the state would not consider providing separate TV channels for all linguistic minorities.

Thus, inter-group inequalities that stem from differentiated rights for members of cultural minorities in public life can be traced back to the inability of the

multicultural discourse to explain which groups should be entitled to differentiated rights, and on what basis. It is clear that to decide which group would be entitled to certain rights is a matter of power politics and is inconsistent with the non-aligned status of the liberal state. However, as Kukathas stated:

> The liberal state should take no interest in these interests or attachments – cultural, religious, ethnic, linguistic or otherwise – which people might have; it should take no interest in the character or identity of individuals, nor should it be concerned directly to promote human flourishing. It should have no collective projects; it should express no group preferences. Its only concern ought to be with upholding the framework of law within which individuals and groups can function peacefully (Kukathas, 2003: 24)

Official language policy limits minorities' freedom to benefit from public services in their own language. At this point, multiculturalist 'liberals (who see this policy as unfair) often align themselves with national demands raised by "underdogs", be they indigenous peoples, discriminated minorities or occupied nations, whose plight can easily evoke sympathy' (Tamir, 1993: 11). Multiculturalists argue that the institutional framework, which the state is supposed to maintain for equality, should be improved and reconfigured. According to Kymlicka, this reconfiguration for cultural equality can be achieved if minority languages are also accepted as a legitimate means of communicating with the state (Kymlicka, 1995: 30). In line with this argument, minorities should also have the right to receive public education in their own language. According to Patten and Kymlicka, implementation of this proposal would not prevent minority pupils from having equal access to jobs working in the majority language. According to them, 'minority language speakers may be able to learn the dominant language and generally equip themselves for success in the modern economy even while receiving a significant portion of their schooling in their home language' (Kymlicka; Patten, 2003: 40). However, Kymlicka and Patten do not explain how linguistic minorities who undergo public education in their mother

tongue can become as fluent in the majority language as native speakers, and how this would not constitute a disadvantage in a state where the majority language is the medium of business.

In the Turkish education system, students are required to take a central exam to enter university, and the grades achieved in this exam are the only decisive factor in admission. The exam is conducted in Turkish and requires extensive knowledge of grammar. It would be absurd to expect that 17-year old Kurdish students, with no motivation other than their own will and a partial requirement in public education to learn Turkish, could be as successful in this exam as native speaker candidates.

Indeed statistics show that, even in countries where instruction of the official language is compulsory, students from linguistic minorities are less successful than native speakers (Grubb, 1974: 52–94). The reason for this is that there is usually no additional programme to help minority pupils when they face the official language for the first time in school. Similarly, for instance, most of the children of naturalized Turkish families in Germany hardly speak German at all in elementary school; consequently their educational success is relatively low. 'In 2006, out of the 12,258 students successfully graduating from gymnasium in Berlin, there were only 165 Turks, i.e. a total of less than 1.5 per cent' (Jungius, 2007). This data indicated that additional language courses should be provided in public education, with teachers who are experts in both the official and the minority language helping children from non-majority language communities to improve their official language skills (*ibid*). This facility should also be open to all citizens who require it. This is equally applicable to Turkey, where Kurdish children require extra assistance to learn Turkish when they begin school (Grubb, 1974: 52–94).

However, scholars like Parekh, Kymlicka and Patten overlook this need for additional programmes at elementary school level, and in fact propose something quite different: public education of all grades in the minority language. I think it is obvious that allowing those children to receive most of their education in their home language would not increase their chances of success but damage their educational and economic opportunities, for example by failing to prepare them for college admission exams in the majority language. This would be contrary to the main responsibility of the liberal state to provide students from different backgrounds with equal opportunities, in relation for example to access to higher education, and subsequent employment (Rex, 1998: 203–19). Howe suggests that the state should be concerned with the promotion of equal opportunity on a much broader scale than multiculturalist scholars, who confine their argument to equality of cultural identity in public life (Howe, 1992: 460). In Howe's own words:

> Education is, no doubt, valuable in its own right, but it also is *enabling* in the sense that it serves (however imperfectly) as the gateway for obtaining other societal goods, such as desirable employment, adequate income, and political power. For this reason, equal *educational* opportunity is related to equal opportunity more generally because it serves as an important link in what might be termed an opportunity chain (Howe, 1992: 460).

Barry indicates that egalitarian liberalism is mainly concerned with equality of opportunity. In the case of Turkey, equality of opportunity is more about the opportunity to learn the official language to achieve educational distinction and be fully equipped for the job market (Barry, 2001: 107). For the reasons I have explained above, multiculturalism is unlikely to generate such long-term opportunities in Turkey.

Kymlicka's also argues that:

> Some language minorities are sufficiently large and institutionally complete, they constitute their own societal culture so that individual members can find a relatively

full range of economic, social and cultural options and opportunities in their own language (Kymlicka; Patten, 2003: 40).

I would argue that if Kurdish became the main language of education in minority public schools, the ability of minority pupils to benefit from that socio-economic network would automatically decrease, as the Kurdish population could not so far develop a network that would be sufficiently broad to act as a counterweight to the opportunities available in the majority language.

There are two clear indicators of this insufficiency of Kurdish societal culture. Firstly, its dispersed demography and fragmented cultural structure would make it difficult to develop an institutional network sufficiently broad to accommodate the Kurdish population in their mother tongue. It is striking that half of Kurdish group leaders in parliament cannot communicate with each other, and that MPs from the DTP such as Akin Birdal and Emine Ayna cannot speak any Kurdish dialect of at all.[24]

Another indicator of the institutional incompleteness of the Kurdish community is the low level of industrialization and recruitment opportunities in the south-east region, where some local Kurds have claimed self-government rights. Geographic and climatic hardships (Baycan, 2002: 337), and the insecurity of the region following PKK's terrorist activities,[25] are among the reasons why the industrial progress and employment opportunities have stagnated in the region (Albayrak; Kalayci; Karatas, 2004: 101–30). These factors clearly indicate that the Kurdish community in Turkey could not so far develop a societal culture, which is capable of providing socio-economic opportunities for its members in their own language. This perspective does not have any sort of patronizing sense whatsoever yet it stresses that "whether a cultural group can be thought of as a societal culture, which Kymlicka calls a nation, whose practices and institutions cover a full range of human

activities, is certainly a matter of degree, rather than the either/or distinction Kymlicka makes it" (Young, 1997:51). Under current circumstances, while public education of all grades in Kurdish may give Kurds some cultural freedom, in the long run it could prevent their children from integrating into the Turkish-speaking network, which at present seems to be the only option that can offer a wide range of socio-economic opportunities.
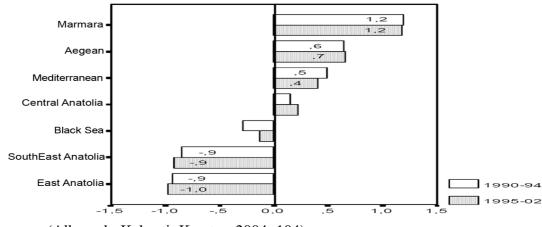
Figure 1: Socio-economic Development of Regions in Turkey

source: (Albayrak; Kalayci; Karatas, 2004: 104)

Conclusion: Egalitarian liberalism and social inclusion in Turkey

This article has sought to demonstrate that the ethnocentric theory of multiculturalism is not a viable solution for Turkey's Kurdish problem. I will argue that temporary adjustments could be considered, that would avoid such problems without sacrificing egalitarian principles. The egalitarian account does not have to contradict policies of social inclusion that take these differences into account. 'The principle of equal citizenship requires that all citizens be equally respected as members of the political community and equally welcome to participate' (Conover; Crew, 2004: 1037). The main argument here is that, unless members of all cultural groups are equally able to

benefit from public services, equal citizenship cannot be achieved; and until this is achieved, taking the needs of different groups into account to promote equal citizenship does not necessarily have to be incompatible with a civic construction of community and liberal egalitarianism.

A civic understanding of community, based on egalitarianism, is strongly related to the establishment of an impartial public sphere where all cultural groups and state authorities could communicate with one another. Within this context, language – as the only tool of communication within a state – is of vital importance for linguistic minorities. This imposition of one official language in public education can be justified on the grounds that everyone should have sufficient knowledge of the official language to be able to communicate with public authorities, benefit equally from public services, and compete on an equal footing for education or employment opportunities. However, even if everyone in the country is given an equal opportunity to learn the official language, there is still an older generation who cannot learn Turkish and so need to use their mother tongue in relations with public authorities. 'A semi-official survey on internally displaced persons (IDPs) conducted by Hacettepe University Institute of Population Studies shows that 'not speaking Turkish' ranks third among reasons for IDPs' lack of access to health services; 27.4 per cent of IDPs, the vast majority of whom are Kurds, responded positively to this question' (Minority Rights Group, 2007: 19). To ensure that such persons are accorded equal citizenship rights they should be provided with services in their own language, at least on a temporary basis. This arrangement would not violate individual equality so long as all citizens from different linguistic groups within the country could benefit from it.

Scholars like Kirisci and Winrow (2004) have also supported this view by stating that if Kurds had been recognized as a minority, and if the official minority

policies of Turkey had been properly regulated in accordance with Article 39 of the

Lausanne Treaty, the democracy problem – known as "the Kurdish question" – would

not have arisen in Turkey (Kirisci; Winrow, 2004: 44). Article 39 (4) of the Lausanne

Treaty states that:

> No restriction shall be imposed on the free use by any Turkish national of any
> language in private intercourse, in commerce, religion, in the press, or in
> publication of any kind, or at public meetings. Notwithstanding the existence of
> the official language, adequate facilities shall be given to Turkish nationals of
> non-Turkish speech for the oral use of language before their own courts
> (Kirisci; Winrow, 2004: 44).

This statement is closely related to my own argument that the permanent use

of minority languages in public education, or granting veto rights and regional

autonomy to minorities would violate the principle of equal opportunity, but that

temporary arrangements would not. Moreover, a civic construction of community on

the basis of egalitarianism does not necessarily prohibit different types of cultural

practices in the private sphere. According to egalitarian liberalism, everyone should

have an equal right to use any language in the private sphere, including broadcasting,

publishing, commercial activities and so on; the state would respect all cultural

identities equally and allow them all to exist provided they do not violate the rights of

individuals. The free and collective use of Kurdish would not contradict the values of

civic community and individual equality in Turkey, so that members of the Kurdish

population should enjoy their freedom of assembly and expression.

In this article I have argued that the problem in Turkey is that fundamental

individual rights have not been adequately respected, and that the solution to the

democracy problem in Turkey should be the development of institutional

arrangements to protect individual rights, rather than group rights aimed at enabling

ethno-cultural groups to claim separate political identities.

I have discussed three different forms of self-government rights and their implications for equality of opportunity in Turkey: the right of veto, regional autonomy, and public education in the minority language. Careful analysis of the social structure in Turkey showed that the self-government rights of the multicultural discourse would not be a viable solution for promoting equality whatsoever; on the contrary, self-government rights have the potential to create further inequalities in an already deeply divided society.

The circumstances under which these inequalities could arise were explored mainly with reference to secondary literature and the KONDA survey. The negative implications of self-government rights for the equality of the people were categorized under two kinds of inequalities: intra-group and inter-group. As concerns intra-group equalities, it was noted that self-government rights in the form of the veto rights for the group leadership violates equality of opportunity. Kurdish leaders who exercise this right in the name of their community might not have the same interests as the majority of group members, and accordingly might impede other Kurdish individuals from exercising their democratic right to influence the rules and processes that affect them. Regional autonomy is an ill-advised solution to this problem because it creates greater inequality of opportunity among Kurds. If regional autonomy were declared in the south-east, Kurds already living there would benefit from the advantages of the federal solution without any cost, while those Kurds with good jobs and homes in the west would have to move away and risk losing their jobs to enjoy the advantages of this regional autonomy. And the case of the Zaza people, whose culture and language were subordinated to the broader Kurdish cultural community, illustrates that protection of one cultural minority may automatically perpetuate inequality between subgroups of that minority.

With regard to the category of inter-group inequalities, it was suggested that allowing regional autonomy for groups who have developed an institutionally complete societal culture capable of providing opportunities in the minority language would violate the equal rights of Laz, Romani, Georgian, Arabic, and Circassian people whose cultural group is too small to develop an institutionally complete societal culture. Even if the group were deserving of such rights, inequalities would arise among groups with different capacities for voicing their claims and mobilizing support (Barry, 2001: 21). Allowing some minority groups to receive standard public education in their mother tongue might decrease their competiveness in the education or employment market, which are dominated by the majority language. In such cases, education in the minority language would violate the right of minority pupils to have equal access to the socio-economic network across the country (Barry, 2001: 107).

This study has presented the main concern of the liberal paradigm as equality of opportunity and outcome, but it is worth noting that the primary concern of those who defend their right to self-government might be freedom. Indeed, not only in the Kurdish example but also in almost every minority case, the principle of freedom rather than of equality seems to be the main concern of those ethno-nationalist minority members whose armed wings call themselves "freedom fighters". Thus, equality of opportunity might not be their ultimate consideration. Although it might be desirable to take freedom as the ultimate principle upon which to build a society, its violation of the principle of equality cannot be justified in the name of liberalism. This article had suggested that individual freedom of association remains compatible with the egalitarian perspective, but the self-government rights to ethno-cultural groups as such violate the principle of equality in too many respects. This is not to say that the state should be blindly indifferent to all cultural differences. On the contrary cultural

differences should be taken into account to avoid any cases in which people are unable to make use of public services due to a cultural barrier such as language. However, this should not be understood as a right that derives from membership to a particular cultural group but as an individual right that is available to all citizens regardless of race, colour, belief or language.

To conclude, this paper has shown that multiculturalist interpretations of liberalism have the potential to create further inequalities in the case of Turkey. I have defended an egalitarian critique of multiculturalism, which argues that self-government rights for Kurds in Turkey would in no way promote equality or further democracy. I have provided empirical evidence for this critique, and shown that the EU policy of minority conditionality and its implications for self-government are unlikely to create a more democratic society in Turkey. I argue that the EU should stop asking Turkey to comply with the standards developed by organizations such as the Council of Europe or the OSCE. Liberalism should be interpreted correctly, and freedom should not be prioritized over equality; as such, self-government rights for Kurds in Turkey should be detached from any liberal connotations, as they violate the principle of equality. After all, Turkey should be wary of attempts to liberalize the country that would result either in difference-blind egalitarianism or in ethnocentric "liberal" multiculturalism.

Notes

1 See Brian Barry, 'Equal Treatment and Same Treatment'. *The New York University Department of Politics Seminars,* 05 November, 2001. http://www.nyu.edu/gsas/dept/politics/seminars/barry.pdf. Retrieved: May, 20 2009.
2 The concept of equality is defined in the Constitution in Turkey as equality of opportunity. According to articles 10 and 24, all citizens are entitled to equal rights before the law without any discrimination on the basis of language, race, colour, conscience and religion. Article 10 states that: "All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations."

3 For more detailed information on the citizenship regime in Turkey, see: Turkish Nationality Act No. 403: Legislative provisions concerning nationality.

4 Commission of the European Communities, 'Turkey 2009 Report'. Brussels, 14 February 2009.
http://ec.europa.eu/enlargement/pdf/key_documents/2009/tr_rapport_2009_en.pdf. Retrieved: Nov, 20 2010.

5 The Council of Europe, Framework Convention for the Protection of National Minorities, Art. 14.

6 The commission is composed of an equal number of members from the Turkish Grand National Assembly and the European Parliament.

7 EUTCC EU Turkey Civic Commission. 'EUTCC welcomes Joost Lagendijk's statement regarding regional autonomy'. 14 November 2008.
http://www.eutcc.org/articles/7/document366.ehtml. Retrieved: Aug, 06 2009.

8 The Council of Europe, Draft European Charter of Self Government (5 June 1997), Art. 3, http://www.ena.lu/. Retrieved: Aug, 03 2009.

9 KONDA Research and Consultancy. 'A Survey on Social Structure: Who Are We?' Turkey, 2006. http://www.konda.com.tr/html/dosyalar/ttya_en.pdf. Retrieved: Jun, 20 2009.

10 The Council of Europe Parliamentary Assembly Recommendation 1201 (1993) on Additional Protocol on the Rights of National Minorities to the European Convention on Human Rights, Art. 11.

11 The Council of Europe, European Charter for Regional or Minority Languages, Strasbourg, 5.XI.1992, Art. 10(2),
http://conventions.coe.int/treaty/en/Treaties/Html/148.htm [17 Jul, 2009].

12 The Council of Europe, Draft European Charter of Self-Government, 5 June 1997, Art. 2(1). http://www.ena.lu/. Retrieved: Aug, 06 2009.

13 Above note 7.

14 Human Rights Watch Report. 'Turkey "Still Critical": Assessing the Scale of the Problem', 2005. http://www.hrw.org/reports/2005/turkey0305/5.htm. Retrieved: Aug, 14 2009.

15 KONDA Research and Consultancy. 'A Survey on Social Structure: Who Are We?' Turkey, 2006. http://www.konda.com.tr/html/dosyalar/ttya_en.pdf. Retrieved: Jun, 20 2009.

16 For details of the sample distribution based on interviews and reliability of the survey conducted by KONDA, see http://www.konda.com.tr/html/dosyalar/ttya_en.pdf. Retrieved: eg, Jun, 06 2009.

17 Above note 16.

18 *Show News*. 'DTP de Kürtçe Bilmeyen Kaç Milletvekili Var? ('How many MPs in the DTP do not know Kurdish?'), 26 February 2009.
http://www.showhaber.com/107471/Manset/Dtpde-kurtce-bilmeyen-kac-vekil-var.html. Retrieved: Aug, 06 2009.

19 *Radikal News Paper*. 'Meclise Zaza, Laz ve Gürcü Dillerinde TV Kurulsun Dilekcesi' ('Petition to the Turkish Parliament to demand TV channels in Zaza, Laz and Georgian languages') 2 February 2009.
http://www.radikal.com.tr/Default.aspx?aType=RadikalDetay&Date=2.2.2009&ArticleID=919759. Retrieved: Aug, 06 2009.

20 See European Charter for Regional or Minority Languages, Strasbourg, 5 November 1992.
http://conventions.coe.int/treaty/en/Treaties/Html/148.htm. Retrieved: Jul, 01 2009.

21 Above note 17.

22 See Recommendation of European Commission on Turkey's progress towards accession, 6 October 2004. http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm. Retrieved: Aug, 02 2009.

23 Above note 20.

24 *Zaman Newspaper*. '1/3 of MPs from the DTP did not understand speech in Kurdish.' 26 February 2009. http://www.haber7.com/haber/20090904/DTPde-Kurtce-bilmeyen-kac-vekil-var.php. Retrieved: eg, Jun, 06 2009.

25 Federation of American Scientists. 'A Case study of the PKK in Turkey by Foundation for Middle East and Balkan Studies'. http://fas.org/irp/world/para/docs/mfa-t-pkk2.htm. Retrieved: Aug, 06 2009.

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