

LIVES AND TIMES OF MILITANCY
TERRORISM TRIALS, STATE VIOLENCE AND KURDISH POLITICAL
PRISONERS IN POST-1980 TURKEY

by
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Dissertation Abstract

Militant politics is at once a *promise* for revolutionary national movements and a *threat* to national security of states. As the discourse of terrorism re-gained prevalence in the 1980s, the Turkish state subsequently defined Kurdish militant politics as “terrorism” and resituated its war in northern Kurdistan as a “war on terror.” This dissertation examines how incrimination of the space of the political by the “war on terror” is critically refracted by Kurdish prisoners and their families within the courts of law. Focusing on trials prosecuting Kurds on a daily basis, it explores how courts conjure the threat of terrorism on the one hand and, on the other, how the promise of militant politics is retained despite and within the space of law.

This inquiry proceeds from the argument that law expands its area of jurisdiction as it grounds accusations of terrorism on ordinary events unfolding in northern Kurdistan. It asks what are the ways in which anti-terrorism laws invest ordinary life with the capacity to exert extraordinary violence on state sovereignty? Based on three years of archival and ethnographic research in anti-terrorism courts in Diyarbakır, this dissertation explores documentary, surveillance, and counterinsurgency technologies through which the reach of law multiplies and the threat of terrorism becomes ubiquitous. Hence, it provides a unique picture of “war on terror” revealing not only the spectacular moments of state repression and torture, but also the ordinary processes of adjudication in which Kurdish prisoners submit their defense, organize collective protests, and forge moral injunctions. Focusing on discursive, performative, and ethical practices of Kurdish

prisoners, this dissertation thus shows how boundaries of the political are continuously reconstituted during Turkey's protracted "war on terror" in northern Kurdistan.

The hegemonic images pertinent to terrorism identify the Middle East with a deluge of spectacular violence and garner public support for draconian anti-terrorism measures. The critiques of the "war on terror," on the other hand, fail to recognize that the globalized discourse of terrorism is not merely a Western artifact deployed to demonize Muslim communities. This dissertation shows that its reach goes far beyond the criminalization of Islamist groups as democratic nation-states like Turkey deploy it strategically to silence political opposition. Additionally, this dissertation demonstrates the necessity of concentrating on more minuscule mechanisms of power such as surveillance technologies, courtroom proceedings, and political defense, to parse out the ways in which anti-terrorism laws not only gain currency but also shape how we understand the political.

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To the beautiful children of the revolution

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Introduction

Imagine a courtroom with one hundred defendants, all Kurds. Lawyers and spectators are also Kurds. Among them, you can see the people from all walks of life: women and men, old and young, workers from every sphere of labor. On this side of the courtroom stands the prototype of a people, the Kurdish people. On the other side, there are three judges interrogating us in the name of the state and with the full power of the state. They twist the truth that the sheer presence of Kurds manifests, so as to refashion us as terrorists. They deprive us of the right to speak our own language and call it an “unknown language.” This is the picture of the state’s denial of Kurds. This is a picture that injures and infuriates me. It stretches the nerves not to have a name. In the old days, newborns were not given a proper name until they proved their being in the world. It is through naming by others that one’s being gains recognition. Without a name, you do not exist. As the state leaves us unnamed, it deprives us of our being in this world.

This profound picture of a political trial in which terrorism charges were pursued against Kurds in Turkey is drawn by Şervan, a forty-year-old man and former prisoner involved in the Kurdish movement since the age of eighteen. Incarcerated in 1993, he was convicted of terrorism and served twelve years in prison. In 2009, when I was conducting interviews with former prisoners, he was working in the central office of the pro-Kurdish political party, then called the Democratic Societies’ Party (DTP), located in Diyarbakır. Less than three months after meeting him, Şervan got once again imprisoned along with other party members whose trials I observed throughout my dissertation field research

(2013-2014). As I wrapped up my research, Şervan was released from prison, but the final verdict on his file remains pending.

Halfway through the interview with Şervan about his recent experience in prison, he recalled the abovementioned scene from the mass “terrorism” trial in which the Chief Justice barred suspects from speaking Kurdish in the courthouse. As defendants answered an attendance roll in their own language by saying “*Ez li virim*,” [I am here], the Chief Justice ordered the court clerks to turn off the defendants’ microphones, and the soldiers to evacuate the courtroom of all defendants and their families. In the minutes of the court, it is noted that the defendants attempted to speak an unknown language. Thus, the presence of the defendants in the court was effaced, the existence of their language was made unknown; and any sound in Kurdish went unrecorded. In subsequent years of the trial, the Chief Justice searched for someone willing to respond in Turkish, but had no success. This was not because defendants were unable to speak Turkish, Şervan said, but because by speaking Kurdish they wanted to show that it was not the “terrorists” who were on trial, but the very existence of Kurds.

In a press conference, the Chief Justice claimed that the defendants’ collective decision to speak Kurdish had nothing to do with justice.¹ Instead, he argued, a secret agenda underwrote the defendants’ claim to the right of defense in Kurdish. The Chief Justice, however, did not attempt to clarify what that secret agenda might be. Recounting that day when he felt that his existence in the world was denied, Şervan’s mood, voice, and posture changed completely. Shifting the register of his narrative from the geopolitics of the Middle East within which he situated Turkey’s “War on Terror,” he explained—

¹ <http://www.radikal.com.tr/turkiye/kck-davasinda-bilinmeyen-dil-krizi-1027417/>
Last accessed on June 15, 2016.

with perceptible anger—that core of Kurds’ struggle was the struggle for a proper name, to become “known” by the Turkish state. If the state recognized their being in the world, so the argument went, Kurds would redefine the being of the state in northern Kurdistan.²

In this dissertation, I inquire into the militant national politics forged by Kurds in their standoff with the law while the political is infused with charges of terrorism. I attend to the spaces, rhythms, and affects of terrorism trials, on the one hand, and underline the bodies, narratives, and ethics of militant politics, on the other. It is the argument of this dissertation that the courtroom is the space where Kurdish militant politics is made present in the plethora of bodies (defendants, lawyers, and family members, as well as judges, state attorneys, police and soldiers) as they interact, coalesce, and conflict with each other. By appearing in the space of law as political subjects, Kurds not only resist, but also persist in the containment of life by the enforcement of terrorism laws. By examining courts of law, my intention is to understand the kind of political, moral, and temporal imaginaries enfolded into the Kurdish militant politics before and in spite of law.

Though not always articulated within the Hegelian framework of mutual recognition that underwrites Şervan’s narrative, the quest for national recognition is prominent among the Kurds and has been expressed through various narrative genres and bodily performances since the 1980s when the Kurdistan Workers’ Party (PKK; *Partiya Karkerên Kurdistan*) launched guerrilla warfare in Turkey. Before examining the specific

² Northern Kurdistan is officially designated as the eastern and southeastern regions of Turkey. If one takes Kurdistan—the territories of which are divided between Iran, Iraq, Syria, and Turkey—as the point of reference, however, the part of Kurdistan within the borders of Turkey would make up the northern part of Kurdistan. Throughout the dissertation, I deploy the term northern Kurdistan to refer to these territories in Turkey where the majority of the population is Kurdish.

rhythm, language, and performance this quest takes when staged in anti-terrorism courts, it is necessary to overview Kurdish uprisings that preceded the PKK and were repressed by use of force. I will, therefore, begin by briefly explaining the long stretch of the Kurds' national struggle in Turkey to situate the subject matter of this dissertation within a broader context of Kurdish political claims.

The Quest for National Recognition

In the modern Turkish Republic, established in the wake of the Ottoman Empire's collapse, Kurds are incorporated within the modern citizenry by virtue of their Muslim heritage and at the expense of their national identity.³ As it is compellingly argued by critical democratic theorists, a body politic is predicated upon an *a priori* exclusion of the other (Laclau and Mouffe 2001[1986]). By exclusion of the other, I refer not only to those denied citizenship, but also to citizens whose differences from the national ideal of a single Turkish identity, are filtered out as a condition of their being incorporated into the body politic. The much contested Article 88 of the 1924 Constitution, which defines the bounds of Turkish citizenship, gives insights into this exclusionary process: "Those who are tied to the state of Turkish Republic with citizenship ties are called Turks." This legal definition of Turkishness blocks any reference to ethnic belonging, religious affiliation, or genealogical lineage. The founders of Turkish nationalism argue that the articulation of citizenship in this way promises a national identity that is inclusive enough to encompass all the "differences" within the territory of the Turkish state (Gökalp

³ World War I brought the fall of the Ottomans and was followed by the Turkish Independence War against the Allies with whom the Lausanne Treaty was signed in 1923. Drawing upon the Ottoman millet system, the treaty grants the non-Muslim populations (i.e. Armenians, Greeks), who survived the genocidal violence of the interwar period, minority status. Non-Turkish Muslims, however, are considered to be constitutive of the Turkish nation.

2001[1923]). In subsequent years, however, the national body politic attained a more concrete form with the institution of state-sponsored pseudo-scientific research that delineated the anthropometrics of the Turkish race, the philology of the Turkish language, and the primordial history of Turkish civilizations (Aydın 2001; Beşikçi 2013[1991]; Maksudyan 2005).⁴

In the inclusive exclusion of Turkish nationalism, palpable ethnic differences between non-Turkish Muslims, such as Kurds, and Muslim Turks are eclipsed to assume the former's Turkishness. These differences, however, are re-introduced through presumably "ethnically-blind" dualities to legitimize violence inflicted on these populations. As the difference between the two is hinged upon binaries, such as civilized-savage, modern-feudal, center-periphery, and human-subhuman, Kurds are viewed as not yet fully formed Turks.⁵ Officially called "mountain Turks," Kurds are incorporated into the secular modern nation-state under the auspices of the civilizing apparatus.⁶ As Kurdistan is considered "wild" in both nature and culture, the Turkish state instituted

⁴ Two years after the formation of the Turkish Republic, The Center for the Anthropological Examination of Turkey was established by order of the then President Mustafa Kemal under the Department of Medicine at Istanbul University. Anthropometric examinations were conducted on 64,000 people in Anatolia to map the racial morphology of Turks in an effort to prove, "scientifically," that Turks belong to the "civilized white race" (Aydın 2001: 361). The first anthropologists of the Republic, such as Afet İnan, went even further and argued that it was the Turks who brought civilization to Anatolia. Since the Turks, who belong to the "white" race, brought civilization to "uncivilized" Anatolia, any claiming nativeness to the lands of Anatolia or Mesopotamia would then be deemed incapable of establishing their own state.

⁵ In their review of the genealogy of modern state theory, Das and Poole show that "the state is imagined as an always incomplete project that must constantly be spoken of—and imagined—through an invocation of the wilderness, lawlessness, and savagery that not only lies outside its jurisdiction but also threatens it from within" (2004: 7). For the interplay of cultural alterity in the space of law, see Povinelli 2002.

⁶ This dehumanizing state discourse of Kurds was in circulation until recently. For example, in 1972 the Turkish Army published the book *Türkiye Cumhuriyeti'nde Ayaklanmalar* [Uprisings in the Turkish Republic], in which the existence of nationalist sentiments among Kurds is blatantly denied on the basis of the "lack" of any understanding of humanity within this population: "The propaganda of Kurdishness started with the declaration of *Tanzimat-I Hayriye* [1939], but this propaganda had never found a base among the people...It was impossible to inculcate Kurdishness among this mass who could not even understand what humanity was. For this mass the meaning of human existence was not more than a handful of bulgur and barley; and neither did it want to know what the Republic was, nor what existed behind the mountain they lived" (Genelkurmay Başkanlığı 1972, cited by Özsoy 2013: 207).

special laws in these territories as a means of establishing “order.” In tandem with a Schmittian type of sovereignty, which decides on exception in times of rebellion, the disciplinary institutions of the modern nation-state, such as boarding schools, the army, and prisons, are established to reinforce the Turkification of Kurds (Üngör 2012; Zeydanlıoğlu 2009). It is this context that gave birth to the Kurds’ quest for national recognition and struggle for self-determination.

The Kurdish militant politics emerged in the territories of Kurdistan, which used to be the frontiers of the Ottoman and Persian Empires at the turn of the twentieth century—around the same time as Turkish nationalism. If Turkish citizenship is construed by eluding differences among Muslim populations, early Kurdish militant politics concentrated on their valorization, stressing distinct linguistic, customary, and tribal formations pertinent to the Kurds (McDowall 2000; Strohmeier 2003). Kurdish intellectuals, who had formerly held bureaucratic positions at the Ottoman Porte and bore tribal affinities in Kurdistan, led the first rebellions for independence, which soon received the support of Kurdish notables, including *sheikhs*, *seyyids*, and *mirs* (van Bruinessen 1992). From the 1920s to the late 1930s, the local Kurdish tribes bearing arms organized a dozen rebellions in Kurdistan, which were forcefully repressed by the Turkish state and, at times, resulted in massacres (Beşikçi 2013 [1990]). Unlike the Ottomans who exiled Kurdish leaders in times of rebellion, the new Republic handed down the rebels’ death sentences with charges of treason that were then executed by the Courts of Independence (Bayır 2014 2014; Özsoy 2013).⁷ The years following the violent repression of Kurdish rebellions are known as the “years of silence,” during which hardly

⁷ The stark contrast between the Ottomans and the Turkish Republic, Hişyar Özsoy (2013) argues, relies on the shift in the conception of sovereignty, which was not territorialized in a nationalist sense for the Ottoman Empire.

any Kurdish opposition was noted because survivors were subjected to strict displacement and resettlement policies (Ayata 2011; Jongerden 2007). However, this silence was going to be broken by the emergence of Kurdish political organizations in the 1960s and 1970s, the most prominent of which is the PKK (Güneş and Zeydanlıoğlu 2014).

The military coup of 1980 decimated all leftist and Kurdish organizations except for the PKK, which continues to wage guerilla war in Kurdistan. Integrating the anti-colonial discourse of liberation movements in the Middle East and North Africa, the PKK initially framed the Kurds' struggle as liberation from Turkish colonialism. In the years following the first guerilla attack on military outposts in Eruh and Şemdinli (1984), the Turkish state appointed a special administration that governed the region under emergency rule until 2002. Despite the state's designation of the PKK as a "terrorist" organization, the latter received widespread support from Kurds. Some Kurds joined the guerillas, others worked for legal parties whose politics were in line with the PKK's ideology, and still others mobilized civilians for *serhildan* (known as Kurdish intifada). Through the course of this protracted conflict, the PKK also substantively revised its anti-colonial discourse to the extent that it no longer subscribes to national independence and territorial sovereignty, but to self-rule and democracy. Along with this discursive transformation, Kurdish political parties, human rights organizations and local collectives have sprouted up across cities in northern Kurdistan. Nevertheless, the Kurdish movement⁸ persists in its claim to speak for *the* Kurdish people whose recognition by the

⁸ By the Kurdish movement, I refer to the entire network of Kurdish organizations ranging from the outlawed armed organization (the PKK) to the legal Kurdish political parties.

state is its utmost priority. This dissertation focuses on political trials in post-1980 Turkey in which Kurds are charged no longer for the crime of treason, but “terrorism.”⁹

Sovereignty, the War on Terror, and Terrorism Trials

The reign of the “War on Terror” discourse after 9/11, which is entangled with exercises of indefinite detention, intensified “interrogation,” and military tribunals, has prompted critical theoretical reflection on the concept of sovereignty by calling to attention the question of violence in democracies governed by the rule of law (Butler 2004, 2010, 2015; Berlant 2005; Khalili 2013; Puar 2007; Taylor 2003). Giorgio Agamben’s thought-provoking discussion on the state of exception has been influential in shaping this literature. Drawing from Roman law, Agamben (1998, 2005) argues that the Aristotelean distinction between *zoe* and *bios* is turned on its head as state of exception, which used to be considered as a provisional measure, becomes the rule and a technique of government in the contemporary Western world. The implications of this argument, which is widely used to account for political violence in Turkey and the Middle East (Aras 2013; Bargu 2014, 2016; I. Feldman 2015; Khalili and Schwedler 2010), are two-fold.

First, Agamben revises the concept of sovereignty that Foucault identifies with the unity of power. In Foucault’s reading of power, sovereignty “[...] presupposes the subject; its goal is to establish the essential unity of power, and it is always deployed within the preexisting element of law” (2003:44). Governmentality, however, predicates a dispersal of power through which subjects are produced. In state of exception, Agamben argues, populations are governed not by dispersal of power, but rather by

⁹ Note that the Law of Treason [*Hiyanet-i Vataniye Kanunu*], issued in 1920, is replaced in 1991 by the Anti-Terrorism Law (Inanici 2011: 20)

sovereign power. By proclaiming a state of exception, the sovereign becomes uninhibited by the norms prescribed by law, e.g. the prohibition of torture. In addition, the sovereign is empowered to issue decrees, provisions, and other administrative measures to govern populations expelled to the sphere outside the law, such as those detailing the procedures of intensive “interrogation” techniques (Khalili 2013). Therefore, governmentality via sovereignty strips individuals of their rights, expels them from the political community, and renders them *homo sacer*, whose killing would not be registered in the world of signification as either the infringement of law or sacrifice.

Drawing from Agamben’s account of exception, Turkish legal scholars underscore how exception is inserted into the Turkish criminal justice system through the discourse of terrorism (İnanıcı 2011:53). Having adopted the German and Italian criminal codes of the late nineteenth and early twentieth centuries, the history of Turkey’s jurisdiction, they argue, has already been tainted by clauses proffering legitimacy to exceptional state power.¹⁰ In 1991, with the legislation of the *Terrörle Mücadele Kanunu* [Anti-Terrorism Law], which complements the Criminal Procedure Law, special procedures were introduced to guide the interrogation, adjudication, and punishment of “terrorist” suspects, whose access to a fair trial was severely restricted. In 2005, as part of Turkey’s bid for membership in the European Union, new legislations in support of the right to a fair trial were issued, albeit with special rules and regulations applicable to “terrorist” suspects. According to the amended Criminal Procedural and Anti-Terrorism Laws, for instance, the duration of a “terrorist” suspect’s arrest, detention, and prison sentence may be doubled if deemed necessary; state attorneys are authorized to use

¹⁰ Originally, the Turkish Criminal Code was a direct translation of the Italian Criminal Code of the 1930s, and the Procedural Criminal Law was drafted according to the German Procedural Criminal Code of 1887.

invasive surveillance technologies at the expense of the right to privacy; courts are given discretionary power to restrict suspects' access to their file; and cross-examination of witnesses may be avoided for security reasons (Kanar 2011). Exceptional legal regulations thus become ordinary as they are codified into law, incorporated into criminal procedures, and enforced by special criminal courts (İnanici 2011).

What is the analytical promise of the concept of exception that the “War on Terror” gives birth to if it is not the suspension, but rather the expansion of myriad procedural rules and criminal laws? As important as the theoretical meditations on exception are for helping us understand the illegitimate power acquired by a unified body of sovereignty emerging from within democratic regimes, the “War on Terror” entails a complex interplay of powers that conjures a judico-political space regulated by an assemblage of special, as well as regular, rules, norms, and institutions. More precisely, beneath the spectacle of the sovereign's declaration of emergency—such as the recent one declared on July 20, 2016, in the aftermath of a failed coup attempt in Turkey—the “War on Terror” continues to unfold outside the presidential office in Ankara through the modalities of sovereign power, disciplinary techniques, and the security apparatus as identified by Foucault.¹¹

Methodological difficulties of studying “terrorism” trials may lie at the core of unequivocal subscriptions to exception insofar as the trials themselves are either non-existent¹² or closed off to researchers, as well as the public at large.¹³ As a result,

¹¹ In his lectures on governmentality, Foucault says: “We need to see things not in terms of the replacement of a society of sovereignty by a disciplinary society and the subsequent replacement of a disciplinary society by a society of government; in reality, one has a triangle, sovereignty-discipline-government, which has as its primary target the population and as its essential mechanism the apparatuses of security” (cited in Graham et al. 1991: 102).

¹² There are plenty of cases where terrorist suspects are held in detention centers indefinitely and stripped of any right to a speedy and fair trial, including Guantanamo Bay and CIA blacksites.

terrorism laws are reduced to mere tactics of the “War on Terror” without paying due attention to the legal bearings (R. Jackson 2005; Zulaika 2009). In this sense, this dissertation offers unique ethnographic materials drawn from my direct observation of courtroom hearings where regular and special criminal laws are enforced on an almost everyday basis to press charges for “terrorism.”

I do not strive to offer yet another grand theory of the “War on Terror” in this dissertation. Rather, my hope is to reflect on the limits of the concept of exception by examining the interplay of different modalities of power that cannot be obliterated by the declaration of exception or ‘war on terror’. As we move in and around the Diyarbakır courthouse, it will become clear that the moment of judicial decision-making is often deferred while the threat of punishment and imprisonment continues to figure in the lives of Kurds. New techniques of surveillance are deployed to give form to what is viewed by the state as a formless and omnipresent security threat called “terrorism.” Nevertheless, surveillance technologies simulate and proliferate the spectral image of “terrorism” that the sovereign aims to exterminate. To indict the “terrorist,” the judiciary and law enforcement produce more and more documents, including police reports, indictments, and court minutes. As these documents circulate outside the courthouse, however, Kurds rewrite their stories to lay claim for national struggle. Therefore, in this dissertation, I argue that as the regime of the “War on Terror” stretches over time and employs technologies of different kinds, it at once imbues the lives of Kurds with the fear of confinement and also constitutes the material conditions of possibility for the same

¹³ There are two exceptional works that I want to mention: anthropologist Susan F. Hirsch’s (2008) auto-ethnographic work, *In the Moment of Greatest Calamity*, gives an account of a terrorism trial in the US from the plaintiff Hirsch’s perspective. The second is sociologist Lisa Hajjar’s (2005) *Courting Conflict*, which is not specifically on terrorism trials, but rather on Israeli military courts, where Palestinian residents of the Occupied Territories are prosecuted for threatening the security of the Israeli state.

people to articulate a collective memory, political community, and moral codes to live through this fear.

Precarity, Bare Life, and Anthropology of Violence

That said, I do not mean that Turkish terrorism trials do not produce a sense of “precarity,” which Judith Butler defines as “differential exposure of populations to violence, death, and injury” (2015:33). When enforcing terrorism laws, judges define liability broadly so that large numbers of people can be swept up without having to prove that they have engaged in any specific harmful conduct (Cole 2005:114). Based on guilt by association, David Cole argues, terrorism laws impose “liability regardless of an individual’s own intentions or purposes, based solely on the individual’s connection to others who have committed illegal acts” (2005:118). As terrorism laws rely on group identity and collective liability, the burden of proof shifts onto the members accused of “terrorism” (Eckert 2008).¹⁴ It is precisely for this reason that the number of people arrested on terrorism charges increased from one hundred fifty to ten thousand since I began conducting my dissertation field research.¹⁵ Massive exposure of Kurds to terrorism charges convinces most defense lawyers I interviewed, who are themselves Kurd, that the only right Kurds are granted is the right to defense. I consider this performative utterance to be alluding both to a specific kind of precarity that the courts

¹⁴ In her analysis of legal files of Kurds charged with terrorism according to Article 7 of the Turkish Anti-Terror Law, Derya Bayır shows that the law incriminates a range of political activities, including: “[...] criticizing the Turkish state’s policy on the Kurdish issue and pointing out historical facts, like the ban on the Kurdish language; claiming the existence of a separate Kurdish nation; saying that the state oppresses ethnically different Kurds; talking about negative events occurring against the Kurds; and referring to the South-eastern part of Turkey by its historical name ‘Kurdistan’” (2014: 27).

¹⁵ For the number of suspects charged with terrorism between 2009-2014, see <http://www.ozgur-gundem.com/haber/163586/temcit-pilavi-gibi-kck-operasyonu-isitiliyor>. Last accessed on June 15, 2016.

generate and to a possibility for the defense party to expand the political space from within the law.

Despite the increased vulnerability of Kurds to the violence of the law, there seems to be some difficulties in subsuming this differential distribution of precariousness as an example of bare life, dehumanization, and necropolitics that leftist liberals invoke to elicit critical responses against the War on Terror in the Middle East and beyond (Agamben 1998; Bernstein 2015; Butler 2004, 2010, 2015; Bargu 2016; A. Feldman 2015). The critique offered by leftist liberals on the dehumanization of the life of the “other” entails an understanding of the “grievable” life that is predicated upon the assumption that corporeal vulnerabilities bind humans together despite differences of race, class, and gender (Butler 2004, 2010, 2015). I acknowledge the ethico-political project that posits human vulnerability as the basis for evoking responsibility towards people whose lives are decimated by the “War on Terror.” Nevertheless, it is equally important to question what images of the “other” might elude us when commensurability is rendered between humans by virtue of the “wounds” they bear (see Mookherjee 2015).

This humanist project, first and foremost, eclipses what the anthropology of violence compellingly apprehends: the work of the other to endure violence (M. Jackson 2011; Valentine 1996), culturally specific codes of resistance (Aretxaga 1995; Peteet 1994), and the capacity to remake the ordinary in extraordinary times of violence (Buch Segal 2016; Das 2007; Das et al. 2001, 1997; Visweswaran 2013). If the sovereign bars those accused of “terrorism” from entertaining the rights and guarantees stipulated by ordinary laws, the humanist project devalorizes the investment in the ordinary by the same subjects—who might work to reinhabit everyday life through a movement of

descent, so as to find a footing in the world. More precisely, by heeding the “blinding glare of violence,”¹⁶ we end up fixing our gaze, for example, on the images of Kurdish political prisoners in torture chambers (see Üstündağ 2013), guerilla fighters mutilated by the Turkish Army (see Bargu 2016), or civilians whose bodies are stored in freezers during indefinite curfews (Zengin 2015). My interlocutors are familiar with these images of violence, which they also recall when narrating the kind of injustice they witnessed and suffered from. However, this is not where their stories end; instead, they depart from here to elucidate what I would call *lives and times of militancy*.

Departing from the *instant* images offered by the critiques of the “War on Terror,” in this dissertation I hope to give insight into the *archive* of images that I collected over three years to encapsulate the movements and the trajectories that unfold in time. This archive includes narratives of former prisoners who experienced torture in prison, police surveillance reports retrieved from terrorism trials, conversations with the families of detainees waiting in the courthouse, and rumors of treason enfolded into adjudications. As I examine how life is remade under the constant threat of confinement, my stakes in this dissertation are two-fold: representational and ethical.

In the corpus of ethnographic studies on political violence in the Middle East, the Israel-Palestine conflict has an exceptional place for the kind of violence Israeli settler-colonialism enacts, including the complex techniques of land confiscation that reinforce the sovereign power of the Israeli state (Abu El Haj 2001; Kelly 2006) and how it transforms Palestinians into refugees in neighboring countries (Khalili 2007; Perdigon 2011; Peteet 2009). This profound literature on political violence reveals the intricate

¹⁶ I borrow this term from Jonathan Spencer’s (2000) article, “On Not Becoming a ‘Terrorist’: Problems of Memory, Agency, and Community in the Sri Lankan Conflict.”

work of power that is employed through extensive measures of incrimination and imprisonment in the Occupied Territories (Hajjar 2005; Nashif 2008; Buch Segal 2016). In contrast, Turkey is studied mainly through the analytical lens of secular modernity and political Islam, whose tensions are unpacked and contested (see Göle 2010; Navaro-Yashin 2002; Özyürek 2006; White 2002). Shift the analysis from secularism-Islamicism binary, this dissertation hopes to contribute to the growing literature on ethnographies of Kurdistan (Özsoy 2013, 2010; Şengül 2014, 2013) and expand our understanding of political violence in the Middle East beyond the borders of Israel-Palestine.

Moreover, by studying Turkey's own war on terror against its Muslim populations, this dissertation complicates the clear-cut distinctions that are posited by post-9/11 critiques taking up the West as perpetrator and the Middle East as victim of the "War on Terror".¹⁷ New challenges to our theoretical framework emerge as the conceptual boundaries distinguishing perpetrator and victim, just and unjust, enemy and friend become blurred. In the conditions of injustice that are deeply rooted in our lives, Jonathan Lear notes, "The possibilities of thought are themselves distorted: we lack the concepts by which we could adequately understand ourselves, and the concepts we do have distort our vision and disfigure our lives" (2015:1).¹⁸ Through his insightful reading of *Waiting for the Barbarians*, Lear argues that literature can make an ethical difference

¹⁷ The continuing prevalence of these categories made it possible for the Turkish government to perform allegiance with Palestinians and oppose the invasion of Iraq while continuing its war against another Muslim population.

¹⁸ Judith Butler (2015) asks similar questions in her latest work *Notes Toward a Performative Theory of Assembly*. In her rendering of the ethical question "Can one lead a good life in a bad life?" that Adorno posed before, she highlights the need for a new way of life that would be achieved by concerted action of resistance against the differential distribution of precarity (2015: 218). Departing from Butler, Lear deems protest insufficient to make an ethical difference, as is made clear by his reading of the narrator in *Waiting for the Barbarians*, who says a heroic no to injustice and yet could not change the cycle of repetition of injustice. Thus, Lear argues, "However difficult it is to protest injustice, protesting injustice is far easier than fighting for justice" (2015: 20).

by inducing imaginative activity that opens new possibilities for life and thought. This imaginative activity is indispensable to dispose of the concept of *barbarian*, which displaces evil to the “other” side of a geographical boundary. In her response to Lear’s work, Veena Das underlines the critical ethical work ethnography promises by “showing different signs with which one might find a path to ethical living or ethics as a spirit through which our ordinary lives are lived” (2016a:16). Rather than subscribing to a bounded definition of the concept of ethical, Das (2015) further argues that ethnographic practice attends to the concepts growing out of life as we, embodied beings, pursue our normal activities. Let me illustrate the ethical work my ethnography hopes to achieve with recourse to a scene from my fieldwork.

On a dry plain between Diyarbakır and Lice, a tent camp was set up in April 2014 by the Kurdish political party¹⁹ where local people could stand guard against the construction of a fortress-like military post on their land.²⁰ On June 7th, soldiers at the post attacked the local people when a teenager, Medeni Yıldırım, was murdered. A couple of weeks later I joined a group of reporters to investigate and report the event. When we arrived the tent-camp at midday, the area seemed deserted due to the extremely hot weather. Suddenly and out of nowhere, an elderly woman appeared on a dirt road walking towards us with two plastic bags in her hands. Since there were no villages in sight, one reporter asked with bewilderment what made her walk under the sun all the way here. Without any further explanation, she offered us the story of Abraham and an

¹⁹ Kurdish political parties change their names very often due to closure cases filed against them by state attorneys. Throughout my research, the Kurdish political party, then Democratic Society’s Party (DTP), first changed its name to the Peace and Democracy Party (BDP) and later to the Peoples’ Democratic Party (HDP). In order to avoid confusion, I identify them as the Kurdish political party, which shares a similar ideological framework with the PKK.

²⁰ <http://ozgurgundembiz/haber/105787/lice-de-kalekol-protestosu-8-inci-gununde> Last accessed on July 30, 2016.

ant: “Sentencing Abraham to death, King Nemrud ordered his guards to prepare a pyre. As flames of the pyre grew into a blaze, an ant hurried to carry water. Another ant stopped her and asked what she was hurrying for. ‘Nemrud will throw Abraham into the pyre. I am carrying water to Abraham,’ she said. Looking at the amount of water she had on her back, he mocked her: ‘Do you believe that this much water could put out that fire?’ The ant resumed walking after she said: ‘So be it, I close ranks behind Abraham.’” After her story, this elderly woman paused for a second and looked straight in our eyes. While placing her bags in the tent, she repeated once again, “I am closing ranks.”

This dissertation is not making a heroic call for closing ranks with the “other,” for that call would assume a priori knowledge of what ranks look like and how one inhabits them. On that day, however, the reporters and I were puzzled that we ran into an elderly woman in a deserted tent, where we had originally intended to report on death. Her bodily appearance, as well as her response, unsettled us in part because both belied our understanding of the space of the political, the bodies that could afford it, and the routes to be taken for action. When the concepts available to us cease to be of help in discerning the space of life emerging from the space of death and violence, ethnography, like literature, may make an ethical difference by producing knowledge that enrich our understanding of the political—thus helping us forge new ways of engaging the political. If saying *no* to injustice requires learning how to say *yes* to life, as Lear argues, my ethnographic work hopes to apprehend lives and times of militancy under the conditions of injustice that Turkey’s war on terror brings out.

Methods

Having lived in Turkey for twenty-one years, it was only after I moved to the United Kingdom for my master's studies that I became involved in the Kurdish national struggle. In Fall 2005, the London-based Kurdish Human Rights Project (KHRP) extended an online invitation to the listserv of the Turkish Students' Association at the London School of Economics and Political Science (LSE), which spurred responses from ultra-nationalists and smear campaigns. The KHRP was seeking assistance from university students for translating the case-files of internally-displaced Kurds who, it was said in the email, were forced to leave their villages in Kurdistan by the Turkish Army. A swift uproar broke out in the listserv, in which Turkish students contested the naming of the territory within the borders of Turkey as "Kurdistan," accused the KHRP of insulting the Turkish Army and its members of "terrorism."

While reading these emails, I was reminded of my mother's reaction to graffiti painted on the walls of our apartment building about a decade ago. In Giresun, a provincial town in the Black Sea region of Turkey, someone had written with red paint and capital letters: KURD. The graffiti was removed in less than twenty-four hours and the police looked for its author for weeks. When I asked my mother about the message the graffiti meant to convey, she replied with palpable anxiety, "Nothing, it means nothing. It [Kurd] does not even exist." A decade later at the London office of the KHRP, I would learn what the graffiti had called our attention to and what my mother and the Turkish students at LSE had chosen not to see: the indiscriminate violence of the Turkish state in northern Kurdistan.

For a couple of months, I translated the testimonies of Kurdish villagers who, with the help of lawyers at the KHRP, brought their cases to the European Court of Human Rights (ECHR). This work compelled me to conduct further research on the role of law in the continuation of the war. The Turkish judiciary was completely silent about, if not complicit in, the village evacuations and forced disappearances of the 1990s. According to official records, the applicants' files were either stacked or dismissed by the local and supreme courts of Turkey. Furthermore, there were other applicants who had never applied to local courts for fear of being prosecuted for terrorism. In this context, as Biner's (2016) ethnographic study also shows, the victims of violence can be made indebted to the state through the invocation of law. Hence, even when occupying the seat of the plaintiff, Kurds may become suspects in another trial charging them with terrorism. Thus Kurds' encounter with the courts may be viewed as a struggle in and of itself and whose specific tone, temporality, and performativity I decided to examine in my dissertation research.

Between 2008 and 2014, I conducted three years of field research in Diyarbakır, which is considered the capital by the Kurdish movement.²¹ The Turkish state has marked its presence onto the landscape both symbolically, through statues, murals, and obelisks of Mustafa Kemal around the citadels in the Old City, and structurally, by situating the headquarters of state offices in Diyarbakır's new district. Even though this dissertation is not an urban ethnography of Diyarbakır (see Şengül 2014), a few notes on its political landscape may be of help. Home to the largest courthouses in northern Kurdistan, Diyarbakır has always been the locus of mass trials of Kurds. In the early Republican era,

²¹ According to official records, Diyarbakır is the largest and most densely populated city in northern Kurdistan with a population of 1.6 million.

the Courts of Independence in Diyarbakır saw the prosecution of members of the Sheikh Said Rebellion for treason. In 1925, in the main square of the Old City, Dağkapı Square, 49 Kurdish “rebels” were executed on the gallows (Özsoy 2013). The buildings of former courthouse and prison are located across from the square and, in the 1990s, had served as the extra-legal detention center of the paramilitary organization, JITEM. The present courthouse is situated in the new city, less than one mile away from this square. The square-shaped building houses twenty-five courtrooms and three hundred staff rooms overlooking a courtyard. In addition to the existing courtrooms, the administration recently added another within the courtyard to accommodate contemporary mass trials of “terrorism.”

The northern and western sides of the courthouse are reserved for the 7th Corps of the Turkish Army from where the war on terror is coordinated. Outside the Corps, the enclave of public housing for the military and special police forces faces the courthouse. The office of the centrally-appointed governor, called by Diyarbakırates the “colonial officer”, is within five minutes walking distance from the courthouse. Approximately one thousand lawyers inhabit the buildings on either side of the road, which connects the judicial and administrative centers of the city. The Diyarbakır municipality, governed by elected Kurdish representatives, stands beside the courthouse and signifies the national “parliament” emerging from within the occupied territory. During my field research, I spent the majority of my time in this neighborhood, moving between lawyers’ offices, the courthouse, the municipality and teahouses - centers of the city’s political sociality.

Initially, I became acquainted with a network of political activists through connections with KHRP workers. My interlocutors harbored an evident suspicion

towards me- another Turkish anthropologist among the outstanding number of others who, in the eyes of Diyarbakırates, recently *discovered* Kurds. The failure of Turks to oppose state atrocities in the last thirty years figured in our conversations, not merely as an intellectual problem to reflect upon, but also an ethical problem that called for a response, verbal or otherwise. Hence, my initial encounters with local activists unfolded in a field of power relations where my Turkishness was registered within discourses of colonialism and oppression. The level of suspicion reduced, as I volunteered in a range of organizations such as the Bağlar Municipality's Office for Social Policy Projects, the Association for Fighting Poverty and the Association for the Families of Detainees and Convicts. Over the course of three years, I was involved in organizing conferences, preparing local election campaigns of the Kurdish political party, as well as translating the works of activists to international observers and media. Speaking Kurdish, which I began to learn before my dissertation field research, helped me share a space of cultural intimacy with my interlocutors, who shifted between Turkish to Kurdish in their everyday conversations. Kurdish, as one of my interlocutors said, is a refuge from the surveillance of the state and a ground for building trust.

I should note that the differential exposure of Kurds to state violence hit me time and again, as police operations continued to result in the arrests of my closest interlocutors, with whom I worked on several projects. I am therefore aware that the categories that underwrote my relationship with my interlocutors, such as Turk-Kurd, colonizer-colonized, perpetrator-victim, could not completely disappear through ethnographic fieldwork. Significantly, however, new categories might be added to the preexisting ones. Rather than being associated with the state or the Turkish nation, I came

to be identified with my hometown, an impoverished and marginalized city in the Black Sea region, which is also known by Kurds as the birthplace of one of the martyred founders of the PKK, Kemal Pir.²² As a particular form of comradeship developed between I and my interlocutors, I believe that a more amorphous space opened for us to experience, even if temporarily, a life that eluded the pre-existing categorizations and linguistic representations.

My dissertation fieldwork comprised archival research, oral history, as well as participant observation of recent terrorism trials. During my pre-dissertation fieldwork between 2008-2009, I endeavored to unpack how a collective memory of national struggle is conjured through prison stories of the Kurdish revolutionaries. For a few months, I worked with an unofficial Truth and Reconciliation Commission, *Diyabakır Gerçeğini Araştırma ve Adalet Komisyonu*, conducting an oral history project on the 1980 military junta. Concentrating on former Kurdish prisoners' torture experiences, the impetus behind this project was to collect evidence of psychological and physical traces of torture to carry on a lawsuit against the 1980 junta leaders and to establish truth as a way of reconciling the Kurds' allegiance to Turkey. Parting with the Commission halfway through the project,²³ I personally conducted interviews with sixty former prisoners, who were between the ages of 50 and 60, some of whom were retired while others were self-employed. As I continued these interviews, I became further attuned to

²² Kurds describe Turks from the Black Sea region as, "Bizim deniz görmüş halimiz." [Those like us, except they live by the sea].

²³ The unofficial Truth and Reconciliation Committee compiled a fascinating archive of prisoner testimonies of more than 500 people across northern Kurdistan. My decision to opt out was based on my methodological concerns, such as limiting my research site to Diyarbakır and conducting more follow-up interviews with a fewer number of interlocutors.

the prevalence of the discourse of trauma, which was put in circulation by human rights organizations since the early 2000s.

As I became accustomed to the ways in which the present moment recasts narratives of the past, I complemented narratives of trauma with the archive of court documents belonging to the 1980 military trials. Dispersed across the offices of senior Kurdish lawyers and a civil society organization, I duplicated the copies of the court minutes of the Kurdish militant organizations, included but not limited to the PKK, of approximately 500 court hearings from 1980 to 1983. My intention was not to find out the “real” story of the military junta, but to understand the topography of collective memory in which different discursive materials prompt different structures of feelings.

In April 2009, while I was conducting archival research, my interlocutors, who had helped me contact former prisoners and with whom I worked together, were detained. Consequently, my dissertation field research shifted from how past state violence was memorized to how the present one was experienced. The trial of the first group of detainees charged with terrorism did not start until September 2010. In the meantime, police operations expanded to include workers and activists in Kurdish municipalities, civil society organizations, human rights organizations, city councils, and local collectives. The files of all detainees were overseen by the Diyarbakır State Attorney, who was granted special entitlements by the Anti-Terror Law. As the central judicial institution, Diyarbakır Special High Criminal Courts were appointed to proceed with the “terrorism” trials of all suspects. Since the number of trials the courts observed on a daily basis was immense, I concentrated primarily on the major “terrorism” file (No 2010/444) with one hundred seventy-five suspects, whose indictment (No 2010/1072)

constituted the legal basis of other files. The number of dossiers I was able to collect with regard to this case file is as follows: indictment (76 dossiers), evidentiary materials (259 dossiers), court minutes (132 dossiers). This extremely rich archive could not entirely be covered in this dissertation, and I am hoping to further draw on this archive in my future work.

Unlike the files from the 1980s, the new files do not deploy the very pronounced technical language of the law and read almost like crime fiction. Individual files of suspects contain past criminal records, digital and physical materials seized during police search, their conversations with each other wiretapped by the police, their pictures taken at different demonstrations, police's reports on these demonstrations, and, if available, witness accounts. In the indictment, the state attorney crops these materials to flesh out the parts he finds "suspicious." Consequently, the state attorney, like an author of crime-fiction, provides the subtext upon which selected conversations unfold. From one conversation to another, the attorney's voice enters to offer brief interpretations of each conversation. His comments are like a roadmap to move from one episode to another without losing the plot. Moreover, bolds and italics used in the text direct the eye to the sections the attorney emphasizes within the lengthy indictment.

Reading these dossiers with relative ease, however, does not make the analysis easier, due to the risk of reproducing the attorney's account of culpability. In a remarkable essay, "The Inquisitor as Anthropologist," Carlo Ginzburg (1992[1986]) alerts us to the proximity of anthropologists and historians to inquisitors in eliciting evidence to establish a case despite their diverging means and ends. While reading about European witchcraft trials of the late sixteenth century, Ginzburg mentions the disturbing

feeling he has of looking over the judge's shoulders and hoping the alleged offenders be talkative about their beliefs, so as to write the cultural history of witchcraft (1992:158). To get beyond the slippery nature of evidence presented by inquisitors and the stereotypes reproduced by judges, Ginzburg focuses on the *dialogic* element, including words, gestures, sudden reactions, and silences, recorded in court transcriptions.²⁴ In my reading of the state attorney's indictment, Ginzburg's proposed methodology is formative: "We must learn to catch, behind the smooth surface of the text, a subtle interplay of threats and fears, of attacks and withdrawals. We must learn to disentangle the different threads which form the textual fabric of these dialogues" (1992:161). While I approach the state attorney's indictment with the purpose of understanding what lies beneath this crime-fiction, the ultimate site to decipher the dialogical elements of gestures, sudden reactions, and silences are the court hearings of "terrorism" trials.

From February 2013 to October 2014, I attended the court hearings of the File 2010/444 in which the allegations ranged from supporting "terrorism" to being an executive member of a "terrorist" organization. The hearings of this file were opened every three to four months and each hearing lasted for one month. In total, I attended six set of hearings of this mass trial, while observing 60 hearings of less regulated and more instantaneous trials of individuals taken prisoner during armed clashes or street protests. Observing the court hearings of a wide range of "terrorism" trials offers rich material conducive to understanding how defendants may turn strictly surveilled spaces, undergirded by power relations, into a political space with recourse to not only political deliberation, or, what Arendt would call, *praxis*, but also to bodily performances that

²⁴ Ginzburg acknowledges the power hierarchies within which dialogical speech unfolds. Despite the power hierarchies, he notes that in some archival cases he was able to detect a clash between different and conflicting voices that helped him reflect upon the cultural history of witchcraft in Europe.

generate affective intensities. The waxing and waning intensity of hope and fear, resilience and doubt, as well as vitality and exhaustion, is as critical as political defense statements in conjuring up a space of the political from within the space of incrimination. Without ethnography, however, I would have read these moments on court transcripts only as: “The suspects are barred from the hearing for disrupting the order of the court.” I rely on my court ethnography, therefore, to unpack what “order” entails, in what ways it could be “disrupted,” and how this disruption transforms “suspects” in their vacillation between convicts and militants.

My everyday conversations with defense lawyers in their offices, before and after the trials and during breaks, helped me grasp the complex imbrications of special terrorism laws, criminal laws, and procedural laws. In my interviews with 25 lawyers, the rule of law appeared at once as an ideal that they strived to push the courts for and was also ridiculed for the rift between this ideal and everyday practices. Unlike the assistance I received from defense lawyers, my access to state attorneys and judges was limited to formal interviews that I scheduled through principal clerks. Among the five interviews I conducted with them, sometimes I felt that I was being interrogated with palpable suspicion on their part and, other times, I felt comfortable to ask general questions about the trials. Though they never admitted the political character of these trials, some of them were welcoming of my more specific questions only after they had been transferred to another post.

Finally, this field research would not have been completed if the defendants of the main trial I observed had not been released. From April to October 2014, I conducted interviews with 53 former detainees: 40 men and 13 women. Their trial has not yet been

finalized, but some of them were again imprisoned due to new charges of “terrorism” since July 2015. Through their recounting of their lives, which most of them spent in prison, I attempted to understand the ways in which militancy is embodied in this collective national struggle.²⁵ In this dissertation, the former male detainees’ voice is more audible and their life stories are more pronounced than the former female detainees. It is not because women were absent in the courthouse or in the Kurdish movement, but because legal deliberation did not lie at the core of women’s engagement with the law. For example, while a male defendant accused of executive membership in a “terrorist” organization prepared a 35-page-long defense statement, his female counterpart wrote only one page as her defense. Therefore, the way women inhabit the space of law becomes much more clear when I examine waiting as a form of acting. However, I do not offer a substantiated analysis of gender and the law in this dissertation. I am hoping to pay my debt to my female interlocutors in the future whose voice remains with me and is formative of my understanding of the Kurdish movement.

Chapter Outline

In this section, I offer a brief outline of the chapters that follow. The first chapter of this dissertation focuses on the court documents produced during the 1980 military court trials charging Kurdish leftist militants with crimes against the Turkish state. Tracing the unauthorized movement of documents to a group of activists, this chapter examines how an archive of high-security criminal proceedings transformed into an alternative one

²⁵ For reasons of confidentiality, I utilize pseudonyms for organizations and individuals that I contacted throughout my research. To prevent the disclosure of their identities, I keep information about them at a minimum. In the dissertation, the meanings of some terms, such as party and revolutionary, are left ambiguous to prevent incrimination of my interlocutors.

bearing political aspirations of various kinds. Instead of reading the archive as a textual artifact whose hermeneutic interpretation is under the strict control of the sovereign, this chapter approaches it within a framework of action and scrutinizes how the textual form and symbolic meaning of an archive was altered as Kurds defended themselves before the court, inscribed their own stories onto the documents in prison, and circulated them for archiving.

Contemporary leftist activists strive to construct a unified collective memory of the 1980 junta to both condemn and reconcile with the past. Based on a narrative trope that concentrates on torture in the infamous Prison No. 5 in Diyarbakır, the activists argue that it was the cruelty of the junta that led to the emergence of the PKK. If torturers are punished and victims' trauma is healed, so the argument goes, the war of the last thirty-five years might finally end. My rendering of the archival court documents and oral histories decenters this figure of traumatized victim by complementing it with two other figures, which are pushed to the margins in the narratives of Prison No. 5.

The first figure is Mazlum Doğan, a founder of the PKK, who presented the first political defense statement of the Party in court and sacrificed his life by hanging himself in prison. By examining how this revolutionary came to represent heroism, I show that Prison No. 5 is remembered by Kurds as much for its torture and cruelty as for the performances of this revolutionary. The other figure that I decipher is ordinary prisoners who are excised from the master narratives of both human rights activists and revolutionaries. Heeding the margins of court documents, I show that it is not only through heroism and trauma that Kurdish prisoners make an appearance in the stories of the 1980 junta, but also through the less dramatic activities of prisoners such as learning

another language, exchanging notes across wards, and sharing drawings among prisoners. The political potential of these collective activities lies in their capacity to reveal that violent past is something that one reconciles with through a descent to the ordinary in times of cruelty.

The second chapter shifts to the contemporary trials of Kurdish prisoners, in which any act that could potentially pose a threat to “national security” is deemed as “terrorism.” Accordingly, the Turkish government recently amended its criminal and terrorism laws to ease the burden of proof and expand the use of surveillance technologies to combat “terrorism.” Though the specter of torture does not disappear, it is reconfigured in the *works* of surveillance that are used by the state attorney to reach what lies beneath the “surface” of Kurdish urban politics. As surveillance is invested with the power to produce transparency, what is surveilled becomes the locus of conspiracy. Hence, the expansion of the range of surveillance methods yields vast police reports in which the same defendant appears with multiple names, legal demonstrations retrospectively become illegal, and the Kurdish political party mutates into the outlawed Kurdistan Workers’ Party (PKK).

By examining surveillance reports, expert opinions, and indictments, this chapter exposes the disciplinary and judicial modalities of power operative in the “War on Terror” and shows how they reconstitute the sovereign power of the state. In the indictment of the major “terrorism” trial, the state attorney accuses Kurds of establishing a clandestine state that mimics the Turkish state. By assembling dispersed surveillance records to construct the “terrorist” in the image of a state-like entity, the state attorney simultaneously performs the Turkish state in the image of the patriarchal body of the

sovereign, namely President Erdoğan. As the state attorney reifies the blurred boundary between the “legitimate” Turkish sovereign and its allegedly “illegitimate” counterpart, no boundary remains to distinguish an ordinary Kurd from a revolutionary one. Said differently, I argue that, surveillance deployed to prosecute charges of “terrorism” serves as a legal technology to unify the body of the sovereign while concurrently multiplying the bodies of “terrorists.”

The third chapter focuses on scenes of waiting in the courthouse to examine how the families of Kurdish political prisoners are involved in the adjudication process. When its doors open at 9:00 AM each weekday, families, whose waiting begins with the confinement of their loved ones, populate the courthouse. This waiting is a form of life for the families who order their everyday according to the dates of court hearings. The domestic is reconfigured when a family member is taken and prosecuted for “terrorism.” Further, the negotiation process between the PKK and the Turkish state becomes ever more relevant to their lives as family members hope for the end of this prolonged waiting. In this chapter, I ask how does life experienced in the form of waiting gain vitality under conditions of injustice?

By focusing on three different moments of waiting in the courthouse, this chapter argues that family members are not passive observers of “terrorism” trials, but are affectively invested and actively involved subjects despite or, more precisely, because of their waiting. Families’ relation to the law might be discarded if one approaches the adjudication process in terms of an exchange of arguments between the defense and the prosecution. If paper trails are considered to constitute the adjudication, family members, whose names never exist on these papers, may again be dismissed. Nevertheless, if one

takes into account the affective intensities that both undergird and overturn the adjudication, family members turn out to be more than supplementary figures observing the theater of trials. Thus, with recourse to three different ethnographic scenes, the third chapter shows what kind of *acting* is involved in the *waiting* of families of political prisoners and detainees.

The first scene is from the hearing of a guerilla fighter, Hamza, sentenced to life in prison. By examining how Hamza's family members abstain from expressing hope and grief at a moment of injustice, this scene explores the kind of labor involved in performing the "political" self that guards vulnerabilities. The second scene is from a courtroom protest in which the family members of different defendants turn into a community tied together by the urgency to react to the court's injustice. As they stand together with the defendants, the highly regulated space of the courtroom, where it is predetermined who can be seen, heard, and recognized, dissolves into a space for expressing resentment and hope. This section shows how vulnerabilities are overcome, even if temporarily, when bodies of family members assemble to claim the space of the courtroom. Finally, in the last scene, I show how the same community, formed through the acknowledgment of each other's vulnerability, fails to extend care to a former petty criminal who is the family member of another political prisoner. This last scene helps apprehend the community's own regulations that define who can be seen, heard, and recognized as "political."

The last chapter examines how the institution of secret witnesses brings out the deep-seated fear among revolutionaries of *traitors* within the Kurdish movement. Since the radical shift in the PKK's strategy in 2000 to embrace representative democracy, the

middle class has become the locus of pervasive suspicion on the part of revolutionaries. Despite welcoming contractors, traders, and bureaucrats to Kurdish representational politics, this chapter shows that revolutionaries approach members of the middle class with caution for their presumed propensity to taint the Party's leftist morals. Similar to other militant leftist movements in Turkey and beyond, the middle class is associated with moral corruption and whose inclusion comes at the risk of replacing the ideal of self-devotion with that of self-interest. However, the middle class is not the only group understood as a breeding ground for treason.

The other group is made up of revolutionaries who fail to master their bodily desires. By examining the lectures of Abdullah Öcalan, *How One Ought to Live*, I explore the revolutionary ethics of the PKK, which call for disciplining the self to achieve proper revolutionary conduct. While the ethics of self-making cannot be fully measured or controlled by the Party, should the failure become public knowledge, the concerned revolutionary would face sanctions ranging from further training to being expelled from the Party. In this chapter, I argue that the kind of fear secret witnesses incite can be understood in conjunction with the moral corruption represented by the middle class and the ethical failure embodied by revolutionaries. As secret witnesses share a great deal of details about the Party for personal gain, the discourse of moral corruption and ethical failure overlaps to define *treason*. Hence, as "terrorism" operations come to an end, the operations of the Party begin to uncover *traitors*.

Chapter I: The Archive of Military Violence: Stories from the Margins of Court Documents

The thirty-year long journey of court documents in military courtrooms, prison cells and clerks' offices ended in the archive of a few Kurdish lawyers and a non-governmental organization (NGO) called Mafdari. Produced by military courts, these documents give insights into the symbolic and corporal violence that the Turkish military junta inflicted on Kurds between 1980 and 1984. It is not only the violence of the junta, however, that was brought to the present by the archive, but also the voices of revolutionaries, ordinary prisoners, Kurdish activists and human rights advocates. This chapter focuses on the interplay of multiple voices inscribed in the archive by examining the 1980 court documents alongside the oral histories of former political prisoners. To this end, this chapter travels across time from the present moment in Turkey where reconciliation with the past atrocities of the military is on the public agenda to the particular moments in the past in which singular subjects eluded the atrocities of the 1980 military junta.

No matter how severely its content is obstructed, a state archive that once stood for military violence may generate democratic utopias for the future. Convicting military commanders who were involved in state atrocities in northern Kurdistan between 1980 and 1984 is the utopia of the Kurdish activists and human rights advocates who collect the archival materials and prisoner testimonies. Exhumed from the libraries of Kurdish lawyers and Mafdari, the worn-out court documents are one of the few materials to establish the evidence of the state's criminality, to bring the culprits before the court, and to commemorate those killed and injured in the notorious military prison in Diyarbakır,

Prison No. 5. Focusing on the valorization of court documents in the hands of their current beholders, the first section of this chapter shows how these materials, which were originally produced to prove the culpability of the Kurds, are turned into an archive attesting to the criminality of the state during *vahşet dönemi* [the period of cruelty]. Through the inversion of the meaning of court documents, this section shows how the archive is reframed within the narrative structure of victimhood that is geared towards preparing a legal file for truth and reconciliation with the past.

The political aspirations invoked by the archived documents are not limited to re-writing the history of 1980 in the language of torture and victimhood. As the documents are put in circulation for commemoration and reconciliation, Kurds' revolutionary aspirations have also been brought to the fore. The second section examines the accounts of revolutionaries found in the court documents whose political aspirations and future imaginations are not bound by the law of the state. One such revolutionary making a brief appearance in the documents is Mazlum Doğan who was transfigured into a mythical figure of resistance in the aftermath of the junta. Through an examination of his political defense and death protest, the second section highlights the conditions of possibility for a heroic figure to emerge, and reveals how Mazlum's performance has come to be associated with a well-known Kurdish myth of rebellion. By examining revolutionary accounts, this section underlines the shift in the narrations of the 1980 military junta from victimhood to heroism, which calls for a prophetic event of resistance.

The question of how to reconcile with the past atrocities of the state and imagine a radically different future shapes the language in which the events of 1980 are narrated. On the one hand, the narratives of past atrocities of the state produce an impersonalized

picture of torture, which attempted to decimate the lives of Kurdish political prisoners. The narratives of heroic revolutionaries, on the other hand, give a picture of resistance that is impossible to attain when alive. More precisely, the master narratives elicited by the use of this archive indicate that it is only through death that a radically different future becomes imaginable.

By examining the margins of court documents, in the last section I then ask what these master narratives eclipse. It is the argument of this chapter that the margins allow us to move beyond torture and resistance, and see how the space of the political is reconstituted by ordinary prisoners in the everyday through writing small notes, drawing pictures, and learning English. This chapter shows that through these collective writing practices ordinary prisoners appear in the archive as singular subjects who neither sacrificed their lives for revolution nor impersonalized their stories to speak in the language of law. Therefore, the margins of the archive break open the binaries between heroism and victimhood, life and death, and revolution and reconciliation to reveal the possibility for political life in the everyday.

The Concept of the Archive

Let me first describe how I situate my reading of the archive of 1980 court documents within the remarkably rich literature on archive and violence. Poststructural critics underscore that possible interpretations of the past, present, and future may be strictly controlled insofar as a sovereign possesses the archive. By compiling signs together, the archive determines “the law of what can be said” (Foucault 1972:129). It gives the sovereign the hermeneutic authority to interpret signs, as well as the right to destroy those

parts of the archive deemed undesirable (Derrida 1995). Archiving is therefore as much about prolonging the life of some signs as it is about destroying others. Drawing from a Derridean analysis of the archive, Marc Nichanian highlights the fraught relation between the Turkish state archive and the Armenian genocide, stressing the archive's inability to prove the factuality of genocide, since "the true fact [of genocide] is the destruction of the archive" (2009: 68).²⁶ In this sense, using an analogy from Achille Mbembe (2002), the archive is a grave where signs of the past are buried, removed from time and from life, and their potential to create disorder is contained.

However enclosed this image of the archive might seem, scholars also highlight that the future is a promise for the archive, whose signs could be retrieved from the archive for reinterpretation (Derrida 1995:17). The rule that governs the archive is neither completely arbitrary nor overly strict, and hence, it "enables statements both to survive and to undergo regular modifications" (Foucault 1972:130). No matter how closely the sovereign may control it, an archive that once stood for totalitarian dystopias could be reconfigured to generate democratic utopias. The tension between the imprisoning and liberating power of the archive lies in the abundance of signs contained in it that renders the archive as a living and malleable entity with the potential for multifaceted interpretations. It is this tension that makes the archive a compelling ethnographic object for study.

Along these lines, anthropologists and cultural historians working on colonial archives demonstrate that these artifacts, both misleading and missing, might still offer insights into the mutual constitution of the archive and sovereign authority. Approaching

²⁶ Not only historically noteworthy documents are subject to destruction. As Meltem Ahiska (2006) shows, ordinary public archives in Turkey (radio broadcasting for instance) also face the same fate of destruction due to the general indifference of state bureaucracy towards archives.

archives as a technology of state power, Nicholas Dirks argues that “the documentation project of the early colonial state [...] was fundamental to the formation of that very state” (2002: 55-56). Similarly, subaltern historian Shahid Amin’s (1995) archival work on the 1922 riots in Chauri Chaura, India shows that the court’s documentation of the riots helped British colonial rule to reinstate its power. Inquiring into the Dutch colonial archive, Ann Stoler (2009) demonstrates how documentation practices that were underwritten by epistemic anxieties stabilized what was seen as disorderly and unruly in Java.²⁷ By tracing colonial form of sovereignty from the archives, these postcolonial accounts dig out “lost objects, subjugated knowledges, and excluded socialities within existing archives” (Povinelli 2011:151).

This chapter does not claim to find subjugated knowledge by reading the state archive either along (Stoler 2009) or against the grain (Comaroff and Comaroff 1992). Similar to scholars working on the archives of former military regimes (Hetherington 2011; Vatalescu 2010; Verdery 2012; Weld 2014), I am interested in understanding what archival documents become in the hands of those previously subjected to state violence. When documents that were once used as an archive of terror are de-classified, they may turn into the people’s archive (Weld 2014). Taking into account such transfigurations of the archive, I contend that conceptual frameworks that approach the archive as merely the archon’s domicile or panopticon fall short in analyzing decentralized ways of re-making the archive (Burns 2010).

²⁷ While these accounts disclose the kind of hegemonic relations the archive is capable of generating, others resort to non-conventional archives, such as newspapers and songs as a way of recuperating silenced histories that are pitted against the grain of state archives (Comaroff and Comaroff 1992). Michel-Rolph Trouillot’s (1995) and Jean and John Comaroff’s (1992) efforts to combine state archives with other materials serve this purpose of giving voice to the silenced pasts of the colonized.

Paying attention to decentralized archiving practices, this chapter argues that when we release both the archive and our gaze from the grave, we may come to realize that “the archive is more frequently the product of the anticipation of collective memory” (Appadurai 2003:16). In addition, I reveal that it is not necessarily only during the times of political transition that archival documents of the state transform into an archive of the people. There are less visible forms of archiving that prevent knowledge of the oppressed from being subjugated even in times of military dictatorship. Kurds’ practice of archiving can be counted as one of those that shed light on the promise of the archive. Similar to Stuart Hall (2001) and Arjun Appadurai (2003), who analyze the kind of aspirations that the archive generates among diasporic communities, I inquire into what political aspirations are bound up with the Kurds’ archiving of the 1980 court documents.

The liberating aspect of the archive is discernable only when “archive” is approached as an act (v: to archive) unfolding in an open process instead of a thing (n: archive) in a fixed form and closed location. To expound upon the kind of act that archiving entails, I consider the archive of 1980 court documents as an archive in the making, and attend to the labor of making the archiving entails. Instead of merely focusing on how archival documents are collected and stored, archive-in-the-making takes into consideration the oral and written forms of action. In this sense, I assert that archiving of the 1980 court documents started within the court where oral defense statements were submitted, continued in prison where they were re-written, and came into a more tangible existence when they were stored in libraries outside the Turkish punitive system. By focusing on the making of an archive, I show that the archive and action are

not binaries, if one attends to the various ways in which the archive acts and is acted upon.²⁸

“Vahşet Dönemi”: *Victimhood and Reconciliation with the Past*

Having been influenced by anti-colonial movements around the world, numerous Kurdish political organizations came into existence in the 1960s. Though none of the Kurdish organizations were then ready to wage a war, their cadres began to obtain weapons and receive guerrilla training. As leftist organizations in northern Kurdistan along with the ones in Turkey succeeded to elicit support from the masses, the central government declared martial law in 1978. Soon after, a military junta took power on September 12, 1980 that ruled the country for three years. The 1980 junta is defined by political communities from different walks of life, including Turkish leftists and Kurds, as an “event”²⁹ that reinstated the sovereign power of the Turkish Army while harnessing the ground for a permanent state of exception in northern Kurdistan and economic austerity programs in the rest of Turkey (Berksoy 2010). Within this political context, the military court in Diyarbakır was instituted; between 1981 and 1983 it tried and imprisoned four thousand Kurds from different organizations.³⁰

²⁸ I tend to disagree with the scholars of performance theory who find an irreconcilable rift between the archive of supposedly enduring materials and the repertoire of embodied performance (Taylor 2010:19). The assumption underlying this argument is that unlike the repertoire of performance, the archive is a stable signifier that bears upon an unchanging text.

²⁹ I draw upon the anthropological approach to “event” that underlines both its interruptive character and its re-appropriation by the cultural codes of sociality. See Hoffman and Lubkeman’s special issue on the anthropology of events (2005).

³⁰ This information is retrieved from an interview conducted with the journalist Ekrem Sunar who is writing a book entitled *The PKK and Kurdistan in the Discourse of Mazlum, Kemal and Hayri*, based upon his observation of the 1980s trials in the Diyarbakır military court. For the interview, see <http://yenisosyalizm.blogspot.com/2011/09/bir-gazetecinin-go-zuyle-pkk-ve.html>. Last accessed on July 30, 2016.

It was through the archiving practices of Kurdish lawyers and Mafdari workers that the 1980 court documents were transmitted to the present. During the 1980 junta, defense lawyers were not provided with copies of court documents, let alone allowed to visit their clients in prison. The lawyers of Kurdish revolutionaries ended up in jail sometimes merely for being present in the court and other times for the political undertones of their defense statements. To overcome the court's censorship, three Kurdish lawyers sharing the same office purchased a photocopier to reproduce the court documents. With the help of local clerks, lawyers clandestinely photocopied the minutes of each court hearing in their office and prepared their clients' defense statements until police confiscated the photocopier at a raid.

One of these lawyers, Halil, is well known among his colleagues for the richness of his archive. Disillusioned by the revolutionary politics in which he took active part in the 1980s, he no longer serves as a defense lawyer in political trials. When I asked permission for working in his archive, he welcomed me: "I knew that this archive was going to be of use at some point." NGO workers and documentary makers contacted him several times to duplicate his court files to complement their documentation of the 1980 junta. Occasionally, his clients called him to inquire into the ongoing appeal process and pending court decisions. More often, former prisoners requested a copy of their file to write autobiographies or fiction novels.³¹

³¹ In contrast to the publication of a few books on the Prison No. 5 up until 2000 (i.e. Ayata 1999, Gülmüş 1994, Yetkin and Tanboga 1990), new civil initiatives have given rise to the production of numerous visual documentaries, theater productions, and autobiographical memoirs that *archive* torture and other human rights violations of 1980. For visual documentaries, see Çayan Demirel's (2009) *5 Nolu Cezaevi: 1980-84 Belgeseli*; Filiz I. Bulut's (2009) *Deng*. In addition to independent documentaries, the state television channel (TRT) aired a documentary on the Prison No. 5 in which the torture stories of former prisoners are accompanied with video-clips from Turkish soap operas that comprise scenes of constant beating. A brief list of autobiographical books of ex-prisoners includes: Kemal Aktaş (2014), Bayram Bozyel (2006),

Halil stored the documents in relatively inconvenient places, including a wardrobe in the hallway and a worn-out library in the windowless room at the back of his office. In addition to the documents that senior lawyers like Halil have, I also found piles of court documents in the library of Mafdari, an NGO staffed by volunteers who are themselves former prisoners. In the room where Mafdari displays the handmade works that prisoners sent from prison, there is a library whose shelves are filled with novels, poems, and prison reports. These artifacts, sent from a dozen different prisons in Turkey, record the affective, symbolic, and material ties between prisoners and the outside world. At the bottom of the library are closed cabinets, which were shown to me as I became acquainted with two former prisoners. The cabinets were filled with yellowed papers piled on top of each other without any binding or cover. The former prisoners explained that in Prison No. 5, these pages from the 1980 court documents had been kept under mattresses, between cracks of the floor, and underneath toilet bowls to hide them from the prison administration. As the prisoners moved from one prison to another, they held onto the documents with the expectation that once the junta was over they would go to the appeal court. After years of waiting for appeal, the journey of court documents ended at Mafdari.

Some documents were missing from both the libraries of Halil and Mafdari, and duplicate papers were dispersed across different shelves. The documents that contained the complete coverage of trials had leather bindings on which the names of political organizations on trial were written in gold-colored letters. The files with proper bindings were nicely shelved in glass-windowed libraries, while the others, kept as piles of papers

Selahattin Bulut (2008), Selim Çürükkaya (2006), Orhan Miroğlu (2010), Ali Oruç (2014), İrfan Welat (2012).

bound by cloth ribbons, were stored behind the closed cabinets. Both Halil and Mafdari workers lamented that they had failed to treat the documents “professionally,” implying that these documents lacked a single domicile, an order of documentation, and a corpus of consignment. Regardless of their original intentions, these amateur archivists have a growing desire to compile the documents within a professional archive. While Halil noted the need for an archival institute in Diyarbakır, where all the court documents could be stored, Mafdari workers preserved the documents for a future time when Prison No. 5 would be renovated as a memory museum—a project recently proposed by human rights advocates and which received the backing of politicians from the AKP government.

The desire to find a domicile for court documents in either an archival institute or a memory museum is tied to the current human rights activism found in Turkey and elsewhere (Can 2016; Babül 2014; Mookharjee 2015; Park 2014; Sikkink 2011). Accordingly, new civil initiatives have emerged that pursue legal and social projects for reconciliation with Turkey’s past (Ayata and Hakyemez 2013; Günal and Özengi 2013). One of these projects focuses on torture victims of Prison No. 5, which is considered by human rights activists as the symbolic site to situate, try, and condemn the 1980 military junta. In a press conference in 2007, a group of leftist activists—forensic experts, psychologists, medical doctors, academics and activists—declared the establishment of an unofficial commission called the “Commission for Truth and Justice in the Diyarbakır Prison” to shed light on “the dark rooms of torture where human dignity is destroyed by humans.”³² Framing Prison No. 5 as “the bloodiest prison of September 12 [1980]”, a

³² Mustafa Sütlaş, *Yüzleşme Asıl Şimdi Başlıyor*, *Bianet* 16 Nisan 2011 <https://bianet.org/biamag/insan-haklari/129295-yuzlesme-asil-simdi-basliyor>. Last accessed on July 30, 2016.

place listed as one of the ten most notorious prisons in the world³³, they collected torture narratives from five hundred and thirty-seven former prisoners.

Prison No. 5, which resembles a factory with its five identical building blocks located parallel to each other, was designed as a modern high-capacity prison. Upon the completion of its construction in June 1980, the Turkish Army usurped its control from the Turkish Ministry of Justice and transferred all Kurdish prisoners who were incarcerated in small barracks within military outposts to this central prison. Former prisoners define the period between 1980 and 1984 as *vahşet dönemi* [the period of cruelty] due to the perpetual, systemic, and inhumane torture techniques deployed in Prison No. 5—strappado, bastinado, waterboarding, electrocution, rape, etc. According to Turkish Army records, the death toll during this period was fifty-three; one hundred people were severely injured.³⁴ The Commission stresses that this relatively low death toll fails to reflect the effects of torture, which claimed the lives of prisoners by pushing the limits of their corporeal and mental integrity (Paker 2012; Tanrıku 2012). The punitive system was administered by the military in such a way that, as the literature on torture and pain (Cover 1986; Scarry 1985) underlines, the “normative world of prisoners” was put under attack.

According to the former prisoners’ narratives of Prison No. 5, words such as *hoşgeldin* [welcome], *banyo* [bathroom], *tiyatro* [theater], and *disco* [disco] lost their ties to the cultural world in which they would have invoked a sense of hospitality, cleanliness, and recreation. As the prisoners entered Prison No. 5, the guards began *hoşgeldin*

³³ See <http://www.thetimes.co.uk/tto/news/uk/crime/article1874289.ece> Last accessed on July 30, 2016.

³⁴ For the Turkish Army’s statement about the death toll, see the journalist Can Dündar’s article on the Diyarbakır prison: <http://www.milliyet.com.tr/Diyarbakır---nolu/can-dundar/guncel/yazardetayarsiv/01.09.2010/213482/default.htm>. Last accessed on July 30, 2016.

sessions by severely beating them with clubs, as a rite of initiation into the prison's semantic order. Weekly *banyo* sessions involved forcing the prisoners to wash themselves with excrement in a cesspool. *Tiyatro* was the name the guards had given to a room within which noncompliant prisoners were locked for days without food and water to transform their deprivation into a theatrical spectacle. Finally, by *disko* the guards implied hanging prisoners by both arms from the ceiling of the prison and applying electric prods to their genitals. Through such rituals of torture that stretched over four years, both the corporeal and semantic worlds of the prisoners were concurrently put in danger of destruction.

The supposed void in the ordinary language of the prisoners was filled with the language of Turkish nationalism and militarism.³⁵ If Prison No. 5 was the womb of the Turkish state, as one of the Commission members argued, Kurds were going to be reborn as Turks there.³⁶ Just like soldiers conscripted to the Turkish Army, prisoners were obliged to practice commando training at the crack of dawn and continue with intense bodily exercises before dusk. They began each day by chanting the Turkish national anthem along with forty-five other anthems that glorified the Turkish nation. Those who did not know Turkish, elderly and rural people in particular, had to learn it in a week from their fellow inmates. In front of the cabins for family visits, a didactic and obligatory message was written in capital letters, "Speak Turkish, Speak More." In fact, it was forbidden to speak any other language during those visits. Prisoners were also forced to paint prison walls in red and to place a white crescent and a star in the middle that

³⁵ In his essay on Diyarbakır prison, Welat Zeydanloğlu (2009) argues that torture in the Prison No. 5 was used precisely for the Turkification of Kurds.

³⁶ Nazan Üstündağ, *Bianet*, 24 Ocak 2011 <https://bianet.org/biamag/toplum/127359-kurtlerle-devletin-iliskisinin-adi-Diyarbakir-da-kondu>. Last accessed on July 30, 2016.

would stand for Turkish flag. The murals of the first president of Turkey, Mustafa Kemal, and the junta leaders found a place on prison walls, while the former's writings, such as *Nutuk* [the Great Speech], were read out loud every day to make prisoners memorize his words. In my interviews with them, former prisoners enumerated such and many other torture techniques in detail to illustrate what kind of cruelty *vahşet dönemi* entailed.

As I examined my interview transcripts, it struck me that these stories were narrated in such a way that individual bodies and multiple selves of the torture victims fade into the background, while impersonalized techniques of torture come to the fore. For example, in my conversation with Mehmet, a former prisoner who was the editor of a revolutionary journal then, he described how torture erased individual differences as follows: “[...] we were a whole different specimen in the prison. We were *kelaynak* [hermit ibis]; it didn't matter to which group we belonged. Sheiks, peasants, smugglers... They [the junta leaders] boiled us all together in the same pot.” In the face of military violence, Mehmet said, they had one and the same experience: living at the edges of life and death, facing the threat of extinction each day and night.

Despite a sense of sameness infused in testimonies, it seemed necessary to the Commission to interview as many former prisoners as possible for two reasons: to hold the junta leaders and military personnel accountable to the law, and to organize commemoration projects that would speak truth to what had happened in Prison No. 5.³⁷ Inspired by the trials of the coup leaders elsewhere (Sikkink 2011), the Commission propelled former prisoners to submit torture complaints to state attorneys as a way of

³⁷ Human rights activists are involved in establishing evidence of torture in Turkish prisons since 1990 (see Can 2016).

establishing evidence against their torturers.³⁸ In addition, public meetings were held to discuss possible ways to renovate Prison No. 5 as a museum.³⁹ At one of the meetings, the spokesperson of the Commission, Celalettin Can, contended: “In the conscience of the people, Prison No. 5 is the locus of their pain. This pain shall be commemorated in the place of its origin.”⁴⁰ The museum project that appealed to many entailed reconstructing Prison No. 5 as it was during *vahşet dönemi* with the paintings of Turkish flag and Mustafa Kemal on the walls, didactic orders of the Army written beside the visit cabins, and torture devices placed in the hallways and prison cells.

All the materials pertinent to Prison No. 5 were thus collected to reconstruct *vahşet dönemi* through which visitors of the prison-cum-museum would get a sense of this horrific place, hear the testimonies of former prisoners, and read their defense statements. Reconciliation with the past through such commemoration practices was viewed as serving the recovery of victims, establishment of truth, and distribution of justice. As impersonalized torture narratives attained a central place in the retellings of the 1980 junta, lawyers and Mafdari workers likewise re-signified the archived court documents within the language of evidence. Recounting the names of a few judges and state attorneys who headed the trials of Kurdish political organizations in 1980, Halil presented his archive as a possible source of information on the judges and state attorneys complicit in torture. Furthermore, this archive could be used to retrieve the torture

³⁸ With the referendum amending the Constitution in 2010, the two leaders of the coup were brought to the court for abolishing the parliamentary system and constitutional order in Turkey. Yet, no military commander or prison guard has been tried so far for committing the crimes of torture.

³⁹ At his visit to Diyarbakır on Jan 26, 2015, then Prime Minister Ahmet Davutoğlu announced that the prison, which bears “very grim memories”, would be renovated as a “cultural museum” to reckon Diyarbakır with culture, peace and brotherhood; see <http://www.cnnturk.com/haber/turkiye/Diyarbakır-cezaevi-muzeye-donusuyor>. Last accessed on July 30, 2016.

⁴⁰ *Diyarbakır Cezaevi Müzeye Dönüşüyor*, Jan 26, 2015 <http://www.cnnturk.com/haber/turkiye/Diyarbakır-cezaevi-muzeye-donusuyor>. Last accessed on July 30, 2016.

complaints submitted to the court by prisoners in 1980. As reconciliation with the past was articulated in terms of fact-finding, Kurdish lawyers and human rights activists thus began digging out the names, numbers, and complaints of defendants buried in the archive.

In the literature on human rights activism in the context of the Israel/Palestine conflict, it is shown how the NGO-ization of politics alters radical social visions (Allen 2013), while making visible the stories of the victims of war in the genre of trauma (Fassin and Rechtman 2009). Along the same lines, victims of torture are construed by Kurdish and Turkish activists as a legal category to try the military commanders whose culpability would be displayed in the prison-cum-museum by re-enacting the horror they enacted during *vahşet dönemi*. Victimhood is thus singled out as the main narrative trope to seek justice with the anticipation that the political atmosphere would soon be ripe for trials of the perpetrators. In this narrative structure, what is eclipsed is another symbolic figure from the 1980 military junta: the revolutionary cadres who spoke to the revolutionary aspirations of Kurds.

The Myth of Blacksmith Kawa: Heroism and Revolutionary Aspirations

Studying in the rear room at Halil's office, I occasionally had visitors, mainly friends of Halil who were curious about my work. Xalo, a tall and strong looking man in his seventies, was my most frequent visitor. When university students began mobilizing Kurds to fight for independence, he was a young boy dreaming of becoming a lawyer and defending the rights of his people. In the wake of militant times, he decided to commit himself to another dream - free Kurdistan. "Who would have needed a defense lawyer

anyways when Kurdistan was set free?” he said he had thought. Back then he was certain about the immediate success of the Kurdish struggle; it was only a matter of time before the Turkish state withdrew from his homeland. He recounted the nights he had spent in front of his typewriter duplicating the only copy of Politzer’s *Elementary Principles of Philosophy* for his comrades. Now assisting Halil in preparing bureaucratic paperwork, he concedes with a sense of melancholia that back then he was a callow youngster moved by the spirit of militant times.

In our long conversations, Halil described how the revolutionaries implanted in Kurds the desire for freedom. They were resolute and fearless, Xalo said, referring to the cadres of the PKK who died in Prison No. 5. Not all the cadres of the PKK deserve glorification, Halil added and continued: “In time, some became confessors [*itirafçı*] and others are good-for-nothing”. Halil and Xalo agreed that the ones who sacrificed their lives in prison, and perhaps only those ones, were the real heroes. In the list of heroic revolutionaries, Mazlum Doğan [called comrade Mazlum], the founding member of the PKK, comes first. Dropping out of university at the age of 21 to become a professional revolutionary, Mazlum was the chief editor of the party’s journal *Serxwebûn* [Independence] and the first revolutionary defending the cause of the PKK in court. With the help of Halil and Xalo, I went through the court documents page by page to find Mazlum’s political defense.

Political defense is a peculiar legal genre that is concerned with criticizing the entire political system, exposing the prosecuting party’s complicity in it, and announcing the political ideology of the defense party. Sometimes named “rupture defense,” this type of defense aims to convict the political system that establishes the conditions of

possibility for political trials (Verges 2012 [1968]). Unlike criminal trials, in political trials either the prosecution or the defense diverts the trials' focus away from "crime-scene evidence, including documentary evidence, forensic evidence, and eyewitness testimony of a more immediate variety" by providing "the surrounding historical, social and political context" (Wilson 2011:15). While legal liberalists, such as Arendt (1965) and Sikkink (2011), denounce this form of trial for breaching due process and procedural justice, Richard Wilson (2011) argues that for certain criminal categories, such as crimes against humanity, that cannot be understood in isolation from politics, it is necessary that courts engage in historical inquiry in order to make stronger legal judgments.

Incarcerated in September 1979 and deceased in March 1982, Mazlum sent out several letters from the prison to inform other cadres of the PKK about the prison conditions and asked for their contribution to the political defense drafted in prison.⁴¹ In one of his last letters, posthumously reproduced in the *Toplu Yazılar [Collected Writings of Mazlum Doğan]*, he mentions the arduous prison conditions under which prisoners were prepared for trial— they had no copy of the indictment, no access to legal sources, and no time to complete writing the party's collective defense statement (Doğan 1994:229). Highlighting the importance of the trial, Mazlum said: "The deeds we enact against the junta, the resistance we perform, and our voice that cries out of the court shall certainly be passed onto the masses for propaganda" (133). His letters indicate that he imagined the addressee of his defense as the "masses" who were uncertain about the

⁴¹ The political defense of the PKK could be submitted only by those who are charged with at least ten years of imprisonment, admitted membership in the PKK, and did not declare any repentance during interrogation. This criterion is in place to avoid putting sympathizers, against whom no strong evidence exists, in legal jeopardy as well as to assign this responsibility only to senior cadres who are well versed in its ideology. Rather than assisting the defendant in strengthening her/his legal case, political defense implies that defendant pleads "guilty" as she/he admits accusations only to repudiate legitimacy of law.

future of the Kurdish struggle, scared of the military's oppressive security measures, and withdrawn from the streets and militant politics. Thus, Mazlum carried the risk of being sentenced to life in prison while calling to attention his passionate defense—a speech act that contains constative statements imbued with performative effects.

In her essay “Passionate Performance,” Das (2011) lays out the performative differences between a statement's illocutionary force and its perlocutionary effects in terms of the former being premised upon formulaic utterances and the latter's openness to imagination. Utterances of the judge, such as “I declare you criminal,” have illocutionary force through which a suspect turns into a criminal. On the contrary, the perlocutionary effect of an utterance is neither hinged on the utterance of particular words in a certain order nor constrained by the rules of a standing language. Instead, a statement's perlocutionary effect is strongly tied to the “kinds of conditions, gestures, pitch and tone of voice” (Das 2011:124). Senior cadres of the PKK submit political defense with consciousness of the significance of their words whose perlocutionary effect may go beyond their intentions. By examining both the conditions under which Mazlum was brought to the court and the words he made utterable, we can see what kind of desires his defense implanted among the Kurds.⁴²

The military courthouse, a single-story building located in the 7th Army Corps in Diyarbakır, had a large space allocated to the trial of Kurdish revolutionaries. On the desks of judges and state attorneys microphones were attached, and there was a separate platform surrounded by bars from where Mazlum responded to the court's questions on June 18, 1981 (Welat 2012: 67). Sitting behind Mazlum with their heads shaved like

⁴² Instead of expounding upon the possible life-threatening effects of passionate utterances (Das 2007, 2011) or hate speech (Butler 1997), Mazlum Doğan's speech urges me to ruminate upon the life-invigorating effects of his defense testimony.

soldiers, other defendants were forced to fix their eyes on the head statue of Mustafa Kemal hung on the wall behind the Chief Justice throughout the hearings. Closely surveilled by the soldiers, they were not allowed to speak with each other, interrupt the hearing, or leave the courtroom.

At the opening of his testimony, Mazlum admitted his membership in the executive cadre of the PKK and asserted that his file shall be assessed in light of Criminal Code Article 125, which then imposed death penalty for secessionist offenses (Doğan 1994: 240).⁴³ Notwithstanding his self-incrimination, Mazlum declared that he would defend his cause before the court to “let history judge his words” (233). As opposed to humanists portraying Kurds as victims of state violence, in his defense Mazlum identified them as the carriers of revolution. Situating revolutionary politics in contradistinction to nationalist ones, he accused feudal leaders and Kurdish bourgeois of surrendering to the Turkish state. Against this class enemy, Mazlum asserted that the proletariat, peasants, the petty bourgeois, artisans, and intellectuals of Kurdistan shall carry forward the flag of revolution that his party erected (235-6).

The archive of Mazlum’s defense challenges the trope of victimhood that dominates the current retellings of *vahşet dönemi* by prompting Kurds to take up arms and join in the revolution. Though some groups within the Party may get involved in reactionary violence for the lack of ideological training and political consciousness, Mazlum said, revolutionary violence is indeed included in the program as an effective method to establish an independent, democratic and united Kurdistan and a classless

⁴³ All the citations from Mazlum Doğan’s court testimony are retrieved from *Toplu Yazılar*, published posthumously in 1994. I found Doğan’s testimony in a Kurdish lawyer’s office as well, but the page numbers for proper citation were missing. For reference, the relevant court document is identified as Diyarbakır Second Court of Martial Law, File Number: 1981/134. Statements of the judge and Doğan are translated from Turkish to English by the author.

society (239-41). However significant the other methods could be, such as general strike, demonstration, meeting, political propaganda and agitation, he highlighted the inevitability of the use of force in this struggle (239). What Mazlum laid out for the Kurds, however, was incompatible with the premises of Turkish state ideology. Listening to Mazlum's stern commitment to a revolution in Kurdistan for approximately forty-five minutes without interruption, the Chief Justice finally asked:

Where do these ideas of Kurdistan come from? Why do you call it Kurdistan? Have you examined the history? If you did, which sources did you look at? You call yourself Marxist. You admit that Marxism denounces racism. If so, why do you pursue it? Isn't there an inconsistency between your ideology and your practice? [Doğan 1994: 251]

Regarding the history of Kurdistan, Mazlum proceeded to name eleven different books along with their authors and publication houses.⁴⁴ Yet, for the court, the people that Mazlum called Kurds would have had to hold ruling power in the form of a state in order to be qualified as a "nation." Thus, the judge asked: "Have those [Kurds] established any state in history?" (255). Mazlum counted state-like formations from time immemorial to the present, yet he underlined that the colonial occupation of Kurdistan by Arabs, Turks, and Persians prevented the Kurds from having their own bourgeoisie to establish a nation-state. In his prison letters, Mazlum further noted that the absence of Kurdish bourgeoisie necessitated the revolution to be carried by the proletariat (207-217).

Puzzled by the notion of nation without state, the Chief Justice asked once again: "Where does this idea of establishing Kurdistan on these territories come from?" (254).

⁴⁴ As young college students, Kurdish revolutionaries of the 1970s had already gone through all the texts available to find a trace of the Kurds and Kurdistan.

As a leftist revolutionary positioning himself against Kurdish nationalists, Mazlum was hesitant to proclaim any racial or linguistic purity: “It does not matter to which race the Kurds originally belonged... Racial origin is not important; Kurds could have belonged to any race... They could happen to be from Scandinavia or from Latin America or anywhere else. Here, in the territories of Kurdistan, various civilizations have appeared and disappeared. Some managed to form a political organization and survived, some died out... Gradually peoples of different races merge with each other. It [race] is not important” (254). Departing from an account of race and indigeneity defined with regard to certain genealogical characteristics, Mazlum established Kurdishness as an historically constituted identity that came into existence in interaction with different racial and linguistic groups in the Middle East. According to the court documents, Mazlum’s testimony abruptly ended at this point, leaving unresolved the question of Kurdistan. Written two years after Mazlum’s defense, the final decision of the Chief Justice manifests that the court once again denied recognition to the existence of Kurds.⁴⁵ Despite his failure to change the court’s understanding of Kurds and Kurdistan, Mazlum’s speech act set up a genre of political defense that was followed by other PKK leaders in the coming years.⁴⁶

⁴⁵ An excerpt from the final verdict belonging to the court document issued by the Diyarbakır Second Court of Martial Law with the file number 1981/134 and verdict number 1983/34 goes as follows: “As it is well known, despite our country’s relatively small surface area, it is naturally so rich that opposite climates can be experienced at the same time. Whether adjacent or very proximate, these climatic circumstances give birth to minor differences within our nation. In fact, this might be the underlying reason for the prosperity of Turkish folklore and culture. For instance, people’s outfits vary from the Aegean Region [in the west] to the Black Sea region [in the north], or from the Central Anatolian region to the Eastern Anatolian region. Turkish in these regions is not spoken exactly the same way due to the richness of local dialects, proverbs, and accents. Even folkloric dance, music, and outfits differ... The state prevents the groups who try to manipulate these rich resources and natural differences from constituting a new society totally separate from the main one.”

⁴⁶ After his imprisonment in the high security island-prison İmralı in 1999, the current leader of the PKK, Abdullah Öcalan, likewise submitted the statements of his political defense to the European Court of Human Rights, which were republished as the party’s revolution manifesto.

If the conditions that precede and succeed an utterance are constitutive of its performative effect, Mazlum's defense cannot be dissociated from his sudden death nine months after his defense. In 1982, on the 21st of March, which is the date of *Newroz* [the Middle Eastern New Year], Mazlum hung himself in his prison cell around the same time when the administration increased the level of torture to such an extent that according to the accounts of former prisoners the inmates had either become confessors or surrendered to the rule.⁴⁷ Did Mazlum commit suicide in the face of unbearable torture? Perhaps prisoners discussed this possibility when they received the news of his death on March 22nd. However, as the news of his death circulated across and outside the wards of Prison No. 5, it got tethered to a mythical story of *Newroz* that turned Mazlum's death into a heroic resistance.⁴⁸

Slightly departing from other nations in the Middle East celebrating the coming of spring on the northward equinox, Kurds celebrate *Newroz* by invoking the mythical story of Blacksmith Kawa. Coloring this myth with leftist idioms, the version favored by the Kurdish movement goes as follows. In times immemorial, King Dehak, a brutal oppressor, fed the two-headed snake emerging from his shoulders the brains of two boys who his guards would capture every day. The servants of the king, Armayel and Garmayel, rescued the captured boys by offering the king brains removed from sheep. Taking refuge in the mountains, the rescued boys became members of an army formed by a blacksmith, called Kawa, who was plotting the downfall of Dehak's kingdom. On

⁴⁷ In my interviews with former prisoners from September 2008 to June 2009, the interviewees narrated that period (1980-1984) with great concern about the number of prisoners who surrendered to the repressive rule of the prison administration.

⁴⁸ For the Turkish state's construction of heroism with regard to conscripted soldiers injured during the clashes with the PKK, please see Salih C. Açıksöz (2012). To compare how heroism operates among prisoners from the Turkish left, please see Banu Bargu (2014).

March 21st, Blacksmith Kawa's army descended from the mountains, killed King Dehak, and set his palace on fire. Hence, the fire of Newroz indexes both the end of King Dehak's rule and the coming of long-awaited spring.⁴⁹

In the accounts of the PKK recounting Mazlum's death, he is identified as a modern Kawa who lit the fire of Newroz in his prison cell to save the Kurds from brutal torture of the Turkish state. Mazlum's depiction as Kawa engendered further mystifications in which it is claimed that he set himself alight to start the final Kurdish uprising (see Özsoy 2010). Thus, three matches that Mazlum lit before hanging himself came to symbolize the fire of Newroz, while Mazlum himself became the modernized image of Kawa inciting the children of Kurds to the mountains to establish a guerrilla army. "In the pitch-dark atmosphere of Prison No. 5", a former prisoner recounted, "Mazlum ignited the fire of Newroz and invited us to resistance" (Welat 2012:119). Inspired by the mythical version of Mazlum's story, other PKK militants enacted self-mutilation protests on several occasions within the prison and outside of it (Yetkin and Tanboğa 1990). Mazlum's death, as well as his defense, thus came to signify an ideological and mythical ground for revolution.

In the discursive confrontation he had with the judge, Mazlum conceptualized Kurdistan as an idea in an aspirational sense. Neither entering into a dialectical relation with the official Turkish historicism nor aligning with the Kurdish bourgeois nationalism, the archive of this heroic figure embraces supra-territorial, mythical, and affective

⁴⁹ I don't have space to analyze the rich metaphorical components of this myth, please see Delal Aydın (2005) for a detailed analysis.

imaginations of an independent, democratic, and united Kurdistan.⁵⁰ The kind of difference by which Mazlum articulates Kurdish identity could be read as what Hall calls “differences that do not work through binaries, veiled boundaries that do not separate but double up as places de passage, and meanings that are positional and relational, always on the slide along a spectrum without end of beginning” (2001:90). Evoked by Mazlum through his political defense and death protest, Kurdish revolution was a moving image that spoke to the possibility of another form of social existence.⁵¹ This imagination for Kurdistan made it possible for people like Xalo to take action for an alternative life in which Kurds would no longer have to defend themselves in Turkish courts.

As performance studies remind us, the generative power of name-calling relies on the fact that by interpellation “a certain possibility for social existence [is] initiated into a temporal life of language” (Butler 1997:2). Obviously, neither Kurdistan nor proletarian revolution is a name invented by Mazlum or any other PKK cadre. But making these names utterable despite the violence of the junta can be viewed as a new beginning that rebuilds the semantic world of words. If singular expressions of difference entail new beginnings, Mazlum’s speech act and prison protest elicited another beginning that would be succeeded by other party members. Approached from this perspective, the archive of Mazlum Doğan offers a language, however incommensurable with that of the state, with

⁵⁰ The history that the political defendants attempted to write in the courtroom was not based on the same organizing principles of formal historicism. I draw upon Dipesh Chakrabarty’s conception of “History 2,” which is thought of as a category charged with the function of constantly interrupting the totalizing thrusts of the “universal history of capital” that he calls History 1. In this instance, the defendants’ testimony could be read as History 2, offering “a program of writing histories that are alternative to the narratives of the official one”, and that therefore could not be subsumed by the latter (2000: 66).

⁵¹ My reading of Kurdish nationalism echoes Lori Allen’s account of Palestinian nationalism, which she views as “an ethical discourse, a framework of values, a system of political and social ethics in profound transition” (2013: 17).

which party members and perhaps Kurds in general found a home in the midst of *vahşet dönemi*.

Mbembe (2002) contends that the materiality of the archive in which the traces of the dead are found institutes the archive's imaginary power. Although Mazlum's defense statement is reproduced in print and could be found even online, there was something moving about the idea of finding any trace of him on paper. It was as if the court documents would prove that the protagonist of Prison No. 5 had really existed. If Mazlum were proved to be there, these mundane documents would also be charged with the same uniqueness as the heroic figure itself. The archive of court documents and prison letters then beckons the imaginary with material traces, as modern Kawa ascends to the symbolic register of martyrdom.

Small notes in the marginalia: Ordinary Prisoners and the Everyday

A specter wanders in the archive of court documents, be it the archive of victimhood or the archive of heroism that we read so far. This specter is so vividly present in the narratives of the 1980 military junta that the kind of absence it indexes may go unnoticed. In the archive of *vahşet dönemi*, the specter figures in the image of torture victims, whose stories are reckoned with undifferentiated experience of torture; whereas in the archive of Mazlum Doğan, it appears in his heroic address to the masses, the carriers of revolution who are as of yet deprived of political consciousness. Torture victims and masses inhabit the same kind of spectral subjectivity in relation to the sphere of "life devoted to public-political matters" that is beyond the movements and activities devoted to keeping one's

self alive (Arendt 1998[1958]:12). More specifically, they are excluded from the sphere of politics for lacking or being deprived of the capacity to act as a “subject”.⁵²

If it is through death that one could possibly embody political consciousness, resist oppression, and become a hero in Prison No. 5, as Primo Levi (1989) underlines in his writings on Holocaust survivors, the stories of those who survived would be a manifestation of either their submission to the military rule or their complicity in it. In prisoner testimonies the figure of traitor appears to be the antithesis of heroism through which the rift between good and evil is reinstated (Üstündağ 2013). However, “ordinary prisoner”—a term former prisoners deploy to refer to themselves—is related to victimhood and heroism in a more complicated way. “Ordinariness” [*sıradanlık*] evoked by prisoners is not an indicator of the level of their political consciousness nor the intensity of torture they experienced. Inmates of Prison No. 5, who were members of a range of Kurdish political organizations, expressed different levels of political commitment and belonged to various occupations and age groups. Though the junta first imprisoned the cadres of political organizations, gradually militants taking up arms, activists publishing journals, and sympathizers circulating leaflets were all put in prison. By the time the prison population reached 4 thousand in 1983, the list of prisoners comprised corner shop owners who sold letter stamps to sympathizers, villagers who gave bread to militants, and sheiks who spoke Kurdish in towns. Along with corner shop

⁵² According to Caroline Humphrey (2008), subject as a concept does not indicate individual’s natural presence in the world, but rather a sharpened and pervading sense of being in the world that emerges in particular circumstances and specific frameworks of time. Individual becomes a subject, she argues, as he dominates other possible ways of being and orients subsequent action (2008: 374). Though I agree with Humphrey on the singularity of the appearance of an individual as a subject, the form of existence attributed to the subject that this section deals with is not that of dominating other possible ways of being or inciting immediate action. In Veena Das’ (2016b) words, I am interested in subjects as singular but not sovereign.

owners and villagers, the cadres who were charged with secessionism also identify as “ordinary” [*siradan*].

Ordinary prisoners are neither the antithesis of heroism nor a subaltern who cannot speak. On the contrary, the precondition for stories of heroism and victimhood to be archived is that the ordinary prisoners *do* speak. It is not their capacity to speak, but rather the voice in which they speak that turns them into specters—individuals who erase their singular life stories from their own narrations of Prison No. 5. In her ethnography on the representations of war heroines of the 1971 Bangladesh war, Mookherjee suggests very acutely that a way to go beyond reified categorizations and well-tailored representations is to pay attention to embodied, non-narrative forms of expression, and non-linear narrative fragments (2015:219). Expanding the analysis from the “event” to its aftermath and from narratives to fragments may bring to light both the plurality of subjectivities and singularity of subjects (see Das 2007). That analysis requires going beyond *vahşet dönemi* and paying close attention to the fragments in the margins of the archive. Such temporal and spatial shifts open a new space of appearance for ordinary prisoners.

In the *Human Condition*, Hannah Arendt conceptualizes the space of appearance as a space of interaction between acting and speaking men whose togetherness charges them with enormous potential. “It comes into being”, Arendt argues, “whenever men are together in the manner of speech and action”, and fades away “with the disappearance or arrest of the activities themselves” (1998:199). “The end is not pursued but lies in the activity itself” and “the work is not what follows and extinguishes the process but is imbedded in it; the performance of the work” (206). From this perspective, the greatest

that man can achieve is his own appearance and actualization without which neither the reality of one's self, of one's own identity, nor the reality of the surrounding world can be established beyond doubt (208). Pushing Arendt's notion of space of appearance further to see how it emerges within the prison, I argue that a distinct political community appears in Prison No. 5 through prisoners' studious and protracted work of writing. Let us listen to the former prisoner Nejat, who was convicted of executive membership in the PKK and sentenced to life in prison, for a more lucid understanding of the prisoners' collective writing exercises. Nejat is not one of the heroes who sacrificed their lives; but his account gives us a picture of collectivity that is also not reducible to victimhood.

In the aftermath of *vahşet dönemi*, there was a relative relaxation in prison conditions. Not only did commando training, compulsory Turkish classes, and torture come to an end, Nejat explains, but also prisoners ordered books from outside, obtained spare chapters and pens, and secretly got in touch with other prison cells. Nejat marks the transition to the torture-free period with the beginning of intense writing and learning activities. The role of ideological training in transforming prisoners into revolutionaries is hard to dismiss (see Nashif 2008). But Nejat draws attention to something beyond a transformation as such:

Everybody in my ward was contemplating how to prepare a collective defense to analyze the relationship between fascism and colonialism. For instance, we discussed for two months when and how the First International [International Workingmen's Association, IWA, 1864-1876] was founded. After much discussion among ourselves, we wrote our contemplations with miniscule letters on tiny little papers to share with other prison cells. It was through writing this book [collective defense] that we held onto life.

Small notes were tied to sewing threads and passed into other cells through the open space between prison bars. Prisoners spent days and nights on these small notes—writing, discussing, re-writing, and circulating. It was not the end product, but the inexhaustible power of the act of writing that Nejat highlights in the interview: *It was through writing this book that we held onto life*. There were other ways by which ordinary prisoners were involved in writing. For example, two prisoners came up with another book project for which they prepared interview questions and circulated them among prisoners in other cells (see Ayata 1999). A few prisoners began to write poetry whose drafts other prisoners read and commented on (see Babaoğlu 2005). Another prisoner, Recep, who was paralyzed after a death fast, finished his first painting in Prison No. 5. Some of these items were published and reached a wider audience, others were placed in the former prisoners' personal archives. Recep's painting, which was taken outside by his fellow comrade and now his wife Nuran, for instance, stays on the wall of their small apartment in Berlin: pastel-colored flowers sprouting up from the palms of a pair of handcuffed hands. Despite all odds, is there a space within the archive of court documents for ordinary prisoners to appear as singular subjects?

Court documents might seem to be a counter-intuitive place to look for such traces, since the words noted were enunciated within a setting where men were neither equals nor free. While soldiers strictly restricted the defendants' interaction with each other, the only form of speech permitted in the courtroom was the one between judges and defendants. However, Mazlum Doğan's defense revealed that the performative power of the words enunciated in the courtroom carries the potential to undermine such disciplinary practices of the law. Drawing on Veena Das and Deborah Poole's

conceptualization of the margins as spaces “bristling with life that is certainly managed and controlled but that also flows outside this control” (2004:30), I attend to the margins of court documents to examine a different mode of writing through which both a collectivity of prisoners and a singular subjectivity of Arthur appear.

On the margins and backs of the pages of the court documents, the pictures of PKK “martyrs” were drawn and brief notes from the trial were taken. The notifications they received from the prison administration found place in these notes as prisoners reproduced such notification letters on the marginalia.⁵³ Among these drawings and doodles, which appeared like another world of writing that a small group of prisoners shared, there is an English story of Arthur whose name appears in the marginalia page after page. Arthur’s story is not something that former prisoners remember today nor could they retell precisely how they started learning English. One may wonder if the prisoners decided to replace compulsory Turkish language classes with those in English when the prison conditions improved. Or some speculate that prisoners approached English more instrumentally as a medium of connection with the rest of the world through which they planned to attract international attention to Kurds in Turkey. It might also be the case that they just wanted to learn another language without a well-thought-out plan. Whichever speculation holds true, as Arendt argues in her analysis of action, “the specific meaning of each deed can lie only in the performance itself, and neither in its motivation nor its achievement” (1998: 206). Hence, let us look more closely at the marginalia to understand what work the Arthur character performs.

⁵³ One of the notes I found in the marginalia is as follows: “[the] delivery of medicine to convicts who are under medical treatment must be monitored and controlled more strictly in order to prevent the repetition of suicide attempts in the prison.”

The figure of Arthur appeared on one of the dossiers of court documents, which were placed without binding in Mafdari's library. The volunteer in the office took a glance at the dossier, turned the pages quickly, and told me that a bunch of prisoners must have been practicing English. As a former prisoner himself, he assumed that it had happened after 1984—marking the end of *vahşet dönemi*. I could not find similar English exercises on other court documents, but what I found on the margins of this single dossier was intriguing: a makeshift English-Turkish glossary, verb conjugation, and sentence construction exercises alongside a short story of Arthur with Mary. The colors of the ink and handwritings change across and along the pages. The shift in handwritings indicates that a group of prisoners worked together on the same page to learn English. The exercises do not follow any particular order: some are repeated over pages with slight changes; others are not followed through. One of the exercises, which appear quite frequently throughout the dossier, is as follows: 54

Cannot: Arthur can't do the telephone; the clock can't wake up Arthur; Arthur can't open the door; Arthur can't pay the bill; Man can't fix the pipe.

Must/not: Arthur musn't be late; He must wear a tie in the library; The car must stop at the red light; You must pay the bill in a restaurant; Arthur musn't wear pajamas in the library; Waiters musn't smoke in the restaurant; I must do this exercise.

Can: What can we do in a restaurant? We can eat food.

In the marginalia Arthur's life is described through the modal verbs "cannot," "must," and "must not." Injunctive sentences are followed by Arthur's failure to comply with

⁵⁴I cannot identify the documents archived by Mafdari with a file number, since the pages marked with handwritten inscriptions are separated from their initial backing on which their file numbers would be placed.

them: He must not be late, but the clock can't wake up Arthur; you must pay the bill in a restaurant, but Arthur can't pay the bill; he must wear a tie in the library, but instead Arthur wears pajamas. With the repetition of injunctive sentences page after page, letters get smaller and the distance between each letter narrower. The sentences written hastily on paper disclose a mood of impatience and boredom that prisoners might have felt as they repeated the same exercises over and over again. This exercise ends with a final injunction: *I must do this exercise.*

On another page, ordinary injunctions that Arthur hardly complies with make a different twist. The subject of the statement "Arthur musn't be miserable" is replaced by the first person plural pronoun: "We musn't be miserable." As the subject of the statement for whom misery is not tolerated becomes "us", the narrator (we) and the character (Arthur) are made indistinguishable. Does Arthur index "we", the narrator of this statement; or is this new narrative subject "we" completely separate from the narrated character Arthur? The challenge and the promise that the Arthur writings posit rely on the fact that the authors of Arthur's story are unknown. Said differently, we hear Arthur's story not from an identifiable narrator/author whose subjectivity could be interrogated, but from an ambiguous plural subject who makes themselves known through the character/Arthur. The disappearance of the author pushes us to consider non-representational forms of expression.

Drawing on Franz Kafka's later work, in which Kafka contrasts metamorphosis with metaphor, Deleuze and Guattari (2008[1975]) meditate on the possibility for an

escape from representation, signification, and other designations in language.⁵⁵ As the author becomes a character in his own writing, the separation of the voice of the author from that of the character collapses. This “becoming” is a liberating force that opens up the possibility to express another community and to forge the means for another sensibility (Deleuze and Guattari 2008: 17). I suggest that the non-representational form of writing that prisoners performed in the marginalia, in which they sometimes appear in the voice of “I” and other times in the voice of “we” and “Arthur”, manifests another space of appearance where a small community of English practicing prisoners is formed whose sensibility is directed not at undertaking any grand project, but at remaking life in the everyday. Let us turn back to the Arthur character in the court documents where a story called “Arthur’s Dream” is narrated to elaborate on this last point. This is a story repeated three times along the marginalia in which Arthur moves back and forth between the material limitations of his everyday life and the limitless space of action that his dreams invoke:

It is Sunday afternoon. It’s raining. Arthur’s sitting in an armchair in Mrs. Harrison’s sitting room. He is thinking. He isn’t happy; he’s miserable. The television is on but Arthur isn’t watching it. What is he thinking about? He’s thinking about Mary. What’s she doing this afternoon? She isn’t sitting at home and she isn’t watching television. She is sitting next to Bruce in his car. They’re driving into the country. Arthur isn’t driving with Mary. He hasn’t got a car and he hasn’t got any money. Now Mrs. Harrison’s walking into the sitting room. What’s she carrying with? She is carrying a tray. What’s

⁵⁵ Note the difference between the world-creating force of setting free the words from their ties in the world (Deleuze and Guattari 2008) and the world-annihilating force of situating the words from ordinary life into the world of horror (Feldman 1991).

on the tray? There are two cups of coffee—one for Arthur and one for Mrs. Harrison. Now the coffee is on the arm of Arthur's chair, but he isn't drinking it.

Arthur's sleeping. He's dreaming about Mary. In his dream Arthur's got a car. Bruce isn't driving the car; Arthur is. Arthur's driving the car and Mary's sitting next to Arthur. She isn't sitting with Bruce. Arthur and Mary are going to the seaside together. It isn't raining now. The sun's shining and the birds are singing. It's a beautiful day and Arthur's happy. Now Arthur and Mary are lying on the beach. Arthur's wearing a pair of swimming trunks and Mary's wearing a bikini. Mary's eating an ice-cream, and Arthur is smoking a cigarette. Bruce isn't lying on the beach with Mary. Arthur is.

Arthur's dream gives a picture of the actual world that is woven with material limitations and the dream world that uplifts such burdens. The present mood, which is intensified by the use of present continuous tense, defines Arthur's everyday life as persistent inaction and deprivation. Placed in Mrs. Harrison's sitting room, his inability to move stands in stark contrast to all the movement around him: the television is on; Mrs. Harrison is carrying coffee; Mary is driving with Bruce into the country. This inability is further reinforced by dispossession: he hasn't got a car; he hasn't got any money. Neither the workdays nor weekends offer any comfort to Arthur: he isn't happy; he is miserable.

When Arthur moves from his actual world to the dream world, "here and now" takes on a different shape. While "thinking about Mary" is a reminder of material scarcity and impossibility, "dreaming about Mary" enables him to unleash the possibilities of action: Arthur is driving the car; Mary is sitting next to him. Simultaneously, the conditions that restrict his movement disappear: he's got a car; it's not raining now. As

the dream alters the condition of possibilities in the “here and now,” Arthur and Mary end up on a beach; he is wearing swimming trunks; she’s wearing a bikini; he is smoking a cigarette; she’s eating ice cream. His dream life is materially affluent too—car, beach, cigarettes, ice cream are now accessible to him.

Through the repeated writings on *Arthur’s Dream*, a picture of the ordinary is drawn with material difficulties, longings, and dreams enfolded into it. “Here and now” has come to harbor mundane routines and exuberant dreams simultaneously. If Arthur offers any relief to ordinary prisoners, he does so not by becoming another hero, but rather by getting the girl, driving to the beach, and smoking a cigarette. More precisely, a space of death represented in the body of court documents is inverted by Arthur residing in the margins that bristle with life. What does this writing do for the community of prisoners learning English in the margins? How is this writing related to the rest of the writings in these documents?

Spatially the doodles came into existence as prisoners shifted their gaze from the body of the text, which embodies *the* law, to the marginalia of no text. Moreover, the writing of doodles was possible when prisoners moved from the *vahşet dönemi* to its aftermath. To actualize this spatial and temporal move, the prisoners took an active part by requesting books, obtaining chapters and pens, and, perhaps, dreaming together in the world of writing. By these subtle acts in time and space, Arthur’s story eludes the space of law and legal precepts, torture and its impersonal narrations, and revolutionary idioms and death. Hence, the marginalia demonstrate what Veena Das (2007) would call the possibility for the everyday. As prisoners inhabit this space of marginalia, they also

descend into the everyday in the confines of the prison through writing—practicing English vocabulary, constructing grammatical sentences, and dreaming through Arthur.

Das and Poole suggest that we “take the indeterminate character of margins to break open the solidity often attributed to the state” (2004:20). Their suggestion is not that margins are the sites of statelessness or revolution, rather that margins are spaces imbued with desires, fears, and hopes that give us a different picture of life from that of legibility, rationality and sovereignty. Along the same lines, I argue that the margins of court documents break open the available frameworks by which we approach Kurdish prisoners in Prison No. 5: heroes ready to die, traitors siding with the enemy, and victims submitting to the rule.

Margins uncover the cracks within the prison walls, which may not be of use if one aims to demolish the entire building. But such cracks may emit enough light into the prison cells through which we see how prisoners made a life in the everyday. Many notes were passed through these cracks: court documents, poems, novels, memoirs, drawings, and doodles. Through such small holes cracked open, as Nejat says, prisoners held onto life and dream of Arthur and Mary in the margins. Hence, margins become a unique space where prisoners’ hands are tied to each other not only by handcuffs around their wrists but also, as Recep’s painting demonstrates, by colored flowers sprouting up from their palms.



Figure 1: A copy of the painting Recep Maraşlı drew in Prison No. 5. Keeping his identity anonymous, he secretly sent this painting to another inmate, Nuran Çamlı, on January 1, 1985. Beneath the date, it is written: “To Free Years.” Courtesy of Recep Maraşlı.

Conclusion

This chapter traversed the archival fragments from the 1980 military junta as it manifested itself in torture chambers, political trials, and prison cells in northern Kurdistan. It is not the main impetus of this chapter to arrive at a more comprehensive picture of that period by collecting stories from as many different perspectives as possible. Fragments are not just some pieces broken from a whole that would be re-made by fitting the broken pieces back together. Rather, “the fragment marks the impossibility of such imagination” (Das 2007:5). The three archival fragments of victimhood, heroism and the ordinary are construed by knotting together the testimonies prisoners narrated, the

court documents Kurdish activists and lawyers stored, and the historical events that are valorized in the present. These fragments show how the memory of the past is cut through different temporal planes and index three singular ways of inhabiting the world.

The archive of *vahşet dönemi* is a product of the truth and reconciliation project that approaches the military junta as the origin of enduring pain from which Kurds still suffer today. As a way of healing the pain and preventing its repetition in the future, human rights advocates aim to bring military commanders to the court through collecting hundreds of torture testimonies. Once the state's own criminality is exposed to the court and to the public in general, they believe that it would become possible to have a kind of closure with the war-ridden past and transition to a peaceful future. Otherwise, as the argument goes, both the archive and the torture victims would be fixed by the horror of the Prison No. 5.

The archive of Mazlum Doğan invokes an entirely different understanding of law and future. It is not the torture of innumerable prisoners but Mazlum's "heroic" life and death that appears as the event worthy of commemoration. If it was through law that justice was sought, Mazlum's political defense would be read as an approval of his culpability and his death as an evidence of torture in the Prison No. 5. As opposed to the figure of torture victims, however, Mazlum does not denote a proper name and a number. As his name has come to symbolize revolution, this heroic figure transcends the time-bound understandings of life and justice. The archive of heroism lifts the temporal distinction between past and future, turns Mazlum into Blacksmith Kawa, and invokes the possibility for another form of social existence for Kurds.

The archive of ordinary prisoners is tied neither to a prophetic event of revolution nor to the despicable event of torture. The temporal horizon on which the story of Arthur unfolds belongs neither to a timeless space nor evokes a sharp distinction between past and future. Rather, it brings into light the present that calls prisoners for partaking in patient, repetitive and creative work of writing. It is in the here and now that prisoners emerge as subjects who are neither a hero nor a mere victim. Ordinary prisoners elude representations as such, while signaling to the world-making power of mundane writing practices. Thus, it is the becoming of a subject in the world of writing that ordinary prisoners achieve as they give life to the words that the junta once announced dead.

Chapter II: The *Work* of Surveillance Technologies: The Transfiguration of Ordinary Lives into “Terrorism”

On April 14, 2009, a series of police operations took place in twelve cities across Turkey. At 5:00 AM, heavily armed, balaclava-clad special police forces carried out raids of the homes of suspects, seized their phones and computers, and searched for any incriminating evidence. Afterwards, all suspects were taken to the Diyarbakır Anti-Terror Bureau, where they spent the next seventy-two hours in custody. At the end of this period, they were transferred to prisons where they would remain for the remainder of the adjudication process. Until the following day, the scale of the operation was unclear. That morning, national television channels reported the operation as a major “assault” on the PKK.⁵⁶ The operations spread to every town in northern Kurdistan and continued with varying intensity until the start of the 2013 peace talks between the Turkish state and the PKK.

By the end of the first wave of operations, the state attorney running the investigation noted that one hundred seventy-five senior level “terrorists” were detained for their involvement in the activities of a newly founded organization within the PKK, called the Kurdistan Societies’ Union (KCK-Koma Civakên Kurdistan). As opposed to the operations of the last two decades, which primarily targeted PKK guerrilla fighters, civilians involved in Kurdish national politics were at the center of this new wave of operations. While some detainees used to hold senior positions in the Kurdish movement,

⁵⁶ For headlines from the mainstream Turkish dailies at the time: http://www.zaman.com.tr/gundem_operasyon-dtpye-degil-pkkya_837503.html. Last accessed on November 12, 2014. The webpage discontinued. <http://www.yenisafak.com.tr/yazdir/karayilan-operasyonu-180849>. Last accessed on July 30, 2016.

others previously fought as guerrillas and were imprisoned several times in the course of their lives. Still others were mayors, bureaucrats, lawyers, and social workers in municipalities and non-governmental organizations. The diversity of those accused of membership in the KCK has come to be viewed as a manifestation of this new organization's immersion into the Kurdish society. In effect, state officers declared that a *parallel* state named the KCK had been exposed through the investigations conducted by the police.

Among the evidentiary materials gathered by police over the course of the investigations were four hundred dossiers of surveillance reports, which included telephone and email exchanges of suspects, minutes from closed meetings, and pictures and videos taken at public demonstrations. I distinguish the KCK case file from that of the PKK (Chapter I) not only because the type of evidence collected and the profiles of people accused are very different, but also because of the ease of access to the file. In contrast to the strict control over the 1980 court documents, the original indictment of this case file was both leaked online and made available to the public and also uploaded to a web-based file tracking system for the defense lawyers and defendants. Hence, documents of the KCK file circulated freely inside and outside of the Diyarbakır courthouse without any risk of persecution.

In contrast to what Joseph Masco (2014) shows in the context of the “War on Terror” in the United States, where state documents become “sensitive” under the specter of the terrorist threat and are removed from public display, the circulation of current “terrorism” files in Turkey is tolerated by law enforcement and the courts. The kind of openness operating in the KCK file may be tied to attempts by the AKP government to

dissociate itself from the bad human rights records of previous Turkish governments.⁵⁷ Having announced a “zero tolerance to torture” policy in 2002, the AKP government insists that it has closed that chapter by ending forced disappearances, torture in custody, and exceptional military trials. The KCK file is the AKP government’s first large-scale “terrorism” file and represented, in a sense, a litmus test for claims of democratization. With neither torture complaints made nor violations of habeas corpus reported, the government seemed to pass this first test.

In the edited volume, *Transparency and Conspiracy*, Jean and John Comaroff draw attention to the illusion of transparency in the modern world, which “[...] conceals the real workings of the machine behind the glass facade, contriving the kind of legibility that renders the technology itself opaque” (2003:288). The authors of the edited volume unpack how claims of transparency evoke suspicions of occult forces in modern times, characterized by a profound uncertainty on the inner workings of power (West and Sander 2003). Both modern states and their subjects are implicated in the interplay of transparency and conspiracy as they are committed to construing a picture of the *interior* believed to lie beneath the surface of power (Hellinger 2003). In my examination of the KCK file, I find it crucial to approach transparency claims in relation to suspicions of

⁵⁷ Both international and local human rights organizations have extensively documented the systematic and continuous violations in northern Kurdistan in the 1990s. See: Human Rights Watch Report “The Kurds of Turkey: Killings, Disappearances, and Torture” March 1993 <https://www.hrw.org/sites/default/files/reports/TURKEY.933.PDF> Last accessed on Jul 10, 2016. Human Rights Watch Report “Torture and Mistreatment in Pre-trial Detention By Anti-terror Police,” March 1997 <https://www.hrw.org/legacy/summaries/s.turkey.973.html> Last accessed on Jul 10, 2016. Amnesty International Report “Turkey: Listen to the Saturday Mothers,” Nov 1998 <https://www.amnesty.org/en/documents/document/?indexNumber=EUR44%2F017%2F1998&language=en> Last accessed on Jul 10, 2016. Human Rights Association (Turkey) Special Issues on Disappearances 1993, 1994, 1995 <http://www.ihd.org.tr/category/c81-d-yayir/page/24/> Last accessed on Jul 10, 2016.

conspiracy, so as to reflect upon the work of surveillance technologies.⁵⁸ Though the AKP government's claims to transparency can be read as a sign of democratization, my intention is to examine the kind of violence enfolded in the *work* of surveillance technologies that constituted the foundation of the KCK file. More precisely, I am interested in the form of transparency that surveillance technologies produce when utilized in the investigation of "terrorism" cases. It is the argument of this chapter that surveillance technologies charge that which seems ordinary on the *surface* with the profound capacity to hide beneath an extraordinary crime of "terrorism." Thus, I argue that it is no longer through torture, but rather surveillance technologies that the law claims to uncover the *interior* of suspects where the truth about their "terrorist" affiliations are to be found. Rather than disciplining, the violent transfiguration of the ordinary by surveillance technologies renders it uncertain in whose words and images one might find oneself implicated.

The "State" of the KCK

How is the recently established organization, the KCK, depicted in the 7,000-page-long indictment? What does the "state" of the KCK look like when viewed through the lens of the indictment, which is an invaluable source for understanding the specter of "terrorism"—the very specter that incited the large-scale operations in 2009? Recent writings on global security underline that modern terrorism attacks have given rise to a logic of preemption in which states approach everyday life through the lens of perennial and unpredictable threat (Masco 2014). As the potential of terrorism to destroy everyday

⁵⁸ There is a long list of anthropological works focusing on transparency and conspiracy in the context of violence. See Crapanzano 1986; Taussig 1999; Obarrio 2010; Whitehead and Finnström 2013; West and Sander 2003.

life shapes the way states organize themselves through the proliferation of security forces, surveillance equipment, and policing technologies, it is argued that state power gains an ontological quality that *creates* its own reality rather than regulating it (Massumi 2015). Investigating how this new concept of “danger” changes the moralized and culturalized distinctions, Eckert (2009) argues that it is through references to “essentialized” otherness of the threat, be it religious, national, or ethnic, that nation-states legitimize their otherwise illegitimate security measures. As significant as these critical responses to global security discourse are, my intention is to show that it is neither formlessness nor otherness that we find in the state attorney’s articulation of the KCK, but rather sameness that it is conspired to share with the Turkish state.

Before examining the state attorney’s construction of the KCK, let me first describe how the KCK, as a distinct organization, is formulated in the writings of the leader of the PKK, Abdullah Öcalan. In 2002, around the same time the AKP government abolished the 15-year-long emergency rule in northern Kurdistan, the imprisoned leader of the PKK proposed a political model for the Kurds in Turkey called “democratic autonomy.” The details of this model were communicated through political defense statements submitted to the ECHR as part of efforts to appeal his life sentence and solitary confinement. Compiled into four volumes, Öcalan commands Kurds to establish their own “democratic nation” through a confederation of councils, which he would later call the KCK (2012:454). Rather than an independent, sovereign state, Öcalan prefers to work on a decentralized model of autonomy. In this organizational model, numerous organizations would be established to govern spheres of life as diverse as politics, art, and defense. With these organizations imbued with the capacity to absorb the functions of the

nation-state at the local level, it is believed that Kurds would achieve freedom from the state instead of seizing its power to establish a separate one.

Inspired by libertarian socialists, Öcalan identifies the nation-state as the source of oppression for imposing oneness upon many. Defying the hyphen of nation-state, which implies one state for one nation, Öcalan embraces a political model that entails a hybrid combination of what early modern theorists call “multitude” and “people” (see Virno 2004). Similar to the question of multitude, Öcalan’s “democratic nation” favors a plurality of experiences, non-representative forms of democracy, and the self-actualization potential of collectives. In contrast, Öcalan’s practical suggestions on how to foster a “democratic nation,” however, reiterate conventional understandings of the general will of the people despite his rejection of the state as an organizational model that would execute it. To inspire the general will, Öcalan emphasizes that *legal siyaset*, [lawful politics], which entails representative politics at the local and national levels, is essential (2012:417). Through his emphasis on *legal siyaset*, Öcalan ascribes a crucial role to the democratically elected representatives of Kurds, who would facilitate the re-organization of life in northern Kurdistan and steer people towards democratic autonomy.

This political proposition caused much confusion among Kurds due to the ambiguous role it assigns revolutionaries in pursuit of democratic autonomy (see Chapter IV). On the part of the Turkish state, it ignited fears of a new security threat due to the KCK’s potential to turn Kurds into a self-governing body, which would undermine the power of the Turkish state to control, regulate, and discipline those in northern Kurdistan. Elias Canetti reminds us that the sovereign ruler will wage continuous warfare against spontaneous and uncontrolled transformations such as this one (1973 [1960]:378). Before

waging a legal war against individual suspects alleged to be leading the transformation, the state attorney compiled all materials associated with this new organization to construct an image of the KCK that would be legible to the court.

The first section of the indictment briefly mentions the history of the PKK, which marks the imprisonment of Öcalan as a turning point for its re-organization. The state attorney traces the establishment of the KCK back to 2005 when, he argues, a KCK *Constitution* was issued (Indictment 2010/1072 Dossier I:56). Without referencing the source of evidence, the state attorney inserts a thirteen-page-long document, comprised of fourteen sections and fifty articles, into the indictment. Originally entitled as the *Contract*, this document defines the KCK's ideological premise, shape of its flag, its foundational principles, and the rules of compatriotism [*yurттаşlık*]. Thereafter, it explains the basic rights, freedoms, and obligations of the free and equal compatriots of the KCK. Its complex organizational body, including decision-making organs, federal and regional groups, and local assemblies are then briefly described. Along with these organizational bodies, this constitution-like document describes the foundations of the people's tribunals and self-defense forces.

As the only document offering comprehensive insight into the KCK, the state attorney cites this "constitution" throughout the indictment in which he presses terrorism charges against one hundred seventy-five suspects. In his concluding remarks for each suspect, the state attorney explains the suspect's alleged role within the KCK according to the articles of this so-called constitution.⁵⁹ Though this document states that the KCK

⁵⁹ For instance, despite official registration of a woman's organization in the Department of Associations of the Interior Ministry of Turkey, the state's attorney assumes this organization's *illegality* due to the alleged Article 14, Section 3, Subsection C of the KCK "Constitution" that states: "It [The KCK] makes every effort to emancipate women and society on the basis of the ideal of woman's freedom."

was “not a state-oriented system but a democratic system of the people without borders” (Indictment 2010/1072 Dossier I:57), the state attorney bases his charges on the assumption that what appears to be a democratic collectivist body on the surface is, in actuality, a state-like system in the inside. “As an organization that has its own constituencies on behalf of whom it adjudicates, holds arms, establishes local and central organizations,” the state attorney asserts, “the KCK Contract shows that the PKK restructures itself with the aim of establishing a state” (Indictment 2010/1072 Dossier I:56).

Another high priority document in the indictment is a sheet of paper taken from a notebook seized during a police raid. It was enumerated, scanned, and included in the indictment (see Figure 2 below). This time, however, the state attorney discloses the source of the evidence by giving the address of the apartment where the police discovered the notebook. Handwritten and without encryption, the paper shows a number of committees listed under “Kurdistan Societies’ Union.”⁶⁰ The KCK is illustrated in a relatively straight forward fashion: an organization called the Kurdistan Peoples’ Congress—democratically elected from among all eligible candidates (18 years age and above, with 40 percent of seats reserved for women)—further identifies 30 members that make up the Executive Council. Eight unique committees then operate under the auspices of the Executive Council, with their union called the KCK.

⁶⁰ In my interview with the author of this note, he explained: “A colleague of mine was confused about what was meant by the KCK. To illustrate what the KCK might look like, I noted down the possible committees that could work under this organization.”

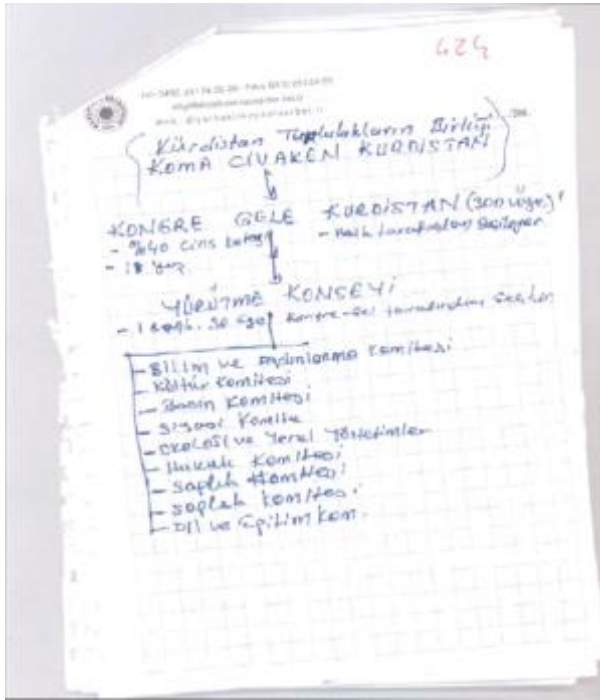


Figure 2: A handwritten note found in a suspect’s apartment (Retrieved from Indictment 2010/1072 Dossier I:72)



The state attorney complements this handwritten note with an illustration prepared by the Diyarbakır Anti-Terror Bureau, which constructs a far more complex picture of the KCK than the one collected from the suspect’s notebook (see Figure 3 below). In the illustration, which includes proper names and pictures of suspects, Öcalan is placed at the top under the heading “leadership.” Other senior members of the party are listed under organizational titles identified as legislative, executive, and judicial bodies. Compared to the handwritten note with the KCK standing for an executive council, the illustration prepared by the police situates the KCK within a typical organizational structure of a modern state along with its executive, legislative, and judicial bodies. However, except this illustration, no other information about the KCK’s legislative and judicial bodies is included in the indictment. In stark contrast to this “missing” information about the legislative and judiciary bodies, the executive body, which is placed at the center of the

illustration, is described in great detail. According to this illustration, the executive body appears to branch out and absorb all aspects of life into the KCK. Instead of the eight listed in the suspect’s handwritten note, the police identify five main committees; defense (in red), woman (in pink), politics (in blue), society (in grey), and ideology (in yellow). The four boxes at the bottom of the illustration include the names and pictures of some suspects of the KCK trial.

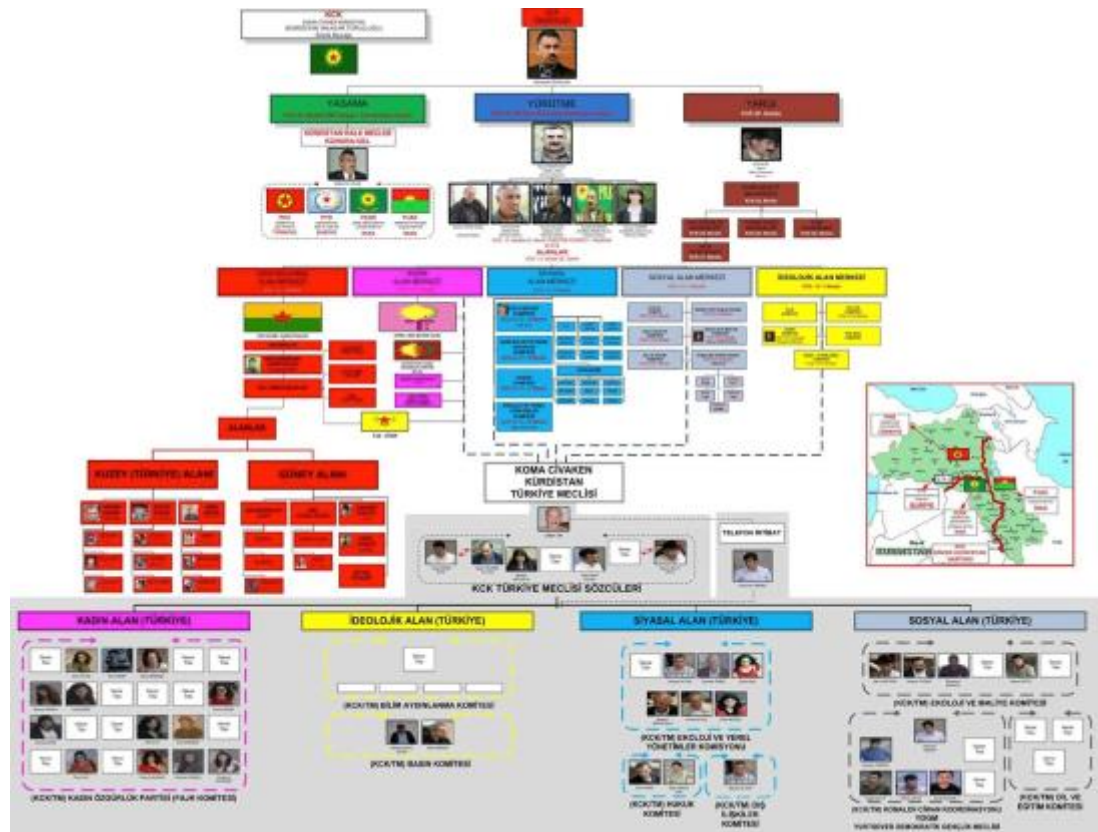


Figure 3: The illustration of the KCK organization prepared by the police (retrieved from the indictment 2010/1072)

It is not only the organizational bodies and number of committees that distinguish the police’s illustration of the KCK from the suspect’s handwritten note. The police, for example, turned the horizontal arrows drawn by the suspect into vertical ones that graphically signified the chain of command within the organization. This graphical

representation is supported by the indictment, which accuses suspects of following orders received from executive members of the KCK who occupy the top positions of the illustration. Rather than a form of decentralized power, the state attorney's rendering of the KCK thus imagines them to be creating another center, one that threatens the power of the central state.

In subsequent pages of the indictment, through codenames the state attorney complements the political ties that the KCK illustration establishes between the suspects with kinship ties of an imaginary patriarchal family. On page 72 of the first dossier of the indictment, a listing of several suspects appears along with their codenames. This list was prepared, the state attorney claims, based on evidence gathered from phone-tapping of suspects. The list, however, remains unsubstantiated: no reference is made to specific phone conversations in which the cited codenames were mentioned. Until 2005, codenames bore indispensable evidentiary value for courts to establish suspects' connections to a "terrorist" organization. Since the recent legislative amendments to the Anti-Terror Law, which lifted the burden of proof for membership in a terrorist organization, courts are no longer invested in the disclosure of suspects' codenames. Therefore, the list of codenames found in the KCK indictment is a stand-alone piece that is not re-cited by the state attorney to press for individual terrorism charges. If it were not solely for evidentiary purposes, what other purpose does this list serve? Let us look at the codenames more closely to explore this puzzle.

Within the codenames presented by the state attorney, Abdullah Öcalan is codenamed *Baba*, as Father and progenitor of the organization. With *Baba* currently in solitary confinement, the fictive sons (and brothers) of this family seem to be managing

its everyday operations. The number one suspect, Sabri Ok, accused of leading the KCK organization from Europe, is codenamed by the state attorney as *Abi*, Big Brother. In the indictment, it is claimed that *Abi* gave orders to the suspect codenamed *Küçük Kardeş*, Little Brother, who is the number two suspect of the file. According to the state attorney, *Küçük Kardeş* led the KCK's core assembly in Turkey and coordinated the organization's political activities. The financial resources of this family-like organization, so the state attorney argues, were primarily provided by a suspect with the codename *Al Pacino*, who allegedly collected illegal taxes from Kurdish businesspeople. Moreover, a suspect accused of bid-rigging in municipal tenders is called *Agha*, while two female members are called *Abla*, Elder Sister, and *Kürt Bacı*, Kurdish Sister. Other codenames mentioned by the state attorney refer to physical attributes of the suspects, such as *Uzun* [Tall], *Soro* [Redhead], *Keltoğ* [Bald], and *Çetin* [Tough].

Significantly, nicknames are not interchangeable with codenames. Specifically, the long tradition of codename use among PKK members is distinct from the use of nicknames. Taking a *nom de guerre* is a precondition for becoming a party member and marks entry into a life of militant politics. The proper names of places, things, and well-known characters (real and fictional) are among the commonly used codenames in the parlance of the PKK. Codenames with familial connotations, however, are oxymoronic for the orthodox Marxist ideology of Kurdish militants, who approach the institution of the family with disdain for its presumably “backwards” and “counter-revolutionary” character (Öcalan 1995, 1996). During my fieldwork, I did not observe the abovementioned familial forms of address being used by those in the Kurdish movement. In fact, the generic form of address was *heval*, meaning comrade-friend, which does not

make any distinction on the basis of gender, age, or familial status.

Regardless of their controversial evidentiary value and factual validity, these codenames, along with the organizational illustrations, offer insights into the relation between the Turkish state and the “state” of the KCK. On the one hand, the illustration represents a picture of the KCK in which it seems to mimic the organizational structure of modern nation-states through the separation of power, bureaucratization of councils and committees, and hierarchy of powers. On the other hand, the list of codenames delineates an affective picture of the KCK, in which Öcalan’s notion of a “democratic nation” turns out to be a familial one and is headed by the father. These two pictures, affective and structural, are oddly similar to the way the Turkish nation-state is performed and imagined.

In the modern Turkish Republic, Mustafa Kemal Atatürk, whose last name means literally the “father of Turks,” is regarded as such. Though he is long dead, secularist Turks self-identify as Atatürk’s children and express remorse for the missing father when gathering at public memorials (Özyürek 2006). In a similar fashion, Islamist Turks replace the secular father figure of Atatürk with Turco-Islamist father figures, the most recent one being the current president, Recep Tayyip Erdoğan, thereby coloring the existing symbolism of the patriarchal state with religious iconography (Navaro-Yashin 2002). In the iconography of the Turkish nation, which reflects the image of the family, the addressees of public speeches given by patriarchal heads of state turn out to be *brothers and sisters* rather than citizens/compatriots.⁶¹

⁶¹ For instance, see Erdoğan’s public speech celebrating AKP’s victory in the 2014 elections. In it, Erdoğan addresses the public as “my sisters and brothers” <http://www.hurriyetdailynews.com/full-text-turkish-pm-erdogans-post-election-balcony-speech.aspx?pageID=238&nID=64341&NewsCatID=338> Last accessed on July 30, 2016.

Reading the indictment in light of this family-nation symbolism, as proclaimed by both secularist and Islamist Turks alike, the state attorney seems to suggest that the KCK mimics the formation of the Turkish state specifically. On the *surface*, constituted by the KCK “Constitution” and Öcalan’s writings, the “state” of the KCK is defined by concepts like confederation, democratic nation, and equal and free compatriots. When the state attorney penetrates its *interior*, he purportedly discovers a mimesis of the Turkish family-nation. And, through a mimesis of the state, the KCK offends the sovereign and is condemned to illegitimacy by the law. Alluding to an imaginary gangster family, codenames like Al Pacino, Redhead, and Tough, which stand alongside with the Father, Brother, and Sister, index the thin line dividing these two *states*: one criminal, the other legal.

The first section of the indictment renders that which is unknown to the state legible through an image of its own. The “security threat” ceases to be envisioned in the image of an Other whose illegibility would create terror (Caverero 2009[2007]), but instead lies in the obfuscation of the distinction between the “legitimate” Turkish state and the “criminal” KCK state. The resemblance between the sovereign and the criminal has attracted the attention of scholars ranging from philosophers, such as Jacques Derrida and Michel Foucault, to anthropologists, including James Siegel. As Foucault shows in the opening paragraphs of *Discipline and Punish: The Birth of the Prison* (1991[1977]), the one deemed a rogue criminal in the eye of the sovereign ruler could, at the spectacle of his execution, like Damiens the regicide, turn into a hero in the eye of the people. Precisely for this reason, Foucault argues, the modern punitive institutions of the nineteenth century were designed to deflect the possible collapse of these two

categories—criminal and sovereign.

In his study of Indonesia's political massacres of communists and *kriminalitas*, Siegel describes state massacres as the killing of those in one's own image. "The face of the criminal is familiar, not strange, or, rather, strange in its familiarity," says Siegel (2006:6) in his profound analysis of mimesis between the state and the criminal. The relationship of the state to the criminal is one of envy and fear, Siegel argues, both for the kind of power the latter holds and which the former seeks to capture for itself. In Indonesia this power is observed as the criminal's power over death, which challenges the state's notorious right to kill. For the state attorney of the KCK indictment, however, it is the KCK's power over crowds, which challenges the Turkish state's claim to popular and territorial sovereignty. In the next section, I pursue this thread by showing that it is the state's fear of the crowds in northern Kurdistan that has underwritten the state attorney's terrorism charges against the suspects of the KCK file.

The Power of Crowds in Diyarbakır and Beyond

In *Crowds and Power*, Elias Canetti opens with an extraordinary remark: "There is nothing that man fears more than the touch of the unknown. He wants to see what is reaching towards him to be able to recognize or at least classify it" (1973 [1960]:15). Fear, then, originates as much from the fact that that which is touching is *unknown* as the unknown's propensity to *touch*. While the crowd overcomes this fear when the boundary between one body and another dissolves as if "everything were happening in one and the same body," state power becomes more susceptible to being touched by the unfolding of political action undertaken by what Canetti calls an open crowd. This open crowd, like

fire, “is contagious and insatiable; can break out anywhere with great suddenness; and is multiple and destructive” (1973:77). In this sense, crowds bear the potential to turn into *the* very people calling for their own polity, as well as the potential to become a *multitude* defying representative politics of any kind (Virno 2004).

In the section of the indictment reviewing the PKK’s history, the state attorney claims that the organization lost popular support in northern Kurdistan with the 1999 capture of its leader. Until the establishment of the KCK, no major uprising was recorded despite the organization’s persistent call for *serhildan* [Kurdish Intifada] (2010/1072, Dossier I:54). To the state attorney, it seemed that Kurds turned away from the organization between 1999 and 2005. Since the establishment of the KCK, however, the state attorney argues that five prominent events took place over twelve months from 2005 to 2006. The last event was considered to be radically different from the others and was deeply troubling for law and order. While the first four events (which included petitions, rallies, and hunger strikes) are viewed as an indication of the increased mobilization of Kurds, the last one is deemed a “violent event” and demonstrated to the state attorney that the “state” of the KCK began to implant itself in Kurdish cities, which would soon become new battlegrounds (2010/1072, Dossier I:55). Let us look at this “violent event” more closely to understand the nature of crowds and what the state attorney sees when he looks *through* them.

On March 25, 2006, the Turkish Army announced that fourteen “terrorists” had been “terminated” in armed clashes with the PKK in the mountainous areas of the Muş-Bingöl region.⁶² Denying the army’s allegation of armed clashes, the Kurdish news

⁶² See <http://www.hurriyet.com.tr/Diyarbakırda-pkkililarin-cenazesinde-olay-4160330> Last accessed on July 11, 2016.

agency, ANF, reported that the guerilla fighters had been exposed to chemical weapons—no bullets were found on their bodies and their flesh melted to the bone. Similarly, the family members of those guerrilla fighters corroborated these reports after seeing their relatives' charred bodies in the morgue.⁶³ Numerous scenarios of the chemical attack began circulating across various Kurdish cities, but the most disturbing of them claimed that chemicals killed the guerillas in their sleep and without recourse to fight back. When the Army reported the death toll, Kurds were already agitated by the two-digit number of casualties. Their grief morphed into moral outrage with rumors that fourteen youth were mischievously murdered in their sleep with chemical weapons.

Only a few days later, on March 28, the bodies of four guerrilla fighters arrived in the Shefik Efhendi Mosque in Diyarbakır for a funeral prayer while the other ten were sent to different cities.⁶⁴ The number of participants increased drastically as the coffins, draped in the PKK flags, were carried the one-mile distance from Shefik Efhendi Mosque to Yeniköy Cemetery. Both the mosque and the cemetery are located in the district of Bağlar—the stronghold of militant politics in Diyarbakır. When the crowd reached the cemetery for the burial, ten thousand were calling for *intikam* [revenge] (see Figure 4). As the funeral developed into a fiery protest, the youth began to hide their faces with scarves, some removed stones from the pavement, and others prepared Molotov cocktails. Clashes broke out a half-mile away from the cemetery after police officers, in full riot gear, fired teargas into the crowd.

⁶³ See the Human Rights Association Report “The Allegations about the Use of Chemical and Biological Weapons in the Time of Conflict in Turkey” Aug 26, 2011.

⁶⁴ I reconstruct the funeral protests based on the extensive reports of the Human Rights Association and the Record of Memory Initiative published in 2006 and 2007 that are cited below. I also draw upon my interviews with inhabitants of the city in 2009.



Figure 4: A picture from the funeral-protest on March 28, 2006 (source Hafiza Kaydı)

In a few hours, the funeral crowd multiplied rapidly, spreading its contagious *fire* from one neighborhood of Bağlar to another and finally across the entire city. Crowds took control of the central district of Diyarbakır, which is known by young Kurds as the symbol of Turkish occupation.⁶⁵ Over several days, the youth erected barricades, set tires on fire, and launched security checkpoints in the “liberated” neighborhoods from where they conducted a four-day-long uprising, *Serhildan* (as they would come to call it). For those four days, everyday life was suspended—shops, schools, banks, and government offices were all closed and some were even destroyed. According to the accounts of inhabitants, the state did not exist in Diyarbakır, save for its armed forces fighting to regain control of the city. Kurdish politicians further claimed that neither the actors of *legal siyaset* nor those of *illegal siyaset* were able to domesticate this uncontrollable fire

⁶⁵ This district is encircled by the 7th Army Corps Quarter, the Special Police Force Headquarters, and the Governor’s Office.

of the crowds.⁶⁶

The centrally appointed governor brought in troops of gendarmerie at the outset of the initial stirrings of upheaval. As military tanks moved through the city's streets, police also replaced rubber bullets with live ammunition. By dawn of the first day of protests, two protestors were killed. Despite the efforts of Diyarbakır's mayor and police commissioner, the crowds continued to draw in more people. On the second day of protests, high schools and university campuses were also set on fire. As mentioned in the KCK indictment (2010/1072, Dossier 1:55), the events did not remain in Diyarbakır, but spread to other cities in the region, including Batman, Mardin, Şırnak, Dersim, Van, Siirt, and Urfa.⁶⁷ When the flames of this contagious fire were extinguished by sheer force on the fourth day, the death toll reached 14, with approximately 200 wounded.⁶⁸

On April 1, 2006 the state restored "order" by evacuating people from streets. According to the Diyarbakır Bar Association, 536 people were arrested, 382 were detained with terrorism charges during and aftermath of the protests.⁶⁹ Do the "violent events" and/or "serhildan" demonstrate the popular will of *the* people undoing the state's claim to popular sovereignty? Is this an open crowd unbridled from the forces of the state of Turkey and the "state" of the KCK to actualize its own power, as Canetti would argue?

In the KCK indictment, the state attorney seems to refute both. He wrote in bold: "the events in question were organized and steered directly by the KCK" (2010/1072

⁶⁶ See the documentary entitled *March 28* prepared by the Record of Memory Initiative on the first anniversary of the events <http://www.hafizakaydi.org/31mart/2006-Diyarbakir/> Last accessed on July 11, 2016.

⁶⁷ See the media records on the spread of events from Diyarbakır to other cities <http://www.ozgur-gundem.com/haber/68768/bir-halk-isyani-28-mart> Last accessed on July 12, 2016.

⁶⁸ Human Rights Association Report "Investigation of the Events in Diyarbakır on 28 March 2006", April 8 2006. See <http://www.ihd.org.tr/28-mart-2006-darbakir-olay-larina-k-celeme-raporu/> Last accessed on July 11, 2016.

⁶⁹ *ibid.*

Dossier I:55). More precisely, according to the state attorney, the popular demonstrations in northern Kurdistan are neither spontaneous reaction of the crowds nor are they democratic performances of *the* people. Rather, the KCK is the actual force behind the scene. Yet the investigation of the KCK organization was not underway at the time of the uprising. Furthermore, the use of surveillance technologies was not legislated into the law back then. By association, the state attorney established the connection between the suspects of the KCK file and the 2006 uprisings. For this purpose, he gathered the police reports from guerilla funerals in post-2006 Kurdistan. Yet, the governors' ban on burial of dead guerillas fighters at the city centers made it impossible for the Kurdish movement to organize funerals, let alone protests, since 2006.⁷⁰ Therefore, surveillance reports of KCK suspects included phone conversations about when and where to go to forward their condolences to the families of dead guerilla fighters (2010/1072, Dossier VIII:58-83). While the governor's ban had stopped the funeral protests, other popular demonstrations continued about which the police collected plenty of reports.

The demonstrations listed in the KCK indictment include: marching to the birth place of Öcalan for his birthday celebrations, protesting the alleged mistreatment of Öcalan in prison, petitioning against solitary confinement of Öcalan, rallying for Öcalan's freedom, and alike (2010/1072 Dossier VI:6-60, 80-100; Dossier VII:1-100; Dossier VIII:1-51). Having incriminated demonstrations organized in support of the leader of the PKK, the state attorney then notes that crowds withdrew from the streets during then Prime Minister Erdoğan's visit to the region (Dossier VII:91-100, Dossier IX:1-31). The police reports show that instead of being received by cheerful crowds, Erdoğan entered the cities of Diyarbakır, Dersim, Van, and Hakkari covered with garbage

⁷⁰ Families buried their children in their ancestral villages.

on the streets, Molotov cocktails thrown at the police, and shop shutters tightly closed. In a converse fashion, this time the state attorney refers to the suspects' phone conversations to prove that it was through the KCK's orders that people could not form into a crowd to welcome Erdoğan and without whom the cities morphed into a desolate mess crowded by burnt tires and rubbles.

I contend that this "engaged withdrawal" (Virno 2004) of crowds signaled the kind of affective connection with Kurds that the father of the state, Erdoğan, lacked. Whether orchestrated or spontaneous, the crowd actions recorded by the police communicated to the state its possible loss of popular sovereignty on the one hand, and, on the other, the KCK's reigning hegemony in northern Kurdistan. Therefore, the state attorney's indictment predicated a picture of Turkey in which the *national* father Erdoğan is pitted against the *criminal* father Öcalan and the *legitimate* family of the Turkish state against the *gangster* family of the KCK state. It is the fight of these two forces over crowds that is folded into the indictment of the KCK file. The blurred boundaries between the sovereign and the criminal were re-identified by the invocation of law. Let us now turn to the role of surveillance technologies in reinforcing the boundaries between legality and illegality.

Surveillance Technologies and the "Tough"

Surveillance technologies of various kinds were put into the service of the investigation as the state power conspired about the inner workings of crowds. More than a Panopticon disciplining the society, surveillance of the suspects met the need of the law to see through crowds and render the "state" of the KCK transparent for adjudication. In a

sense, surveillance has become the “magic” through which the connection between organizational documents, i.e. the KCK constitution and Öcalan’s writings, and crowd actions would be established. But CTV cameras installed around every public square would not suffice to prove this connection. The images retrieved from these cameras are used prolifically to identify protestors. However, such images have to be complemented by audio-visual images of suspects gathering not on the streets but behind closed doors so as to detect the *real* force behind the popular demonstrations. Moreover, it is reported in 2006 that torture was inflicted on protestors under custody,⁷¹ yet the police could not elicit information about the KCK through torture. If torture were no longer conducive to elicit the truth that is believed to be hidden inside, surveillance through phone and email tapping, distance audio-surveillance, and undercover police surveillance would do.

With the amendment of the Criminal Procedural Code in 2005, surveillance of the telecommunication channels of suspects accused of committing organized and terrorism crimes is legislated into the law.⁷² In the closing clause of this legislation, its purpose was made clear: “It is in the interests of the public (*kamuyararı*) to intercept telecommunications channels of individuals being suspected of committing organized and terrorism crimes when the possibility to find evidence for their culpability through other evidence collection techniques is meager.”⁷³ Thus, according to the amended code, once criminal investigators have exhausted other methods of evidence collection, they are authorized to detect, tap, and record the suspects’ communications. In addition, the

⁷¹ Human Rights Association Report “Investigation of the Events in Diyarbakır on 28 March 2006,” April 8 2006. See <http://www.ihd.org.tr/28-mart-2006-darbahir-olaylarina-k-celeme-raporu/> Last accessed on July 11, 2016.

⁷² See Article 135 and Article 137 regulating surveillance of telecommunication channels: <http://www.mevzuat.gov.tr/Metin1.aspx?MevzuatKod=1.5.5271&MevzuatIliski=0&sourceXmlSearch=&Tur=1&Tertip=5&No=5271> Last accessed on July 12, 2016.

⁷³ See the justification of the amendment: <http://www.turkhukusitesi.com/serh.php?did=1614> Last accessed on July 12, 2016.

Directorate of Information and Communication Technologies is established in 2007 to coordinate with the law enforcement about national security investigations. Its members included officers from the National Intelligence Agency, General Directorate of Security, and General Commandership of Gendarmerie.⁷⁴ Hence institutional networks between the judiciary, law-enforcement, intelligence, and security are instituted for the “proper” use of surveillance technologies in the “War on Terrorism.”

Following the legislative and institutional changes with regard to surveillance, the police investigation is launched against the KCK. According to the indictment, it began with a petition written by the state attorney to a local court in Diyarbakır in which he identifies one suspect, A.D., whose phone he requests to be wire-tapped for ninety days. This petition relies on a murky letter submitted to the police by an anonymous person who wrote: “A.D. mobilizes everyone to extract support for the PKK. He recruits people in other cities, incites them to take to the streets and revolt.” Following authorization by the court, the police officially open the investigation by tapping A.D.’s cell phone and forming an extensive network by adding numbers to the list as new calls are made and received. Over the course of three years, phone tapping is complemented by email hacking, long-distance conversation interception, and physical surveillance. Special agents are recruited to take pictures of the entrance of a building in Diyarbakır marked as a “terrorist” site by the National Intelligence to detect people frequenting this location. When a suspect on the list is seen with someone else entering the building, the police open another investigation into the other person as well. Even the demonstrations that were organized with the approval of the police and governor at the time appear in the file

⁷⁴ <http://www.istihbarat.pol.tr/Sayfalar/Gorev-Yetki-ve-Sorumluluklarimiz.aspx> Last accessed on July 12, 2016.

as yet another “terrorist” event.

The boundaries of “terrorism” expand as past events reappear in the present in the guise of illegality, through space as public squares and private buildings are closely surveilled, and through bodies as the list of suspects grows by association. As Ilana Feldman shows in her ethnography on policing in Gaza, when any action could become a case and any event a report, surveillance produces an indeterminacy between the everyday and the extraordinary (2010:181). However, this vagueness about what exactly was being policed, stands in stark contrast to the precision of the artifacts produced by this policing. The technologies that capture instant pictures, videos, and voices are recorded in real-time and space; and they evoke a sense of immediate access to truth. Moreover, the records dissolve the temporal and spatial distance between the police and the suspects, as the digitized artifacts enable the police to manipulate the speed of audio and visual recordings, as well as zoom in and out of recorded images.

The account of an expert witness, Ali, who was a former army officer working for the court in de-coding audio and visual images, demonstrates how these artifacts are processed. Having heard that I work on the KCK trials, he first remarked, “they [suspects] are not as innocent as they seem to be,” alluding to his anxiety to prove the guilt of the suspects. He then began to describe the images he worked on. “I don’t approve of some events. You see children smashing down windows of corner shops. They swear at the police. Though their faces are covered with scarves, I identify them from the shape of their nose, the color of their belts, and shoelaces. Then I say, ‘This is him!’ Sometimes the judge tells me with confidence ‘You would almost identify their underwear, wouldn’t you?’” Ali’s description made me curious if he was talking about

the events he participated in or those he analyzed on the computer screen. For a while he made no distinction between what he saw with his naked eye and that which was mediated digitally.

Proud of having impressed the judge with the accuracy of his reports, Ali soon admitted the contribution of surveillance technologies to his reporting skills as they rendered hidden details hyper-visible, that which William Mazarella (2006) would call “the power of the X-ray machine.” Ali continued, “Police have such technologies that when they bring the images to me, I recognize all the faces. It looks like the whole Diyarbakır is there before my eyes. If someone says in the court, ‘I was not there in the demonstration’, you pull out a picture of him from the dossier, which was taken at that demonstration or make him read his intercepted conversations. Then they have no recourse but to confess.” The crowd, which acts like one individual body, is rendered divisible through high-resolution cameras, giving Ali the feeling that he is within the crowd, close enough to recognize individual faces and voices. The court in return resorts to these images to test the validity of the suspects’ accounts. It is this fascination with the capacity of surveillance to assume an “unmediated” access to the actual that enables law enforcement to claim that nothing can escape its notice.

Let us look at a suspect’s file more closely. Rami, a small stationary store owner in his late twenties, is accused of coordinating the financial transactions of the KCK under the code name “Çetin”, which is used in Turkish both as a male name and a qualifier meaning “tough”. During the KCK operation in April 2009, the police seized two of Rami’s hard-drives, which contained pictures, movies, and songs about Öcalan and guerilla fighters. Some were downloaded from the Internet while others were taken

as screenshots from the television. A flag of the Kurdish youth movement found in his apartment was also seized as supplementary evidence. Rami's previous criminal record shows that he was detained in 2004 for participating in a demonstration in which his friend was preparing to throw a Molotov cocktail at the police.

Other than these materials seized during his arrest, there is an additional file in Rami's dossier comprised of about 400 pages of surveillance reports (Investigation 2007/996 Dossier 220). This file contains two types of reports: first, photos of Rami taken at five different demonstrations⁷⁵ and second, his conversations taped from a distance. His photos from demonstrations are situated within an assemblage of other materials that allegedly indicate his illegal connections to the Kurdish movement, including copies of news clippings of the selected demonstrations in which outlawed leaders of the PKK called for the peoples' participation as well as police reports describing the events in great detail, including the *illegal* slogans chanted, the types of propaganda music played, and the banners carried. In addition, pictures of the crowd taken from various angles are placed in his file (See Figure 5). In these pictures, the camera zooms in to show that Rami was in fact a part of the crowd, which he allegedly steered to elicit popular support for the KCK.

⁷⁵ A demonstration to free Öcalan, a sit-in to protest the mistreatment to Öcalan in prison, a mass celebration of Öcalan's birthday, a funeral for a guerrilla fighter, and a funeral of a Kurdish novelist, Mehmed Uzun.

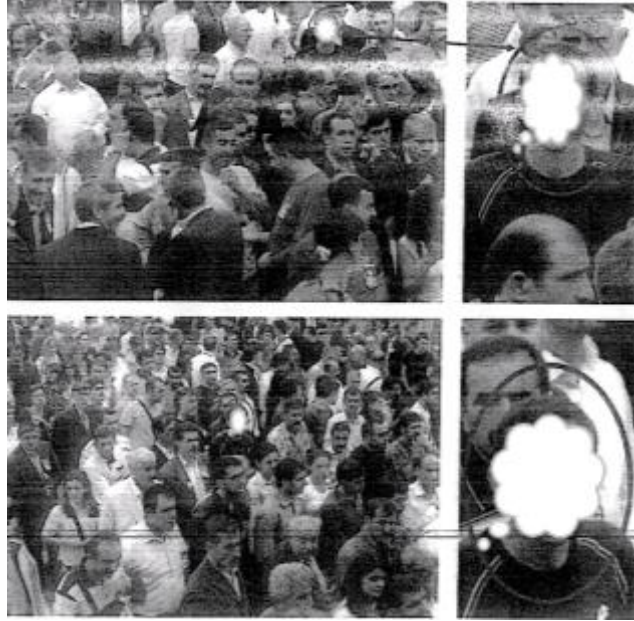


Figure 5: Rami's pictures taken at a demonstration. The pictures on the right where Rami's face is encircled and, in the original version, identifiable are the enlarged versions of the pictures of the crowd on the left. [Retrieved from 2007/996 Dossier 220: 173.]

The second set of evidence consists of photographs taken by the police when surveilling the entrance of an office address, registered to the official records of political parties as the Local Governments' Bureau of the Democratic Societies' Party (DTP). Yet according to the Turkish intelligence reports, this registration was a cover-up for the KCK to coordinate its activities under the guise of *legality*. Situated in an apartment across the street, the police took the pictures of people seen at this location and intercepted conversations through distant bugging devices. Twenty-six pictures of Rami were taken when entering and exiting this building over the course of a year (see Figure 6).

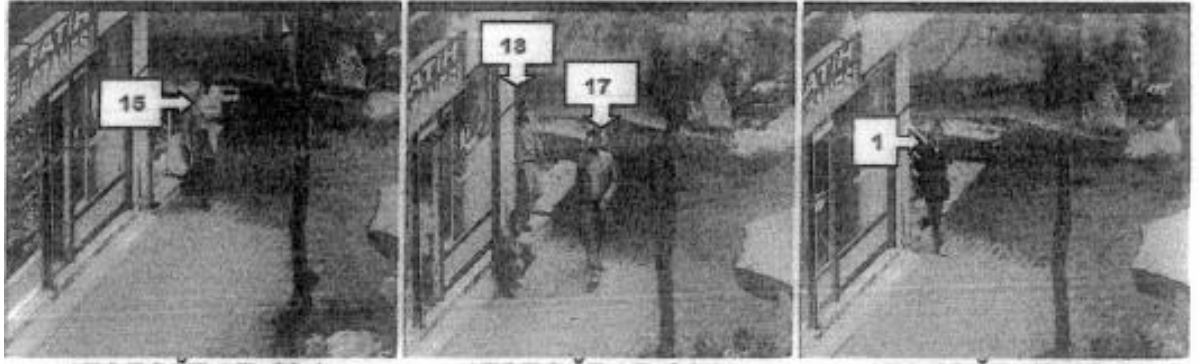


Figure 6: Rami is given number 18 in these police camera recordings of the building. [Retrieved from 2007/996 Dossier 220:174.]

From the conversations intercepted from this address, seven records belong to Rami in which he was in conversation with other suspects about vague monetary transactions. Some conversations in the file are incomprehensible either because the expert had difficulty in transcribing them or because two separate groups were having conversations in the same room at the same time. The excerpt from one of the most lucid conversations, which the state attorney uses as proof of Rami's position in the organization, is as follows.

Sinan: Çetin, have you brought any money?

Çetin: No

Sinan: Why did you come here then?

Çetin: I will bring some soon.

Sinan: Our debt has reached 300,000

Çetin: Until when [do we need to make the payment]?

Sinan: Until the elections

Çetin: Ok, are we going to transfer the money there? It's easy.

Sinan: No, that transfer is difficult

Çetin: It [money] will come

Sinan: When?

Çetin: At the latest on Monday

Sinan: Kahveciler? [The name of a business group]

Çetin: They couldn't put together all the money today. But they will pay on Monday. We will get at least 200-250. That money could pay off the debt.

Based on such conversations and photos in his file, Rami is accused of making financial transaction for the KCK, inciting crowds to the streets, forcing businesspeople to pay illegal taxes and so on. As I felt puzzled by these evidentiary materials, I asked the Chief Justice heading the KCK trial if he found the state attorney's accusations difficult to follow. Previously, he said, evidentiary materials were placed in the appendix of files, which made it difficult to follow the connection between criminal charges and evidentiary materials. In the KCK file, however, the Chief Justice added, the indictment very clearly illustrated the relationship between evidence and crime. Pulling out one of the dossiers from the stack, he pointed to me that it helped to see the state attorney's charges right next to the taped conversations and secretly taken pictures of the suspects. I contend that technology, which comes from the Greek word *teche* meaning to bring forth, reveals the world in a particular light that makes the underlying processes of decontextualization and re-entextualization of its products irrelevant (Vissman 2008; Weiner 1995). Hence, the images placed in the file become realities not only for the expert Ali, but also for the judge.

Is policing through surveillance a completely new form of power?

Anthropologists working on war and violence, including Antonius Robben, Michael Taussig, Neil Whitehead, and Stever Finnstrom, argue for the resemblance of such

technologies of the state to the way oracles and magic are used in “primitive” societies. In the midst of uncertainty and terror, the state spells magic, defaces the enemy, and reconstitutes order. There is something certainly “magical”, from the perspective of the law, about the way surveillance renders transparent the interior workings of the KCK. As reports are placed together, the surface opens up to reveal what it hides in its debris.

However, from the perspective of the suspects, it is the logic of torture that has been reproduced through the technologies of surveillance. Thus the pain-confession-truth triad is made comparable by my interlocutors to that of surveillance-confession-truth. I do not imply that there is a progression from confession by torture to confession by surveillance. Neither do I reduce the purpose of torture in custody to information retrieval. I instead argue that surveillance records are charged with the same affective tone and evidentiary force as forced confession under torture. In the case of torture, the subject is assumed to encase hidden truth that would be extracted through infliction of pain, which turns body inside out. As Allen Feldman (1991) shows in his ethnography on P-IRA prisoners in Northern Ireland, the torturer views the suspect’s body as a code to be broken. Through surveillance of the movement of people over time and space, crowds—small or large, open or closed—are also turned into a code to be broken down so as to detect, tap, record, and incriminate individual bodies. As in torture, the relationship between inside and outside is reversed: building walls are vanished, demonstrators’ scarves are unfolded, and crowds are individuated. Finally, as our expert Ali said, Rami had no recourse but to confess. As in pain-induced confessions, in which it is always questionable whose voice one hears or, as Elaine Scarry (1985) asks, if it is a voice that one hears, data gathered through surveillance make one wonders if it is really the

suspect's voice that one hears.

In the course of interviews I conducted with fifty-three people arrested on the same day as Rami, the former detainees reported that when Rami was first brought to the police station, they had thought that he was an undercover police officer who was placed within their group to collect intelligence. Nobody interacted with Rami except by giving him a cold shoulder and suspicious looks to try and figure out what this man was up to. Likewise, Rami did not know why the police brought him from a small town in the outskirts of Diyarbakır to the central police station and how he was related to other suspects whom he had never seen before. He decided to remain silent until he figured out how he was made out to be a suspect in this file. What attracted his attention was that the police kept calling him “Çetin,” *tough*, throughout his time in custody. When the indictment was made public, it has become clear, at least to the suspects, that he was mistaken for the actual person, “Çetin,” which became Rami's codename in the file.

Defense lawyers appealed the arrest order of Rami, explaining that the intelligence collected about Çetin did not belong to Rami. According to witness accounts, the defense lawyers objected, Çetin was born in Batman, but the birth certificate of Rami showed that he was born in Eğil. “Could the same person be born in two different places?” they asked; but the Chief Justice rejected the objection. Witnesses might have made a mistake, but not the surveillance records. Based upon Çetin's voice recordings in the file, the lawyers requested the Chief Justice solicit an expert opinion to confirm whether the two voices matched. The Chief Justice also dismissed this request as lacking merit. Several times during the court's proceedings, the lawyers asked the judges on the board to take a look at Rami's face and compare it with the pictures of the suspect in the

file. There was no response. As the excess of surveillance reports are charged with *transparency*, the court did not feel compelled to refer to anything beyond them. Finally, during a break in one of the sessions, a lawyer stopped the state attorney to make him compare the picture of Çetin in the file with the face of Rami standing before his eyes. After spending four years in prison, Rami was released that very day. Neither the state attorney nor the court recorded the fact that Rami had been arrested in the name of someone else. His trial continues with the same evidentiary documents prepared for Çetin.

When I asked Rami how the state attorney reacted when he realized his mistake, Rami corrected me: “I don’t think they made a mistake. I could have been a suspect, it did not matter that much whether or not I was really Çetin.” When uttering these words, Rami sounded neither heroic nor revengeful. Instead, it felt like he was telling me the most mundane and obvious thing. I take Rami’s words not as a manifestation of an internalization of crime, but rather a reflection on the *work* of surveillance: When surveillance technologies charge the everyday life with the suspicion of “terrorism,” an ordinary person like Rami would inevitably be brought to the court with the charges of “terrorism.”

Conclusion

The discussions on surveillance concentrate mainly on the issues of national security and individual rights and freedoms. On the one hand, critiques of surveillance highlight that it is not an efficient tool to catch criminals and, more alarmingly, it puts individual rights and freedoms at risk (Frois 2014, Khalili 2013; Lyon 2015) and, on the other, supporters

of national security discourse invoke the “necessity” of its use to render visible the invisible threat of terrorism. Drawing upon the anthropological literature on transparency, in this chapter, my endeavor was to investigate another aspect of the relation of surveillance technologies to state power. Relying on surveillance data to make a case for terrorism, the Turkish state makes ordinary legal procedures and terrorism laws compatible, instead of suspending one for the enforcement of the other. Said differently, it is not through the suspension of the rule of law, but rather the expansion of surveillance technologies that courts charge ordinary people with terrorism. In this chapter, I underlined the contiguity between torture and surveillance with regard to the claim to transparency, turning what is invisible visible, that produces a picture of surface and its interior through which the crime of terrorism is simulated, prosecuted, and convicted. As the suspects’ inner workings become transparent to the law, however, the law itself becomes obscure with regard to the ways in which it implicates particular bodies in the crime of “terrorism.”

While the courts strive to establish individual culpability through identifying crowds with the “state” of the KCK, Rami, in his torturous experience with law, finds relief in re-incorporating himself into the crowd. Rami never disclosed the identity of the person in whose stead he was imprisoned for four years. Like an inmate who does not give the name of his comrade despite torture, he guards the true identity of Çetin. By leaving Çetin unknown, Rami himself remains unknown to the court. Despite the law’s attempt to dismantle the power of crowds by reducing them into individual criminal bodies, confining them in prison, and threatening the rest with the uncertainty of whose turn would be next, Rami immerses himself back into the crowd by going on hunger

strikes with other suspects of the trial, participating in their courtroom protests, and perhaps becoming what the state attorney accuses him of, being the *tough* one.

Chapter III: Waiting in the Courthouse: Hope, Endurance, and Despair

While Şivan and I were having tea at *Kosuyolu Parkı*, one of Diyarbakır's oldest parks and situated at the edge of its commercial district, his attention turned to a teenage boy, who was passing by. Şivan was discussing his youngest brother's prison sentence when he overheard the teenager speaking to his girlfriend on the phone. The boy said, "We are in the negotiation process [referring to the peace talks between the PKK and the Turkish state], how long will you remain angry with me?" He was quipping that if the negotiation process could bring enemies to the same table, why couldn't it bring lovers together? Amused by the boy's colloquial use of the term "process" (*süreç*), Şivan told me, "The process is important. It is serious, but we have seen it fail us so many times that we make fun of it." Like the term "system," which connotes an impersonal force through which people reify a range of social practices as an abstract whole (Herzfeld 1992), Kurds evoke the term "process" in their daily conversations to talk about an impersonal force that shapes the trajectory of the conflict between the PKK and the Turkish state as they wait for its end.

The "process," uttered without a qualifier, may refer to the process of war and conflict, ceasefire and withdrawal, or negotiation and peace, all of which Kurds have experienced at different points over the last thirty-five years. Unlike the term system, which my interlocutors employ to account for systematic state violence, the process calls for the involvement of Kurds to the struggle to change that system. Similar to the teenage boy referring to the process to reunite with his lover, families refer to the process as a performative device to recuperate their hope for reunion with their detained relatives. Or,

as Şivan did, they address the process to make the imprisonment of their loved ones intelligible and endurable. More precisely, the process is evoked to account for both the imprisonment of relatives and the possibility of their release (and freedom) in the future. As expectations are hinged upon the process, the field of new possibilities in the execution of draconian terrorism laws remains open. What does it mean and what does it demand to be waiting in the temporality of a process that simultaneously promotes and fails families' anticipations?

I am interested in the families' waiting in the courthouse to examine how they are involved in the adjudication process rather than to reflect on judicial inefficiency or deferral of justice.⁷⁶ That said, I do not ignore the problem of judicial inefficiency in terrorism adjudications, where thousands of new cases are pursued each year (see the Appendix). However, formulating the analytical problem as that of judicial inefficiency would gloss over the complexity of waiting and its differential intensities experienced under the conditions of injustice. In an acute observation on waiting in contemporary societies, Ghassan Hage suggests that "the analytical power of waiting derives from its capacity to highlight certain features of a social process that might have hitherto been foreshadowed by others or entirely hidden" (2009: 4). If the "process" between the PKK and the Turkish state confines the families of prisoners and detainees to the time of waiting, I argue that by heeding the rhythm and tone of this waiting, we can see how families transform into a community that affectively engages with the law as they wait in

⁷⁶ Waiting, as Sophie Day suggests, is an "active process of watching, guarding, and being awake, of looking on, visiting as well as spying" (2016: 180). It carries a variety of expectations and hopes, as well as frustrations. In the context of the much-debated universal healthcare provided by the UK National Health Service, Day offers us a reading of waiting that is distinct from that of bureaucratic inefficiency that colors anthropological literature. Instead, Day examines how a politics of care, which is tied to the values of equality and equity, could emerge in the long wait of cancer patients.

the courthouse. More precisely, this chapter concentrates on the kind of affective labor enfolded into the protracted time of waiting in the courthouse.

Critical legal theory investigates the role of affect in law and particularly in the criminal justice system, which is known to produce heated debates and passionate performances.⁷⁷ Many scholars have interrogated how shame, disgust, and remorse take hold when assessing the criminality of an offender (Nussbaum 2004; Sarat 2001) while offering insight into the law's own investment in affect during sentencing (Solomon 2001; Berkowitz 2005).⁷⁸ In the previous chapters of this dissertation, I showed that both the judges and defendants strategically utilize the affective power of speech acts to strengthen their position in the adjudication process. In this chapter, I introduce another subject to the legal domain whose presence would not be recorded in court minutes or indictments. By moving beyond the analysis of speech acts and legal technologies, my contention in this chapter is to show that families are not passive recipients of judicial deliberations, but are actively involved subjects of the law despite or, perhaps, because of their waiting.

It is through delicate attention to the ways of living and being in the time of waiting that this chapter fleshes out what the present, as well as the future, comes to mean for families in the courthouse. I am aware of the fact that any rendering of the ethnographic moment of waiting could inevitably be *about* the moment, instead of being *in* the moment. Drawing from Hirokazu Miyazaki's (2004) insightful methodological intervention into anthropological studies on hope, I avoid offering retrospective

⁷⁷ For a review of literature on how emotions and affect undergird the criminal legal procedures that are irreducible to irrationality, see Bandes 2001; Bandes and Blumethal 2012.

⁷⁸ It has also been argued that law guides, channels and educates human behavior by publicly addressing the offender's emotions (Minow 2001).

assessment of the ethnographic scenes of waiting with hope and doubt according to prospective fulfillment or disappointment. Instead, this chapter strives to comprehend potentialities enfolded into the ethnographic present and refrains from testing the validity of these potentialities in the time of writing about that present. Therefore, my analysis of ethnographic scenes is attuned to the temporal unfolding of hope and doubt in the time of waiting rather than resting on a scene of finality.

A Space for Hope? Waiting for a Decision

On March 21, 2013, the Turkish government declared the start of negotiations with the PKK and its leader, Abdullah Öcalan. In the weeks following this declaration, calm passed through the adjudication proceedings. For instance, with reference to this negotiation process in his plea, a state attorney in Van withdrew terrorism accusations against Kurdish politicians, leading to their subsequent release. One week after these charges were dropped, the Diyarbakır Special High Criminal Court likewise released several young men arrested for throwing stones at the police. In Diyarbakır, a rumor was circulating that Öcalan had demanded that the government prove their commitment to the negotiation process by releasing all political detainees. During this time, I met eight members of Şivan's family, who were waiting for the final hearing of the trial of Hamza, the youngest boy of the family.

At around 8:30 each morning, small groups begin to congregate around the front gate of the courthouse ahead of its 9:00 AM opening on weekdays. While some are family members of imprisoned defendants awaiting trial, others are attending their own. As small children yank their parents' clothes to get out of the line, the elderly firmly

grasp the hands of their sons or daughters with one hand and their identity cards with the other. Getting into this building is an ordeal and very much resembles the prison gates where families must wait long hours to visit their children. Outside the courthouse, the waiting period might last as long as an hour depending on the day's workload. As the waiting period increases, so too do the complaints of the families, who often characterize it as *eziyet* [torment].

The entrance of the courthouse looks modest, a blue, five-story building with two narrow entrances. Standing between the gates for families and court personnel (including police officers, judges, state's attorneys, defense lawyers, and clerks) is a bronze statue of Mustafa Kemal holding a book (representing the Constitution). The relatively small statute faces a well-manicured garden with pine trees offering shade to the wooden chairs and tables beneath. However, as police are quick to warn anyone attempting to enter the garden, "The shade of the trees are reserved for personnel." In addition to the heavy police presence in and around the courthouse, barricades and water cannons greet families should a "sensitive" case be observed in the courthouse (e.g. the KCK trial).

It was on one such chaotic day at the courthouse when, overwhelmed by the constant movement around me, I sat down on a bench in the hallway for a moment. On the next bench, four women were sitting close to each other: two were in their late sixties and the other two seemed to be their daughters. The male members of this family were on their feet most of the time, looking for a defense lawyer, talking to clerks, and checking the list of trials on the board. After sorting out all the logistics, they paced up and down the corridor, like prisoners in the yard. I would later learn that one of the elderly women was mother of Hamza, the detained defendant. From my seat, I could see her counting

green beads as she quietly prayed. In contrast to this elderly woman's almost stoic-like calm amid the chaos, her daughter Roza was scanning the area for another woman to talk to and divert her attention from the upcoming court hearing.

Suddenly, loud and cheerful sounds erupted the routine of waiting in the courthouse. As the women's ululation from a courtroom reached the hallway, everyone rose to their feet involuntarily. The excitement expressed through such ululation was an indication of good news—in this case, someone had just been acquitted. Roza's mother responded by raising her hands to the sky in a gesture of prayer and opened her palms widely with gratitude. I found myself clapping along with the others without knowing anything about the person acquitted. No one seemed to care about her/his identity: all that mattered was that one more detainee was out of prison. As the reveling family made its way out to greet their newly acquitted kin, the ephemeral moment of joy dissipated. The courthouse returned to its banal routine: people rushing about, clerks calling out the next trial, and dossier-laden trolleys dragged from one side of the courthouse to the other. Such moments of effervescence resemble a scene in *Waiting for Godot* when Pozzo remarks, "They give birth astride a grave, the light gleams an instant, then it's night once more." When we sat down once more, this overwhelming tide of effervescence quickly faded. Hamza's mother bowed her head and resumed her prayers.

With teary eyes, Roza, who was in her twenties, told me that Hamza had been languishing in prison for the past sixteen months. "Was he also accused of throwing stones in a demonstration?" I asked. This time, it was Roza who preferred silence to lengthy explanations while her mother shook her head. Like his two maternal uncles, who were martyrs, Hamza was a guerrilla fighter. Sixteen months ago, he was apprehended on

the basis of a taxi-driver's confession. When captured, Hamza was dressed in *leşkeri* (combat attire), carrying grenades and a *keleş* (vernacular for a Kalashnikov). I wondered if he could also be acquitted despite this clear evidence that he was a guerrilla fighter. If this situation had arisen prior to the negotiation process, the answer would have been an unequivocal no. However, the courts' decisions had become less predictable even with regard to guerrilla fighters. For instance, in 2009, when a group of guerrilla fighters surrendered to Turkish security forces as a sign of the PKK's willingness to begin peace talks, the local court decided to acquit all those who surrendered. Less than a year later, however, another court ordered their imprisonment on terrorism charges. More recently, a new law abrogates the legal culpability of any guerrilla fighters who have not yet been involved in armed clashes. The legislation remains vague in distinguishing between guerrilla fighters *with* arms from those who *fired* arms. In the face of this substantive ambiguity, courts are given discretionary power to release guerrilla fighters if there is no standing evidence against them. Thus, it is possible that Hamza may as well be acquitted if there is no evidence in his file of him firing his weapon or detonating a grenade.

Through my conversation with Hamza's family, it became clear that multiple potentialities are folded into the labor of waiting in the courthouse. The tension of hope and doubt evoked both positive and negative images of the law through which family members made projections on impending sentence. Though Şivan had told me that Hamza's file was *tertemiz* [spotless], he asked Roza to expect a sentence of seventeen years or more. Dissatisfied with what she had just heard, Roza responded, "We do not accept a prison sentence of more than five years." Roza's fictive bargaining with the state amused the rest of the family. In an attempt to alleviate Roza's anxiety and encourage her

hopeful attitude, I noted that the courts were inclined to release detainees these days. The reality of the family's situation belied my attempts. Hamza's paternal uncle had himself spent three years in prison and had been waiting for his own son's release for the last twenty-two years. Hamza's maternal aunt further told me that her daughter was recently sentenced to seven years in prison. In discernable anger at the series of prison sentences his family faced, the uncle said, "We won't act like the state. It is the state's job to beat and kill. Our life, our property, our language, and even our minds are penetrated by the state. We will set ourselves free by rejecting the state." Aligning with the uncle, the aunt reminded me of a Kurdish proverb, "Even if the state builds a bridge for Kurds, we do not step on it because we know that the state destroys." Similar to what John Cash (2009) asks in reference to Beckett's play, I would like to ask what is happening throughout the waiting, amidst the recurring confinement of Kurds in prison?

In this intense period of waiting, experienced with the knowledge of past judicial decisions, there is a deep fear of uttering any word that might suggest a sense of hope. Hope is at once constitutive of families' affective labor of waiting yet is expelled from language for signaling a particular kind of vulnerability. I do not mean that expressions of hope do not exist in the standing language of the families (cf. Buch Segal 2016), but rather that hope is understood to reveal their vulnerable position in relation to the law. Hamza must either denounce revolutionary violence or ask for forgiveness to grant his acquittal, on the one hand, and any anticipation in favor of Hamza requires a leap of faith in court, on the other. In the highly politicized atmosphere of terrorism trials, hoping for either is understood as an indication of disloyalty to the cause of the Kurdish movement. Thus, the expression of hope operates on the same register of vulnerability as that of

grief. When narratives of *sumud* [steadfastness], defined as everyday resistance for survival, become the prevalent discourse on Palestinian families (Peteet 1997; Khalili 2007), Lotte Buch Segal (2016) shows that families foreclose their feelings of grief in public spaces to avoid conveying the Israeli occupation's success. By abstaining from a public display of grief, Palestinian families perform resilience and endurance while hiding their exhaustion. In Hamza's case, hope is as undesired as grief. For, if such hope were to be expressed, it would reveal how susceptible families are both to the violence and forgiveness of the state. Hope, then, has the potential to betray the resilience that families perform in the courthouse.

The inability to reveal hope does not imply that the long waits of families are devoid of anticipation. While language is pregnant with the danger of betraying the resilience of Kurdish families or of changing fate, anticipations are instead chanted under one's breath. Hamza's mother, for example, hardly interjected when other family members discussed the approaching decision of the court and the trajectory of the process. This was not because she was unaware that her son's future was contingent upon such decisions and processes, but because she called for another force to intercede by continuing to spin her prayer beads while moving her lips in a constant rhythm. Although Hamza's mother never left the courthouse, not even during the lunch break,⁷⁹ other families would rush to make offerings to Hz. Suleiman at a nearby shrine, acclaimed for its power to fulfill wishes. As Hamza's mother shifted the addressee of her hope from the

⁷⁹ The waiting extended to six hours because of the lunch break. The hallway was emptied during the break and everyone left for lunch, except Hamza's family. Roza took a bowl of *halvah* from her bag, which she had cooked for the *mevlit* dedicated to her late uncle. She offered me a plate and kept the rest for Hamza's lawyer. Though the family had not eaten anything since the morning, they did not touch the halvah, which was only to be shared with others to please the soul of the dead.

state to God, she simultaneously acknowledged her vulnerability while guarding it from the spell of the state.

When the clerk called out Hamza's surname at around two o'clock, his mother rushed towards the voice to catch a glimpse of her son behind the shoulders of soldiers surrounding his tall, yet slender body. Compared to other rooms in the courthouse, this was an old, small, square-shaped room. The bare stone stairs on which all of us were seated were neither welcoming nor comforting to observe the trial. The entire room gave the impression that it was not made for long waits. Hamza was waiting in a corner and was encircled by soldiers. His defense lawyer hardly had space for his dossiers with clerks moving around to remove the files of the previous trial. While the high ceiling made it more difficult to hear the already hushed voice of the Chief Justice, Hamza could no longer be seen from where we sat.

The first speaker was the state attorney, who asked the court to sentence Hamza to life in prison for violating Article 302 of the Turkish Penal Code—threatening the indivisibility of the state. The court then recounted the charges in the file: being a member of the PKK, attacking Turkish security forces, abducting a taxi driver against his will, forging identity documents, and so on. When the judge finished reading, Hamza was given the floor to defend himself. A Kurd in his early twenties, Hamza admitted membership to the armed branch of the PKK, but refuted all other accusations, which he deemed as something that petty criminals would do. "I did not forcefully abduct anyone," Hamza said and continued, "We [Hamza and another guerrilla fighter] were shelled in the mountains for three consecutive days. My friend was severely injured. To find a place for medical treatment, I carried him to the road where a taxi driver stopped to help us. On our

way to the nearest town, the taxi driver said that he was running out of gas. I promised him to pay for his gas. [When they stopped at the gas station, the taxi driver called the police.] I did not abduct him. Nor does the forged document found in his car belong to me. Right, I had a *keleş* and grenades on me, but I never used them.” Following Hamza’s defense, his lawyer disputed the state’s attorney’s charges and argued that Article 314, membership in an armed organization, should apply to Hamza.

The judge then asked Hamza for his last words, which were as follows: “I committed to this cause [of the PKK] for the brotherhood of Turks and Kurds. I joined to follow the path of the Leader Apo [Abdullah Öcalan].” As Hamza uttered these words, despair grew on his lawyer’s face for the grim future that Hamza was setting up for himself. Hamza did not show any remorse or ask for forgiveness. Even though Hamza’s defense revealed that he shared the same normative order that the law imposes with regard to petty crimes (e.g. forgery, abduction), he departed from the law’s perspective on the PKK. For him, his membership in the PKK was not a criminal offense, but rather a political act that he decided to perform once again before the court.

The Chief Justice ordered the courtroom to be emptied, so that the case could be discussed with two other judges on the board and the state attorney. With a tone of sadness in his voice, Şivan said, “Hamza made a political defense.” Before the trial, not one family member mentioned which kind of defense they expected Hamza would submit. They may have been certain that Hamza would use the moment to proclaim his party’s cause or they may have been wishing that he would save himself by denouncing the party. What was certain after his defense was that Hamza would not be acquitted today. Ten minutes later, the defense lawyer opened the door with Hamza’s verdict. He

could not look at Hamza's mother in the eye. Instead, he walked towards the men of the family. The defense lawyer's efforts to have the prison sentence reduced had failed: the court handed down a life sentence. On top of the life sentence, the court punished Hamza with additional sentences for abducting a taxi driver and forging an official document. The defense lawyer said that he would calculate the total duration of Hamza's prison sentence when he went home.

"Life sentence," Şivan repeated with a louder voice to ensure that all family members had heard the decision. The internal battle between moments of hope and doubt had now concluded, as despair settled over the gathered relatives and faces paled. They very slowly edged towards the exit door of the courthouse—the same door that they had rushed to enter only seven hours ago. The most talkative member of the family, Roza, was mute. Seeming to barely hear her uncle complaining about the *düşman hukuku* [enemy law] of the Turkish state, Roza's body shivered and tears began to roll down her cheeks. "*Negiri,*" [Don't cry.], her mother said in Kurdish, with scorn in her voice for the weakness Roza was displaying. "It's not a big deal, don't cry," Şivan added in Turkish. Silent, motionless, and rigid as a stone, Roza whispered, "It's hard being a Kurd." The difficulty Roza was alluding to was not merely that of the difficulty in facing the state, which seemed to have loosened yet another brick in the bridge to negotiations with Kurds. Rather, it was also the difficulty of containing both hope and grief inside the body while walking on a bridge about to collapse. Like two sides of the same coin, neither hope nor grief could be given more than subtle expression in the courthouse where families needed to perform the "political". Hope, then, must be oriented towards the future while grief is contained from within, so as to endure the present.

The family members reached the threshold of the gate, yet none among them was able to walk through and leave the courthouse behind. The threshold seemed to separate not only the courthouse from the outside, but also the time of waiting for a decision from one of living with the respective decision. The family knew that they could submit an appeal of their case to the *Yargıtay* [Higher Court of Appeals], however the chances that it would annul the lower court's decision were extremely low. The eldest member of the family, the paternal uncle, shifted attention to the future, as there was nothing left to expect from the present moment, which had once again failed them. "In two to three years, all of them [Hamza, his niece, and his son] will be acquitted when the government legislates a general amnesty." Otherwise, Hamza's uncle continued, "How can the peace process succeed?" In his deferral of the family's anticipations from the present to the future, the uncle signaled the beginning of a new form of waiting that might open itself to a new field of possibilities. Perhaps he pronounced this "radical hope" for general amnesty since all other possibilities were already exhausted.⁸⁰ I do not know whether other family members or even the uncle himself truly believed in this possibility. However, by announcing this hope, he managed to lift the weight of a present that was too heavy for the family to bear. They finally passed through the last exit gate of the courthouse to take the bus home.

⁸⁰ In her chapter "Enduring Present," Lotte Buch Segal shows how future horizons get suspended as families of prisoners sentenced to life find themselves ensnared in the present in which they "repeat the procedures of applying for permits to visit, arranging bus trips, and finding a better lawyer when the final sentence has been handed down" (97). It is plausible to assume that the everyday labor invested in maintaining kinship relations with Hamza in prison likewise exhausts his family, yet I cannot speak with confidence about the aftermath of Hamza's life sentence. During my fieldwork, I kept in touch with Şivan, whose coffee shop I frequented. However, I did not have access to the family's domestic life. In the second section, I will show what it means to endure the present through my engagement with the family of another political detainee.

Waiting with Doubt: Indefinite Detention

The negotiations between the state and the PKK came to a standstill only one year after its official announcement. Despite earlier reciprocal agreements, the primary demand of Öcalan—the release of political detainees—was not met. In 2014, while the government amended the Criminal Code to decrease the maximum detention period of “terrorist” defendants from ten years to five, local courts resisted releasing detainees. Unlike the individual trial of Hamza, which was finalized in less than two years, courts began to stretch the mass trials of Kurdish politicians (e.g. the KCK trial, which continues for long periods, but with no concluding sentences in sight). Although the conviction of Hamza propelled his family members to move forward and project their hopes onto the future of the negotiation process, the families of those Kurdish politicians whose cases dragged on found themselves in limbo.

Unable to move forward or backward, the families of Kurdish politicians were, as Hage (2009) would put it, “stuck in their waiting.” Further, in her reading of Coetzee’s *Waiting for the Barbarians*, Veena Das (2016a) alerts us that the lethal potentiality of waiting is tied to its becoming a form of life with no end in sight. Or, as in our case, when the family members of detainees experience time as nothing more than waiting. What, then, happens when people run out of time? Or, more precisely, when they are exhausted by the time of waiting?

It is my contention that waiting should not be taken at face value, but instead requires the investment of both affective and corporal labor in the present through which new possibilities for the future are then anticipated. In this section, I shift to the file of Dilan whose name was on Öcalan’s list of detainees whose release he had requested. I

was acquainted with Dilan's mother, Hayriye, during the long sessions of court hearings both of us attended on a regular basis. Through examining Hayriye's waiting for Dilan's release, this section demonstrates what kind of labor waiting requires when it is experienced as a form of life.

On October 25, 2011, while serving as mayor of a small town in Mardin, Dilan was detained by the Turkish police. While police held her father at gunpoint, Dilan was thrown into an armored vehicle and escorted to police headquarters by a dozen special police forces. When her constituents heard the news, they immediately followed the police vehicle in their own cars to ensure that she would not be assassinated by the police on the way. Dilan's father, called "Sofu" by his friends to emphasize his piety, has been suffering from heart problems since her arrest. Hayriye was familiar with the brutality of the Turkish police from her own experience. Since the 1980s, Hayriye was detained several times, paramilitary forces murdered her brother, and shelling by the Turkish Army destroyed her village house. "Although my mother was able to endure all these difficulties," Hayriye's son related, "She is drained after Dilan's detention."

In the 1990s, most activists, like Hayriye, had faith that the war would end with a Kurdish victory and that their children would be born into a different world. However, Hayriye seemed to be drained of all vitality upon witnessing her daughter become a victim of the same terror of the state. Not knowing what her daughter was being fed in prison, Hayriye said that she could not bear to cook food as usual—it was as if she needed to live exactly how she imagined her daughter might be faring within the confines of the prison. Similarly, the pattern of Hayriye's daily life was then also ordered by Dilan's court appearances. As she could only see her daughter outside the prison during

court hearings, Hayriye began to reckon time in concert with Dilan's appearance in court. Except for when she had doctor's appointments, Hayriye arrived at the courthouse early each morning to briefly speak with Dilan before the judges opened the day's proceedings. These conversations were generally very short and of a mundane nature due to the close surveillance of the soldiers. Hayriye could barely ask more than two questions: "Çawayi?" [How are you?] and "Rewşa te çawa ye?" [How is your situation?]. Dilan would receive these questions graciously and with high spirits by assuring her mother and other visitors that everyone was fine, and taking care of themselves in prison.

As Dilan's case was part of the KCK trial that accused one hundred seventy-five defendants of terrorism, the hearings were riddled with long disputes over procedural law, evidence-collection, and legal documentation. Thus, Dilan had not even been given the chance to respond to the accusations before the court. On numerous occasions, Dilan asked her mother to return home as nothing was "happening." Nevertheless, Hayriye attended the hearings consistently, sometimes listening to the dialogue in the courtroom intently and napping or dozing off at other times. Even when Dilan excused herself from the trial, Hayriye watched the proceedings and spoke with other female defendants, relating to them as a mother would her daughter.

While waiting for her daughter's trial, Hayriye occasionally conversed with other women in the hallway. When the question of her daughter's detention was raised, Hayriye replied with pride in her voice that Dilan was detained for serving *her* people. Hayriye would then go on by describing the infrastructural projects Dilan facilitated for the town, how happy the townspeople were with their female mayor, and how dedicated she was to her work. From time-to-time, a group of townsmen would attend the trial to

show their support for the former mayor, consult her about the town's everyday problems, and pass on greetings from their wives. Each time this group arrived, Hayriye would call my attention to them as a way of proving the veracity of her description of Dilan.

One day, at the conclusion of a court hearing, Hayriye invited me to her home, where she lived with her husband and two sons. Dilan's father welcomed me to the living room as Hayriye went to prepare tea. Pictures of Dilan decorated every part of the room. Some of the pictures were from her time in prison while others were from Newroz celebrations and meetings attended as mayor. Not even the family homes of martyred guerrilla fighters matched the number of pictures in this room. As opposed to pictures of guerrilla fighters, which are often still portraits taken with a PKK flag in the background, in Dilan's pictures, she was cheerful and posed alongside other inmates, comrades, and townspeople. Juxtaposing Dilan's overwhelming visual presence with that of her physical absence, the room seemed haunted. As I was thinking of Dilan's absent presence, her mother explained, "When Dilan was arrested, I thought she was going to get out soon." Indeed, Dilan's lawyers confirmed that there was no evidence to hold Dilan legally culpable for terrorism and expected her to be released at the first hearing. Sixty hearings have passed since then, but Dilan was still in prison. Hayriye described how the walls slowly became plastered with Dilan's pictures, "As the years passed by, I took her pictures out of the photo albums one-by-one, bought picture frames, and placed them around the house." Having pulled out old pictures each time her daughter's absence dawned upon her, there was hardly any space left in this room for yet another picture.

And, in response to her sons' complaints, she promised to remove the pictures once Dilan returned home.

Over tea, Hayriye's son began talking about his anxieties over the adjudication process. If the defense lawyers were not able to secure the release of the detainees, perhaps they were doing something wrong? He, then, recounted the errors on the part of the defense lawyers, i.e. failing to submit a simple petition, missing the opportunity to counter the state attorney's accusations with evidence available in the file. According to Hayriye's son, the defense lawyers appointed by the Kurdish political party did not work hard enough nor did they care about the trials and tribulations that the families themselves were going through. Some lawyers, he argued, were no longer taking his calls. However, for Hayriye's son, it was not only the lawyers who failed to keep up with their promise, but also the PKK, which was unable to obtain any concrete result from the ongoing negotiation process. Moreover, the political declarations of party members were no longer sufficient to explain the detainee deadlock and it was thus no longer possible to believe that detainees would be out soon. Hayriye's son also wondered if Öcalan had forgotten about the thousands of political detainees still languishing in prison: Was there a deal between the state and the PKK that would betray the detainees, abandoning them for "the larger cause"? Though not uttered in public, such doubts voiced by Hayriye's son were prevalent among the families of other detainees. How do families endure this protracted waiting that sees doubt overwhelm hope? I further ask how the notion of hope might be rearticulated in the face of a permanent fear of failure and betrayal.

In *Waiting: The Whites of South Africa*, Vincent Crapanzano argues that the life of white South Africans is underwritten by waiting, which he defines as a passive

activity— “we can never actively seek the object of waiting” (1985: 44). Just like anxiety, the kind of waiting Crapanzano describes is devoid of its object. This is epitomized by one of his interlocutors that migrated from South Africa one decade ago, who proclaimed, “I couldn’t stand the waiting any longer for something, anything, to happen.” What Crapanzano finds terrifying in this form of waiting is that there is no object of waiting that colors the present or determines the uses we make of the past (46). In South Africa, Crapanzano argues, the past is something to be recuperated and the future to be proclaimed. The present, however, which seems devoid of vitality, is “a sort of holding action.” More precisely, “the world in its immediacy slips away; it is derealized” (44). In this grim picture of waiting, Crapanzano views “hope” as the field of desire in waiting. If the present is incapable of eliciting optimism and positive excitement, as he argues, what are the conditions of possibility for hope to cultivate in the time of waiting? Crapanzano’s analysis of the relationship between waiting and its lost object provides important insights for thinking of the limbo that families of political detainees find themselves in. However, if the present is mechanical, numb, and muted, as the families describe, how is it possible to remain in a time of waiting that pushes hope to its limits?

I would like to turn to Jonathan Lear’s reflections on the concept of hope in *Radical Hope: Ethics in the Face of Cultural Devastation* (2006) to understand this conundrum. In his writings on ontological vulnerability, Lear describes the Crow world and their nomadic hunting life. Characterized by battles with other tribes, planting coup-sticks, and counting coups, the Crow way of life was destroyed once they were confined to a reservation by the government of the United States. Ruminating on the words of the

last Chief of the Crow, “When the buffalo went away the hearts of my people fell to the ground, and they could not lift them up again. After this nothing happened,” Lear convincingly argues that the demise of a way of life entails losing the concept of “happening” as understood by the subjects of that life. In the face of human vulnerability to destruction, Lear concludes that what is required for life to be renewed “would be a new Crow poet: one who could take up the Crow past and project it into vibrant new ways for the Crow to live and to be” (61). In this sense, Lear casts the last Chief of the Crow as a poet, who, in the face of his tribe’s demise, could still instill a hope in future generations for returning to life in a form that would maintain the possibility of existence for the Crow subject (95). It is not wishful optimism that Lear discusses, but “sustained thoughtful engagement with the world that, in terrible circumstances, yielded positive results” (142).

For Lear, radical hope is then predicated upon the recognition of human vulnerability rather than turning a blind eye to it. If subjects recognize the daunting future of cultural demise, the hope that they invoke could promise the emergence of a new subject equipped with a concept of “happening.” Lear emphasizes that the picture of human vulnerability he imagines is not peculiar to the Crow, but is rather immanent to our human condition. Drawing on Lear’s conception of hope as radical hope in defiance of expectation, I suggest that detainees are able to embed hope in the lives of families precisely because they recognize their vulnerability and respond in a way that enables “forgotten subjects” of the process to find a way to return to life. As an illustration, let me turn to the poetic courtroom protest organized in the Diyarbakır courthouse between January and February 2014. Through this protest, I hope to show how the waiting with

hope has attained a different intensity as the trials have come to be imbued with “happenings” and the families’ anticipation of the release of detainees is revived.

Revitalizing Hope: Protests in Court

One month before the fifth year of Kurdish politicians’ imprisonment without conviction, defense lawyers pleaded the court for the release of their clients. In their petition, defense lawyers referred to the recent decision of the Supreme Court, which had advised the release of a convicted Turkish politician upon his election as a Member of Parliament (MP). Drawing on the precedent established by the Supreme Court, the defense lawyers asserted that the four Kurdish MPs remaining in prison and other locally-elected politicians (e.g. mayors) should be released. However, the courts held that the Supreme Court decision was non-binding and rejected their petition. While waiting for the trial and attentively observing the legitimacy crisis of the local courts, detainees informed their lawyers that they would not offer any testimony in the upcoming court hearing and instead protest the trial.⁸¹

Once this decision was made, the detainees asked the party lawyers to call for the participation of leftist members of the Turkish Bar Association in Istanbul, Izmir, and Ankara and elicit more support for the protest. Journalists were likewise mobilized to attract attention on this trial, which had faded from public view for some time now. During prison visits, families were informed that the protest at the upcoming court hearing would be a test case. The mood was one of general anxiety about the consequences of this protest, as it was difficult to anticipate how the judges would

⁸¹ According to Turkish procedural law, defendants who have already been interrogated do not have to be present in court while the judge investigates evidence unless their defense lawyers also withdraw from the trial. If defense lawyers fail to attend the trial, then the courts must bring the defendants to court by force.

respond. Of particular concern for families was the possibility that the courts might rush to hand down convictions and transfer their loved ones to distant prisons. Further, defendants tried without arrest now faced the threat of an arrest order. Defense lawyers were also not immune to repercussion and had risked judicial investigation for taking part in protest. One defense lawyer's comment, "Today everything is possible," summarized the contingency and uncertainty of the situation.

On the day of the protest, I found Hayriye in the courtroom speaking to a police officer. At the security check, she was asked to dispose of her pills if she wanted to attend the trial. Coins, lighters, mobile phones, and finally *pills* were deemed dangerous items and forbidden from the courtroom. A young woman in the queue whispered that the court felt threatened by the rumors of the upcoming protest and ordered the police to check the bags vigilantly. Any mobile item posed a threat because the court anticipated the protest to get out of hand. After going through unprecedented security screenings, I took a seat among family members of the detainees. The courtroom was packed with lawyers, journalists, family members, and detainees. The fifty seats assigned to the defense could not accommodate the many lawyers coming from cities across northern Kurdistan and Turkey. As such, the defense lawyers occupied seats reserved for the litigant's party, which had always been empty as the Turkish state, represented by the state attorney, was the only litigant of the KCK trial. The detainees were also present and busy with planning the protest. Journalists took seats in front to provide news agencies with instant reports from the courthouse.

The Chief Justice with two other judges on the board began the hearing as usual by taking the attendance of the defense lawyers and defendants present. After the

attendance, he resumed the hearing from where he had left off by reading the accusations against the first defendant on his list. A defense lawyer jumped in to decry the court and called the trial a *theater* that had to end. Another lawyer interjected to remind the local court of the Supreme Court's decision that it disregarded. The head of the Diyarbakır Bar Association followed her. As a sign of respect, he greeted all the judges on the board and then built on the previous lawyers' argument, "We waited patiently for this injustice to end. It is now time to express our feelings. This trial is beyond the limits of what we can endure... This adjudication is devoid of legal merit." Family members seemed to be bored by the lawyers' talk: the father of a defendant complained to me that these were empty words. Meanwhile, another defense lawyer⁸² changed the tone of discussions with his trembling voice, "Your court adjudicates in the name of the Turkish nation. But those before you are not Turks. You cannot understand Kurds, their feelings, their thoughts... It has been 30 years, still injustice, still unlawfulness." The Chief Justice's body twitched with annoyance while the same father, who had just complained about the lawyers' talk, remarked with joy, "*Pir xwese!*" [Very good!]. After this prelude, lawyers demanded the court step down for taking biased decisions.

Immediately after the defense lawyers, the eldest defendant of the trial, Hussein, rose and spoke on behalf of all defendants. Hussein's fiancée, who had been waiting to marry him for about thirty years, gave her absolute attention when he stood to read out the detainees' collective statement. "The history of Turkey is a history of massacres. What we have been experiencing over the last five years is an extension of these massacres. It began with the establishment of Independence Courts in 1924." At this

⁸² This senior lawyer had served as defense lawyer during the 1980 military junta and defended Mazlum Doğan and his friends.

point, the Chief Justice turned off Hussein's microphone for exceeding the contours of the adjudication.⁸³ As the Chief Justice cut off the defense, the already tense atmosphere in the courtroom began to feel even heavier. It was difficult to follow defense lawyers as they declined to wait for the judge to turn on their microphones. From one corner, defense lawyer shouted, "You cannot turn off our client's microphone. Are you entitled to decide whether or not his defense is within the contours of adjudication?" Startled by this rhetorical question, the Chief Justice answered, "Of course I am. I am the *head* of this court." Another lawyer responded from his seat: "But we are not your herd." Despite his efforts to recuperate his authority, no one seemed to be listening. Soldiers in the courtroom were at the reading, awaiting any sign or order from the Chief Justice. Afraid of his orders being evacuated of force, he refrained from uttering any more words and turned on Hussein's microphone. Reflecting on how he had felt in the trial, the Chief Justice later said: "It is not very easy to conduct this trial, psychologically. You have a room full of lawyers, journalists, and an audience on the edge. They are ready to attack you if you don't watch your words."

Now continuing the statement, Hussein repeated the all-too-familiar discourse of the illegitimacy of courts. "By KCK operations, one hundred thousand people were interrogated, ten thousand put in jail. This only happens during coups. This is indeed a coup." He concluded his statement by, "We recognize the state, but we do not recognize your court. We call for the support of those who have faith in democracy, justice, and freedom." Hussein's statement was a measured one, which also recognized the tension between the national government and local courts. The detainees wrote this collective

⁸³ I will come back to this point in the next section to describe why the Chief Justice abstained from discussing his predecessors' judicial decisions that sentenced Kurdish "rebels" to death for treason.

statement with the knowledge that the AKP government was working on legislation to abrogate Special High Criminal Courts to resolve the judicial deadlock. Given the negotiation process underway, the defendants preferred not to submit the kind of political defense that their late comrade, Mazlum Doğan had submitted during the 1980 military junta. Though Hussein referred to previous military coups that later prosecuted Kurds, he made it explicit that it was not the state, but the courts that conducted the recent coup. By doing so, he simultaneously evoked the knowledge of the past while attending to the specificity of the present.

When Hussein dropped the microphone, all the detainees rose and announced that they would leave the courtroom. At that moment, more than one hundred lawyers along with double that number of family members joined in the protest. Directly facing the board of judges, who were seated on a high platform, approximately four hundred people clapped their hands at the same time. The Chief Justice ordered soldiers to handcuff the detainees and take them out. Detainees walked one after another towards the exit gate, and made victory sign to their families, who were still clapping. Immediately after the detainees, their families also exited the courtroom. Hayriye waved goodbye to me and her elderly friend, whose daughter was also in jail, shook my hand with pride and said, “We have done what we could, now it’s time to go.”

The judges were left alone in the largest room of the courthouse: there was no one left to interrogate, interrupt, or silence. The Chief Justice noted in the court minutes that the courtroom was evacuated upon the suspects’ noncompliance with the order. This was the last time the families, defense lawyers, and defendants stood before the Special High Criminal Court. They would no longer take part in the adjudication process. In the

following weeks, while the judges asked defense lawyers to convince their clients to attend the trial, other detainees joined the protests that expanded to all courtrooms in the courthouse. The courthouse remained empty for months until the Special High Criminal Courts were abrogated—no families of political detainees were waiting in the corridors, no defendants were giving testimony, and no journalists were reporting on the trials. The only attendees of the courthouse were police forces who took seats along the empty corridor to kill time.

On the day of the protest, neither family members nor defense lawyers bowed their heads to the ground. No one avoided eye contact with others. No defense lawyer rushed to exit the courthouse with despair. Though they did not manage to get the detainees out of prison, they achieved a sense of community that entitled families to express hope without displaying disloyalty to the cause or vulnerability to the court. Though the time of waiting did not end, the mechanical process of adjudication, in which families used to fall asleep, defendants read newspapers, and defense lawyers played with their smart phones, was over. The detention was still pertinent, but the feeling of “stuckness” was not (Hage 2009). By engaging with the world, the collective protest mobilized the bodies and feelings for action. Detainees were going back to prison as usual and their families were once again left to endure the absence of their kin in their everyday lives. Doubts were suspended not because the future seemed any less uncertain than before, but because the forgotten subjects of the process were enlivened. It was not with the spirit of blind courage or optimism that hope was given birth to. Rather, it was predicated upon the “imaginative stimulus” emerging from *being present* to the “happenings” unfolding in the time of waiting.

If hope relies on a certain kind of engagement with the world (Lear 2006; Miyazaki 2004), routine work is a part of this engagement, which both prevents us from desiring an impossible task and provides the imaginative stimulus to carry on. It is possible to approach courtroom protests as a stimulus that inspires dreams of a brighter future by disrupting the routine functioning and rhythm of terrorism trials. As the courts find it impossible to proceed with the adjudication in the absence of the detainees and their lawyers, families recuperate the capacity to hope for the release of their children and to endure exhaustion.

The Limits of Hope

If the routine of waiting is fraught with the danger of families' exhaustion, which courtroom protests manage to ward off, there is yet another danger that families diligently hold at bay. Considered to be graver than exhaustion, it is the danger of being associated with *adi* criminals. Originating in Arabic, *adi* means "ordinary," "common," "basic," which carries an undertone of "base" when used as a criminal category. *Adi* crime denotes delinquency, including theft, drug abuse, and physical assault, which political detainees view as a manifestation of bad morals and the base desires of the petty criminals. The former distinguishes themselves from the latter by describing their offenses as ideologically informed. However, since the promulgation of the Anti-Terror Law in 1991, the law does not recognize the political motivations of defendants charged with terrorism (Aydın 2006). And, courts associate "terrorist" offenses with the same moral lack, if not more, as *adi* offenses.

The law's blurring of distinction between *adi* and *terrorist* can be understood better through Foucault's (1991[1977]) remarkable work, *Discipline and Punish: The Birth of the Prison*. In this work, Foucault stresses the political underpinnings of the dissociation of delinquency from other illegalities, which, on the one hand, articulates delinquency as a politically and economically less dangerous crime and, on the other, configures it as a conduct of pathological subjects at the margins of the society. The classification of particular offenses as pathological and apolitical, as well as the segregation of offenders as delinquents, according to Foucault, reduces the possibility for broader social unrest. As the law pushes delinquents to the fringes of the social through its disciplinary and punitive mechanisms, it simultaneously governs the contours of the political. Though *adi* and *terrorist* convicts are segregated in Turkish prisons, *adi* as the marker of pathological and apolitical subjectivity has come to define the "terrorist" who is likewise subjected to confinement to prevent social unrest in northern Kurdistan.

It is due to the law's collapse of the distinction between *adi* and *terrorist* on moral grounds that the figure of *adi* has come to destabilize the position of the detainees who lay claim to the political space. The implications of this tension became more clear to me during my interviews with the judges of the Special High Criminal Courts who, each time I said "political trials," corrected me by referring to the trials as "terrorism trials." Since the judges presumed that they conducted terrorism trials, Hussein's reference to Independence Courts, which were established in the 1920s to observe "political trials," went beyond the contours of adjudication. According to the judges, it was not a political case, but one on terrorism that they adjudicated.

Conversely, as we have seen in the defense of Hamza, detainees reject this definition of *adi* crime for their actions. If the state is approached with caution and doubt for its potential to damage the Kurdish movement, the *adi* criminal is considered to be even more dangerous for her/his potential to afflict the movement's political cause from within. Even though the detainees I interviewed approached *adi* crime as a product of capitalism, distinguishing between *adi* and political is still indispensable for them to stand against being marginalized socially. In her writings on Iranian prisoners, Shahla Talebi insightfully reflects upon her own experience as a revolutionary prisoner who was implicated in a similar dilemma: "This is the paradox of modern societies, and Iran in particular, in which subversive political views could coexist with such conformism to cultural and social norms [...] [F]or the very reason that we were swimming against the tide and therefore were accused of lacking morals, we felt the need to prove our high moral values" (2011:142-143). Likewise, the families of detainees avoid any kind of proximity to the figure of the *adi* criminal, so as to reinstate their "high" morals, on the one hand, and their allegiance to the Kurdish movement, on the other.

The relationship of the families of political detainees to the *adi* ones in the courthouse may further illuminate the workings of this classification. On the first floor of the courthouse, there are eight courtrooms, three of which are for *adi* crime cases while the rooms on the left side are for terrorism cases.⁸⁴ The *eziyet* [torment] experienced collectively by the families is differentiated as they take seats on the right and left sides of this long corridor. Women on the left side, such as Hamza's mother, wear *laçik*, a white see-through headscarf whose edges are embroidered with lace. This customary

⁸⁴ This distribution of the trials of *adi* and terrorist offenses to different courtrooms no longer exists. When Special High Criminal Courts were abrogated (April 2014), the files they had observed were sent to ordinary Heavy Penal Courts where *adi* and terrorist offenders are now tried together.

headscarf of Kurdish women has been symbolically valorized in the 1990s, as the mothers of the disappeared, called Saturday Mothers, began to wear it at demonstrations (see Çağlayan 2007). Another organization, Peace Mothers, also invests this everyday garment with high symbolic value by evoking the image of the “traditional” Kurdish woman, who, so the story goes, could end village feuds by removing their *laçık* and throwing it between conflicting parties.⁸⁵ The women wearing *laçık* in the courthouse are not necessarily the members of Saturday Mothers or Peace Mothers nor do they remove their *laçık* in the courthouse to cast shame upon the conflicting parties. However, shaming still operates on a different register. During their encounters with the families of *adi* criminals, their *laçık* transforms into a powerful marker of their “high” morals, which they reinforce through their tone, facial expressions, and dismissal of other families by keeping them at arm’s length.

While the female family members wear *laçık* as a symbolic marker of their morals, the men on both sides of the hall can only be distinguished by their gait. As in the case of Hamza’s male family members, men on the left side walk together in groups of two or three, from one end of the corridor to the midpoint. When they reach midpoint, they turn around and continue walking as if a wall separates the left side of the corridor from the right. Just like political prisoners, who insist on having a separate ward and yard in order not to interact with *adi* criminals, male family members segregate themselves from the families of *adi* criminals by erecting an invisible wall in the corridor of the courthouse. When anyone lost in the chaotic atmosphere of the courthouse asks them where to find the courtroom of her/his trial, they first ask about the type of crime she/he

⁸⁵ The Kurdish proverb describing this tradition is as follows: *Weku jin bi u lacika xwe raxine niva wan elbette ew du tayife ji yek u du dibin.*

is charged with. If the response is *esrar* [marijuana], *uyuçturucu* [drugs], or *kapkaç* [pick-pocketing], they point to the opposite side of the corridor and refrain from further conversation. In such scenes, I have come to understand how the families of detainees delicately distinguish themselves from those of *adi* criminals in a space temporarily shared by both. However, these delicate and subtle methods may not suffice to maintain the already tenuous division between the political and the *adi* in cases in which families more conspicuously display their allegiance to the Kurdish movement by expelling what seems to be *adi* from the space of the political.

One day prior to the commencement of the proceedings of the KCK trial, Hayriye, Sofu and a few other family members were in the courtroom talking to the detainees. As usual, the family members moved as close to the defendants' platform as possible to see and hear their relatives. With a distance of thirty feet separating the two, a waist-high iron fence prevented families from getting closer while a wooden fence on the other side enclosed the detainees on the platform. In addition to the wooden fence, soldiers cordoned off the detainees by lining up next to each other while the police surrounded the audience. In this space, surveilled by a dozen cameras and physically controlled by the police and soldiers, family members and detainees avoided talking about politically sensitive topics. After greeting each other by placing their right hand on their chests and then to their foreheads, family members exchanged a few words about their lives, children, and work with the detainees.

A young boy, whose face was unfamiliar to me, entered the room wearing loose jeans, a blue shirt, and a black leather jacket. Ignoring the other families, he went to the back corner of the courtroom, placed one foot on the bench, and shouted at one of the

detainees, Bahadır—a noticeably tall and rectangle-faced man—who, I would learn, was the elder brother of this boy. Except for me, this boy of about eighteen was the only other person who came to the courtroom alone.⁸⁶ He greeted Bahadır by winking and avoided the common gestures of greeting that other families performed. Even though the other families disapproved of this stranger’s posture and loud voice, they seemed to be indifferent to his presence. With an expression of surprise, Bahadır asked when he got out of prison. The boy was recently released when the Third Judicial Reform Package was legislated into law, which allows courts to acquit convicts whose prison sentences are less than five years.⁸⁷ This law was the government’s first step towards easing the release of detainees and convicts. Local courts, however, did not implement this reform package in favor of detainees charged with terrorism, but for adi criminals. While the rest of us did not know the type of adi crime this boy was convicted of, his restless body and shaky hands made some wonder if he was on drugs.

Bahadır began to feel anxious as the boy continued to talk about his life, “Psychologically I am a wreck: no money, no job. Things are bad, really bad.” Unlike other families who inquired into the lives of detainees gleefully, this young man was filled with anger and distress. Obviously, not all the families in the courtroom were wealthy or had proper jobs, but despite the difficulties in their personal lives, they put a smile on their face to convey a sense of hopefulness that, as Crapanzano underlines, “has important interlocutory dimensions and is subject to often highly moralized, culturally determined communicative etiquette” (2003:16). The young man, however, did not seem

⁸⁶ People always attend the trial with other family members or friends and comrades.

⁸⁷ <http://www.milliyet.com.tr/yargi-paketinde-100-yeni-madde/gundem/gundemdetay/19.01.2012/1490686/default.htm> Last accessed June 1, 2016.

to care about the communicative etiquette that other families performed to instill hope in each other. Instead, he further transgressed such norms and etiquette by lighting a cigarette in the middle of the courtroom. This came as a shock to the families and the police, putting them on the same side against the transgression of the code of etiquette they seemed to share. The latter warned him not to smoke or they would force him to leave. Unable to predict the next move of this unruly character, the families refrained from turning their heads in his direction and got even closer to each other, so as not to be associated with his *adi*-base morals.

With a discernable wrath in his manners, the boy spoke out loud, “You know these courts, the ones similar to the courts of T.C. [the acronym for the Turkish Republic].” Acting as if he was not able to hear anything, Bahadır put one hand behind his ear, frowned his eyebrows. But the boy was unconcerned with Bahadır’s gesture of discomfort and seemed determined to continue. He asked, “Doesn’t the Party have its own courts, called People’s Tribunals?” As the boy uttered the words *people’s tribunals*, whose whereabouts is public secret, the families paused their routine conversations, detainees were taken aback, and the defense lawyers looked around to make sure that the judges were not yet in the courtroom. In the indictment, the state attorney had accused some defendants of establishing the peoples’ tribunals in which the PKK allegedly enforced its own law. The boy not only touched upon a “sensitive” topic, but also complained about it, “I cannot tell you everything here, but they [the people’s tribunals] drive me nuts!” An elderly man among the families watching in alarm interrupted him, “You are incriminating yourself!” Urging him to come to his senses, another man snapped at him, “Are you aware of what you are saying? Sit down!” The families

diagnosed that the boy was likely out of his mind for uttering such words in the courthouse. A young man rushed to the defense lawyer's platform to check if the boy's careless talk exacerbated the detainees' legal stance. A defense lawyer assured him that it was fine, the judges had not heard anything.

It was one thing to complain about unemployment and poverty, but absolutely of a different order to speak of public secrets, the disclosure of which could precipitate legal charges. Though the boy's initial complaints were disproved for being out-of-place, they were ignored insofar as it did not trouble the positive affect that families and detainees strived to produce in the courtroom. Hope was not a given condition in this courtroom, but was rather achieved through fleeting moments of eye contact, the exchange of a few words, as well as the spatial proximity of the families to the detainees. From the beginning, the young man was in complete discord with the rhythm and mood of this community. However, it was his final comments that transformed discordance into a real danger with the potential to thwart any hope of the detainees' acquittal. If the detainees' connection to the PKK's tribunals were proven, their detention would immediately turn into conviction.⁸⁸ Anger and resentment, which had ignited the affect of hope when discharged collectively during the courtroom protests, figured as dangerous when expressed by an *adi* criminal, who was situated at the fringes of the sociality of families and political detainees.

After being chastised by the families, the boy sat down, placed his head between his hands, and recklessly wiggled his feet. For an hour and a half, he remained seated in that posture while families watched him out to ensure that he would not spoil the hearing.

⁸⁸ While one may wonder if a family member's random statement in the court could be taken as evidence, the ambiguity on the types of evidence that the state's attorney is authorized to place in the files of terrorism cases makes clear that such statements do indeed have legal merit (see Chapter 2 and Chapter 4).

When the court took a break, he got ready to leave without bidding farewell. One last time he looked at Bahadır and repeated, “Here I cannot tell you everything, but they drive me nuts!” No one attempted to extend care or hope to this boy despite the despair his demeanor manifested throughout. All alone once again, he left the courtroom. I wondered if this boy stood at the limits of hope produced collectively in the time of waiting.

Perplexed by the scene, I asked other courtroom spectators what they knew about the boy. A woman, who was a friend of Bahadır, explained that he was from the Fiskaya neighborhood in Diyarbakır, which is known for street fights, a high rate of drug abuse, and routine clashes with the police. The vulgar masculinity he embodied and the slang he used indicated to her that the boy was a *qirix*, which literally means crack, break, split. As Ruken Şengül’s (2014) ethnography on *qirix* shows very eloquently, this is an idiosyncratic term used to denote a certain type of masculinity embodied by boys living at the fringes of society and the law. These boys are associated with crime and delinquency, moral corruption and decay: as bodies nourishing dystopian visions of urban doom. In a sense, *qirix* and *adi* are two sides of the same coin in the parlance of the Kurdish movement. Excluded from the sociality of the families and detainees, Bahadır’s brother designated as *qirix* indeed stood for a split, as he incited dystopian visions of hopelessness in the courthouse. The split between this boy and the other families was discernable in his use of language, which wove Kurdish political terminology with slang idioms, his impatient demeanor, which manifested in his body language, and his violation of the codes of waiting, which became clearer as he refused to refrain from complaining about the Party. He was thus cast out for failing to comply with the norms, codes, and rhythm of waiting.

In the courthouse, the routine of waiting is diligently steered to give expression to the feelings of care, love, and longing. The families' reaction to the way Bahadır's brother inhabited the courtroom speaks to the fragility of waiting with hope in the courthouse, which requires adjusting your tone, remaining within the contours of what is collectively deemed sayable, and carrying your body in a manner that becomes an extension of the existing sociality. These subtle performances are necessary, not only for the performative division between the *political* and the *adi*, but also for the waiting of the political to be felicitous. In this sense, there is an intricate relationship between acting and waiting in the trials of terrorism cases that the boy reveals by breaking it. Waiting in the courtroom is not a passive activity in which people wait for something or anything to happen. The being of *qurix-adi* in the courtroom discloses both the preconditions of waiting with hope and the limits of extending that hope beyond its sociality. Neither hope nor hopelessness is personal in this context: it is at once impersonal and communal, which implies that waiting is conducted in light of the trajectory of the impersonal "process" and in compliance with the norms and codes of the community at stake.

Conclusion

What picture of waiting do we attain if we approach it as a form of life? Waiting in the courthouse undergirds the everyday, figures in reckoning time, and prompts anticipations for the future while charging the present with a range of anxieties. Reflections on waiting underscore the predicaments it entails when people feel stuck in the present time of waiting without the capacity to move forward or backward (Hage 2009), or when the present seems devoid of vitality (Crapanzano 1985). Waiting can become lethal when it is

experienced as a form of life that enfolds the fear of an unknown “other” who stands as the symbol of and justification for terror (Das 2016; Lear 2015). How could life experienced in the form of waiting gain vitality under such conditions of injustice?

This chapter focused on the families of political detainees waiting for the release of their relatives during the period known as the negotiation process between the PKK and the Turkish state. Keeping in mind that previous episodes of the “process” were terminated without bringing out any changes to the lives of political prisoners and detainees, the affective tone of waiting is shaped by a sense of hope that is underwritten by pulsating doubt. The literature on protracted war and violence, particularly in occupied Palestine, underlines the kind of cynicism that national politics gives birth to (Allen 2013) and the capacity of national struggles to instill hope time and again (Kelly 2006). Similarly, by attending to the tension between doubt and hope in the unfolding of the process, I showed that the affective landscape within which the “process” is felt and thought of is irreducible to cruel cynicism or blind optimism. Drawing upon the experiences of the families of political prisoners and detainees in and around the courtrooms, I analyzed the interlocking of hope and hopelessness, resentment and anticipation, acting and waiting.

What I find fascinating in different moments of waiting I reconstructed here is the myriad responses of families to the two imbricated forces—the law and the process—that produced the conditions of injustice. As families wait for the end of waiting, they figure in the courthouse not as passive recipients of the force of law or the process. Waiting experienced as a form of life entails both being alert to these forces and responding to them with resilience and resistance. Hence, the time of waiting lived in the space of law

conjures up a transient community with affective ties and moral codes that lays claim for the space of the political. In this sense, this chapter endeavored to apprehend the community of family members of detainees in the time of waiting by examining its coalescence and dispersal, waxing and waning energy, and extension and withdrawal of care.

Chapter IV: Discipline and the Ethics of Militant Politics

After five-year-long imprisonment without conviction, political detainees of the KCK trial were finally released on April 13, 2014. Immediately after their release, a dozen former detainees arrived at the headquarters of the Kurdish political party for a press conference in which they applauded the outcome of the trial as a political fiasco for the AKP government and declared their commitment to continue the struggle.⁸⁹ With the ongoing press conference on the fourth floor, an unusual hustle and bustle was unfolding on the first floor. One of the pre-election candidates of the upcoming local elections, who had just been disqualified from running for office, was looking for someone, anyone, to tell him why the party dismissed his candidacy. Speaking to the people passing by, he said that he had a good reputation in the community, his family's commitment to the movement was well-known, and several of his family members were martyred in the guerrilla. The man grew more agitated with each failure to find a single party worker to account for his situation. To show all those present that he was a man of honor, he poured a gallon of gasoline on his body in preparation to set himself on fire and declared, "You cannot stain our honor! [*Onurumuzla oynayamazsınız!*]." The man's male relatives joined in on the drama by storming the party building. Before setting himself on fire, the party workers came out of their offices and led him to a nearby meeting room.

The former detainees were shocked by the use of self-immolation, which is part of the well-established repertoire of Kurdish revolutionaries to protest the Turkish state in prisons or public squares alike. Resorting to self-immolation to protest Kurdish

⁸⁹ <http://firatajans.com/news/guncel/tahliye-edilen-siyasetciler-tasfiye-amaci-bosa-cikarildi.htm> Last accessed on June 10, 2016.

revolutionaries themselves was both novel and extremely distressing. The former detainees asked amongst themselves how family members could turn an act of self-sacrifice into a farce for personal gain? Yet, similar events continued to unfold in the following weeks. A group of women, whose teenage children never returned from a picnic organized by the municipality, initiated a sit-in at the entrance of the Kurdish mayor's office, located in the city's political hub. Holding their children's pictures, these mothers accused the municipality of sending their children to the mountains to fight and displayed the posters for the picnic and bus tickets distributed by the municipality as evidence. Until their children were returned to them, they pledged to continue the protest. Though this was undoubtedly not the first time Kurdish youth had escaped to the mountains, former detainees could not comprehend why they would take a public bus to join the guerrillas and why their families performed a protest in front of the Diyarbakir municipality?⁹⁰ While the repertoire of this protest was similar to others organized by the mothers of the disappeared, this time it was directed at Kurdish mayors instead of the central government.

Former detainees speculated that these protests were orchestrated by the AKP government, which likely bribed the families to participate. From the perspective of former detainees, the protests represented not only a testament to the disloyalty of those participating, but also the self-interested nature of their politics. The sense of victory former detainees felt with regard to their release was thus short-lived. On the surface, they seemed to ignore such events that they believed were manufactured to weaken the Kurdish movement. However, a far deeper fear of treason was festering within the inner

⁹⁰ In Diyarbakir, it is public knowledge that the route to the mountains is controlled by urban militias, not by the municipalities.

circles: if not for *traitors*, how else would families have considered to turn the symbolic codes of the Kurdish movement against itself? While observing life in Diyarbakır, former detainees were unequivocal in their belief that although the courts failed to extinguish the movement, the AKP government had nonetheless caused severe destruction in the cities with the collaboration of *traitors*—the most destructive one amongst all being “secret witnesses,” who provided courts with the names of Kurdish revolutionaries and asked for exoneration in return.

This chapter examines the moral landscape within which secret witnesses incite deeply-seated fear of treason among the members of the Kurdish movement. While examining how treason has come to be associated with particular forms of moral and ethical failure in everyday life, I draw upon Didier Fassin’s work on moral anthropology in which he proposes to study “[...] the creation of moral vocabularies, the circulation of moral values, the production of moral subjects, and the regulation of society through moral injunctions” (2012:4). This chapter shows that there is no univocal vocabulary for treason that is applicable to all members of the Kurdish movement. If collaboration with the state is undertaken at different levels and by different actors, including middle-class Kurds and revolutionaries, treason should then be thought of in its many grades, bringing out certain sanctions. In light of distinct sets of moral injunctions and ethical conducts, this chapter asks how the fear of treason regulates everyday social relations and shapes the self-conduct of revolutionaries.

As a way of understanding the complex field within which the accusations of treason unfold, I trace the production and circulation of two specific morally-charged categories: *yoç* [corrupt] and *düşkün* [fallen]. In the parlance of the Kurdish movement,

yoz is employed when describing how middle-class Kurds might turn into traitors, whereas *düşkün* underscores the potential of revolutionaries to become traitors. I first examine under what conditions middle-class Kurds have come to be defined as *yoz* if the Kurdish movement no longer subscribes to the orthodox Marxist ideology. Second, by examining the lectures of Abdullah Öcalan in which he addresses revolutionaries, I explore the practices of self-mastery prescribed for revolutionaries through which they would purportedly control their desires for family, sexuality, and love and thus refrain from becoming *düşkün*. Lastly, I show that as secret witnesses share with courts a great deal of details about the inner workings of the movement to be qualified for exoneration, the notions of *yoz* and *düşkün* become imbricated and define the most formidable form of betrayal.

As an armed leftist organization fighting against the state, the Kurdish movement's concerns for treason are not novel. The counter-insurgency activities of the Turkish state were the source of these concerns for quite some time. However, when the stories of treason are narrated retrospectively, the moral tensions within the Kurdish movement are generally hidden, as the Turkish nation-state is assigned the ultimate responsibility for the Kurds' departure from the prescribed moral values and ethical conducts. Nevertheless, the figure of secret witness discloses specific moral tensions within the movement enfolded into the everyday. In the face of a sweeping threat of treason, this chapter demonstrates the kind of violence militant times entail as ordinary life with its class relations and bodily pleasures is turned into yet another zone of war and the pleasures of the self are subjected to moral injunctions for the sake of a future that is imagined to promise freedom.

From the War for National Liberation to Democracy

“Even if they are defeated in the end, revolutionaries are beautiful children.” During the lunch break, Zana recited this verse from a Kurdish poet⁹¹ in response to the defense lawyer’s criticism of his personal defense statement. The lawyer was worried that Zana would incriminate himself if he did not tone down his testimony. Frustrated with the strategizing demanded for each and every word he uttered according to some vague distinction between legality and illegality, Zana decided not to change the style of his defense for the remainder of the trial, “Let me be. You do your job, I will do mine. For the short time that remains of my life, I want to defend myself as I wish,” he sternly stated. Neither his friends nor the lawyers at the table knew if this 42-year-old man was implying that he would die soon or if he was referring to a form of life that might soon die out—the one inhabited by *the beautiful children of the revolution*. With this recitation, along with its undertones of romanticism of resistance and mourning, I assert that Zana alludes to a potential defeat of the “revolution,” which is not given on military grounds, but on those of morality.

The next time I met Zana, we were at a teahouse in a park located in a new district of the city that was recently zoned for urban development. The park was surrounded by high-rises and residence complexes, and Zana seemed taken aback by the opulent surroundings. He immediately remarked on the widening rift between the city’s rich and poor—a city that had hosted the first meeting of the founders of the PKK 36 years ago. Another former detainee at the table shared that after his release from prison he was

⁹¹ Though Zana identified the poem as from Murathan Mungan, I could not locate the title of the poem he had recited.

unable to recognize this district, which was an empty field only five years ago. In their absence, the former detainees thought, warlords and bourgeoisie regained control of the city. As Zana discussed the need to establish “liberated zones” in Diyarbakır that would replace capitalism with a commune-based sociality, a tall young man entered the park. This young man’s skin was like a thin sheath draping his body and with his ribs pushing through. Rolling an empty shopping cart, the man moved slowly and with little energy. Once he passed, Zana asked me, “Do you know him?” assuming that I was going to say no. That was indeed his point. The man who was a “nobody” to Diyarbakırates was a guerilla fighter until his capture by the Turkish Army. This city, renowned as the fortress of resistance, offered him nothing more than bare survival through a smattering of temporary jobs. For now, he was working at a state-owned public university as a night watchman.

Nevertheless, the talisman of the image of the guerrilla fighter has not faded in Diyarbakır. When guerilla groups organize ambushes in the mountains, the city’s inhabitants would talk about it with praise for weeks. In local coffee shops, recently opened on every corner, guerilla songs glorifying fallen comrades are played daily. Additionally, at cultural festivals, like Newroz, and weddings at five-star hotels, one of the most popular outfits young men and women wear is *leşkeri* [guerilla attire]. Even now, guerilla funerals move hundreds and even thousands of people to the streets. In a sense, the city acknowledges the death of a guerrilla, whose way of life stirs romanticism among its residents. It is very common to hear people in the city say, “The best among us have gone to the mountains, those who remain in the cities are bad apples.”

Twenty-three years ago, Zana himself was a guerrilla fighter. Before joining the PKK, he was arrested several times as a teenager. The first time he was arrested, Zana said, he did not know anything about judges and state attorneys. When asked by the latter if he was a PKK member, he said he was a sympathizer. Considering his then naiveté as an indication of his innocence, Zana told me, “I was as sincere with the state attorney as I would be with my friends and family.” Over the course of two decades in prison, Zana learned about the roles played by judges and state attorneys in the war, but also the nausea induced in him by the stench of handcuffs and those transporting prisoners. He was a recalcitrant detainee who constantly disputed with the court and was banned from hearings. The day the court handed down his capital punishment in 1992, Zana stood before the court in his *leşkeri*, which was stained with his blood, and called on the judges to surrender to the ARGK (The Kurdistan People’s Liberation Army [the PKK’s armed wing at the time]).⁹² “Back in the 1990s,” one of Zana’s friends related, “we had so much enmity against the state that when the court acquitted two inmates, they refused to leave prison because they wouldn’t accept *anything* from the state.” Zana’s friend believed that political detainees must now be more measured in their responses to the court. For example, another fellow inmate, who had previously refused to rise before the court as a “war prisoner,” now excused himself from standing due to “back pain.”

Even the PKK itself changed incrementally over the course of two decades: first, in 1995, by removing the hammer and sickle from its flag; and, second, by replacing its “liberation army” (ARGK) with a “self-defense unit” (HPG). In 2000, the 7th Party Congress ushered in a new chapter in the PKK’s struggle after declaring that its new

⁹² Since 1984, the death penalty has not been used. Zana’s punishment was thus converted to a life sentence. Zana was released from prison with the amendment of the Anti-Terror Law in 2004, which reduced sentences for membership in terrorist groups to 10 years. In total, he stayed in prison for 18 years.

strategy would be directed towards “the democratic transformation of Turkey and resolution of the Kurdish problem through democratic engagement with and solidarity between the peoples of the region” (Serxwebûn 2000:11). The shift in the Party’s program from one of Kurdish national liberation to the democratic transformation of Turkey is also evident in the early writings of Abdullah Öcalan:

The account of socialism of the nineteenth century is certainly deficient. It ceaselessly proclaims the struggle for “*class against class, national liberation against colonialism*” [emphasis in the original]. To some extent it [that struggle] is necessary, but what is more essential is to foster socialist democracy. It is vital to pursue a fight against grave environmental destruction and the madness of consumerism. This may be the new program of socialism and would be the purest expression of socialism and liberation of humanity (Öcalan 1998:30).

A class-based national liberation struggle against the colonizing Turkish state, which the first political prisoners had declared before the court (see Chapter I), was no longer the PKK’s ultimate mission. Instead of limiting the movement to one directed at national liberation, Öcalan called for the liberation of all of *humanity*. Rather than usurp the means of production, Öcalan highlighted the importance of fighting the insanity of consumption. Influenced by new social movements, the Party became concerned with the destruction of the environment and social democracy. Despite such a dramatic shift in the goals and tone, the PKK decided to maintain its guerrilla army until Turkey becomes a real democracy. However, the role guerrilla fighters and revolutionary cadres would play in this new fight remained ambiguous. As undesirable as their withdrawal from the Party is, their capacity to radicalize politics is thus held at bay.

Zana, in contrast, conceded that he had not changed much despite the alterations in world around him. At a KCK trial hearing in 2011, Zana was once again banned from the court after roaring at the judge, “You cannot call the language of a people [referring to Kurdish] an *unknown language*.” He was not wearing his guerrilla outfit this time, but when it was his turn, he embellished his defense, as before, with citations from internationally acclaimed socialist poets and novelists, including Nazım Hikmet and Sabahattin Ali. Other than his lawyers and a few friends, not many were present to hear this socialist manifesto.

Perhaps the term revolutionary has reached its limits. Some among the militant generation of the 1990s are able to adjust, discursively and corporeally, to the political transformation and the new city life. Others, like Zana, could not cast off the orthodox socialist ideals and thus mourn the deaths of the beautiful children of the revolution. However, in the absence of a class-centered national ideology, this mourning reverts to resentment at middle-class Kurds who are accused of being *yoz* in their business practices and social lives. Although these revolutionaries appeal to working-class Kurds, it is not the predicaments of the market, labor, production, or distribution that they contradict with in their reflections on the forfeited socialist revolution. Rather, it is the values associated with the revolution that they consider to be at stake.

In a way, as the Kurdish movement reconciles with capitalist market economy, the moral economy that revolutionaries embrace gets detached from its class-centered framework. Therefore, what underwrites the term *yoz* is an understanding of moral economy that is different from E.P. Thompson’s, whose interest lies in the cruel exigencies of the industrial capitalist order through examining the historical experience,

customary practices, and moral expectations of the English working class (see Edelman 2012:56). Drawing from Lorraine Daston (1995), I approach to *yoz* as an indicator of the production, circulation, and appropriation of “affect-saturated values” that “display certain regularities that are explicable but not always predictable” (Daston 1995:4). This definition, as Fassin argues, takes into consideration both the dynamic of change in the moral space and the agents’ capacity to adopt, contest, or manipulate ethical objects (2015:203). In this sense, the most pronounced adjustment of revolutionaries to the new moral economy of the movement unfolds through valorization of the Marxist term contradiction to denote a fight between *good* and *evil*.

The Moral Contradiction

One day Zana called me to set up a “real” interview. Our previous meetings at the teahouse were interrupted by other former detainees or phone calls from party workers every other hour. To avoid any disruption, Zana and his young nephew took me to a picnic spot in *Kent Orman* [City Forest]. He knew that I did not use a voice recorder for our meetings to protect his anonymity, so he asked me to take my notebook out to record his words verbatim. Unlike other former detainees, who identified themselves as activists or politicians, which are the terms used in the new politics of the Kurdish movement, he preferred to be called “professional revolutionary” and began to describing what the revolution entailed for him:

We yearn for a life in which each individual lives with dignity. We ventured to build that life. Right, we had the utopia to establish Kurdistan. But what is really at stake is to make people feel dignified. With this dream in mind, I took part in the struggle in the 1990s and stayed in jail for thirteen years. When I came back to Diyarbakır in 2005, I saw that

we [the movement] had lost our municipalities. Everybody was in a fight with each other; people who had faith in the movement were hopeless. This movement had lost its spell.

Zana identified the post-1999 period⁹³ with intra-party conflicts, a time when the PKK was on the brink of disintegration. The inner circles of the Party had conflicting visions for the future, and a significant number of guerrilla fighters were disarmed and returned to civilian life. Additionally, conspiracies that the state infiltrated the Party to dismantle it from the inside circulated widely. Collaborators [*işbirlikçi*], it was believed, were everywhere from top to bottom. Thus, the front page of the party journal *Serxwebûn* was captioned in September 2004: Revolutionary Resistance Against Collaborators and Traitors (see Figure 7). Accused of treason [*ihanet*], two major commanders from the PKK's Central Committee, who went with *nom de guerre* Osman and Botan, took refuge in southern Kurdistan to escape reprisal. There were also rumors that even Öcalan's prison letters to the Party were re-written by the Turkish Intelligence to pacify loyalists within the movement. Until the June 2004 guerrilla offensive on a military outpost, which terminated five-year-long armistice by the PKK, the crisis within the leadership continued.

⁹³ 1999 marks the confinement of Abdullah Öcalan in an island prison in Turkey.



«B«RL«KÇ«L«K VE «HANETE KAR«İ
DEVR«MC« D«REN«İ



Figure 7: In September 2004, The Party Journal calls on people to pursue revolutionary resistance against collaborators and traitors

Retrospectively, the PKK referred to the period between 1999 and 2004 as the demobilization process [*tasfiye süreci*]. During this period, it was believed that the state attempted to destroy the movement not through armed struggle, but vis-à-vis collaborators who conspired against revolutionaries in strategic party positions, loosened the discipline of the guerrilla army, and eased the rules of militant life. At around the same time, three to four thousand political prisoners were released from prison with new legislation as part of Turkey's bid for accession to the European Union. Many policy analysts at the time believed that the release of former PKK fighters would not pose any threat to the state since the Kurdish movement was considered to be over. It was in this political atmosphere that Zana was released from prison and sensed that the PKK had lost its spell in northern Kurdistan.

After the 2005 elections, I traveled to the cities and towns where thousands of people did not show up at the ballot box. Thousands who had given their children, their money, their houses [to the movement] did not vote! Some people [within the movement] caused

graver disappointment than the state. Moral breakdown [*ahlaki çöküntü*] is deeply ingrained in the societies worn down by colonialism. Our municipalities were involved in corruption, thievery, oppression, and all that. I wrote a report concluding “if this is not stopped, people would bury their hope under the ground.” Could you imagine: associations for prisoner families were established in the towns where there was no prison? We closed down associations like TAYDER (Association for Prisoners) and MKM (Kurdish Culture Center) that were parasites on the municipality budget. The budget for annual celebrations like Newroz had reached three million dollars! We cut that off and required the local municipalities to organize celebrations with their own budget. We fired the municipality personnel who did not go to work, including a mayor. We came down heavily on corruption and bribery, cracked down mafia and prostitution networks. The source of the evil was the same people: big mafia groups. When we took severe measures to change the system, the city was no longer profitable for them—they left the city. With the money recouped from them, we bought fifty public buses. The money, once shared among big mafia groups, was spent on buses. We spent that money on education, public housing, health, and transportation. We established associations for the alleviation of poverty.

Zana’s narrative unfolds like a *film noir*, the revolutionaries return to the city to find that the way of life they were fighting for no longer exists. The demobilization process, in which internal conflicts peaked in the Party, had devastating effects: the reign of a middle-class way of life. During my interview with another revolutionary, the tension with the middle class was framed as a contradiction between representational democracy and revolutionary politics. Whereas, the former is predicated upon the power of the middle class, the latter is concerned with the mobilization of the working class. As the

Kurdish movement utilized the tools of representational democracy to strive for Turkey's democratic transformation, it began to recognize and incorporate the concerns and ideals of middle-class Kurds.

Ultimately, for Zana and his friends, the contradiction that the incorporation of middle-class Kurds to the movement brought out was a moral one between "good" and "evil." By defining the contradiction on moral grounds, any structural problems that may have led the municipalities to corruption, thievery, and oppression are bracketed off. Similar to the way disorder is articulated in the postcolony (see Comaroff and Comaroff 2006), Kurdish revolutionaries subscribed to the notions of good governance and accountability to overcome the disorder that was conceived to be a product of "corrupt" individuals rather than a corrupt system. Zana continued to describe in detail the auditing system he set up for municipalities to make the flow of money transparent and the municipality workers accountable. To even out the ledger, he then redistributed the ill-gotten gains on public services.

As opposed to the "traitors" in the mountains who have proper names like Osman and Botan, the evil encountered in the city seems to be less visible, yet even more ubiquitous. Even though Zana calls big mafia groups evil, he expresses uncertainty about their identities. On the one hand, their access to the movement ranges from municipalities to prisoner associations, and, on the other, they are crystallized within the morally charged category "mafia." The same ambiguity figures in Zana's complaints about celebrations such as Newroz, which has become a symbolic event for the Kurdish movement to perform its hegemony since the 2000s. Likewise, the bureaucratization of the movement through the establishment of redundant associations is a manifestation of

the movement's reach to the civil society. Further, the dependence of politics on elections leads to new alliances with the middle class. In the city life, therefore, treason is not defined in terms of direct collaboration with the state nor does Zana target those who must sell their labor to state-owned industries or the public service sector out of economic necessity (cf. Kelly 2010). What Zana instead refers to is a group of people emerging from within the Kurdish movement who exploit its own resources. In a sense, the alleged "big mafia groups" are neither traitors nor collaborators, but are rather *yoz*, providing breeding ground for treason. If the middle class is at once a foe and friend, what are Zana's denunciatory practices productive of?

Mookherjee's (2010) analysis of the role of Razakars—those who collaborated with the Pakistani Army during the 1971 Bangladesh War—in Bangladesh's freedom struggle [*muktijuddho*] may offer insight into this corrosive processes. Despite their complex and varied social positions, Mookherjee shows that for left-liberal intellectuals, Razakars have come to signify the stereotypical image of the Islamist collaborator, who stands in stark contrast to what they imagine for Bangladesh, namely secular nationalism. "Through the block or obstacle of the Islamist collaborator, the fantasy of the full Bangladeshi identity is sustained as this identity yet to be. Accusations of collaboration help to map out not only the boundaries of the collective subject; they also lay claim to moral and political certainty in the face of uncertainty in Bangladesh" (2010: 67). In a sense, through the denunciation of Razakars, an epic culture of heroes and villains is sustained despite the continuous melding of one into another.

In a similar fashion, Zana's narrative reveals how the middle class and revolutionaries are at once inseparable and in constant tension. Zana, however,

distinguishes the two on moral grounds by referring to “prostitution” and “drug-use” as markers of the social lives of *yozi* involved in corruption. Put differently, prostitution and drugs are the idioms in Zana’s narrative by which the distinction between good and the evil is solidified, so as to sustain the fantasy of *the beautiful children of the revolution*. As the dream for revolution is replaced by the struggle for democracy, it is through moralized vocabulary that Zana and other revolutionaries keep this fantasy alive. Moral idioms redraw the boundaries between revolutionary and middle class politics, which have become permeable only in the last one decade. However, Zana came to realize once he was put in prison in 2009 that the moral codes they vehemently promoted were fraught with suspicion when exercised in the city.

But your work doesn’t end there when you stop the evil. It is not so easy to target all those people. I felt very lonely in this city. I was afraid to see my friends for the rumors about me that were circulating. They [middle-class Kurds] called us Stalinist commissars. They said, “The spirit of communism is wandering in the city,” and complained that the time for arms will be over. The news of our imprisonment [in 2009] was therefore praised by some in this city.

Zana was not the only target of these accusations. Other former detainees I interviewed stressed that the state’s anti-propaganda against revolutionaries was effective among the middle class, including Kurdish MPs, mayors, and bureaucrats. It is perhaps not only the state’s anti-propaganda machine, but also the ambivalent position revolutionaries occupy in the Kurdish movement’s changing politics that makes them susceptible to suspicion. Even though the militant politics of the movement paved the way for democratic politics, the responsibilities of cadres, reminiscent of other national liberation struggles, remained

the same. Professional revolutionaries are cadres of the Party, whose responsibilities are defined in the Party Program as follows:

One who acknowledges the program of the Party and is responsible for its implementation; who takes the will of the Party as fundamental and gradually attaches themselves to the Party's will; who joins Party life and tactical application all day in an organ of the Party; who exuberantly works for the Party's fundamental aims in the manner of not making concessions, of not following self-advantages and of [making] unlimited self-sacrifice by embracing the Party's demeanor, tempo, and style (Özcan 2006:137).

In this formulation, revolutionaries are professional not only in the sense that the only work they invest their labor in is Party work, but also that they are required to leave behind all other responsibilities except for that which they bear to the Party. The will of the self, moreover, is fashioned as identical to that of the Party, for which a revolutionary must be ready to sacrifice her/his life. Familial and contractual relations, then, are viewed as hindering one's devotion to the Party, at best, or feeding into self-interested politics, at worst. After joining the Party, contact with existing family members must be cut off, private property denounced, and romantic relationships avoided. Regardless of the transformation of its political cause, revolutionaries are required to *completely* assimilate their individual needs and desires into the demeanor, tempo, and style of the Party.

Rumors of moral corruption are however as threatening for the revolutionaries as they are for the middle class. In the parlance of contemporary Kurdish politics, "Stalinism" has gained a particularly derogatory connotation after the collapse of the Soviet Union. Though socialism is still part of its political agenda, communism is a

much-avoided term, not to mention Stalinism. Hence, being called a Stalinist commissary implies being associated with an outdated and coercive politics. Just as rumors of prostitution and drug use are mobilized to smear middle-class Kurds, calling revolutionaries Stalinist commissaries is similarly discrediting. In this way, revolutionaries could be turned into self-interested and power-hungry individuals. As rumors of revolutionaries being Stalinist commissaries circulated in Diyarbakır, people like Zana felt the ground beneath their feet slipping away. The revolutionary struggle had become a double-edged sword, with the potential to become an antidote of the dignified life for which it was being waged.

Ironically, the contrast between these two groups is put in temporary relief by police operations targeting members of both without prejudice. The revolutionary and middle class, contradictory figures of Marxist politics, are made to share the everyday in prison. Even if mutual suspicion does not dissolve, a common moral ground is established in the face of a common enemy: through the ideal of “standing together against the law.” On the one hand, the operations received public attention in northern Kurdistan due to the imprisonment of well-known Kurdish politicians, who were elected representatives of the Kurds. Attacks on these Kurdish politicians also led to the operations being redefined as attacks on the will of the people. On the other hand, these politicians, who were in prison for the first time in their lives, relied on the support of the revolutionaries to survive difficult prison conditions and develop sound legal strategies.

Sharing everyday life in prison demanded an understanding of each other’s life worlds. One revolutionary, Hasan, described the interaction between revolutionaries and middle-class Kurds in prison as follows:

“Some of us were committed to the cause with our lives, others were workers in municipalities or civil society organizations. You cannot expect the same level of devotion from everyone. You cannot expect everyone to pay the same price [*bedel*] as you did. In prison, some inmates implied that it was easy for me to stand against the state because I did not have kids to worry about. They said, excuse my language, ‘When you are single, it is easy to divorce a wife’ [A Turkish proverb: *Bekara karı boşamak kolaydır*].”

When Hasan joined the movement as a guerrilla fighter, he suddenly disappeared from the lives of his family and his lover from the pre-revolutionary years.⁹⁴ Having severed his family ties, he admitted that neither he nor Zana had the same concerns as those who were married with children and waited impatiently for prison visits or court hearings to see their family. Likewise, Hasan was not as concerned about the prospect of a prison sentence as others were and declared, “I stayed in prison for 23 years. If needed, I would spend 23 more.” His devotion to the movement, however, did not imply that he did not desire what would be reproached as the “middle class concerns” that his fellow inmates harbored for their families and children. When the morale of his fellow inmates fell with each missed occasions in their children’s lives, such as a graduation or wedding, Hasan would say, “At least you have children, we do not even have that.” The lack of children and a conjugal family was a *price* Hasan paid rather than an emancipatory choice made. He failed his family and loved one at the present moment, but only to secure the future imagined for the “family” of the nation.

⁹⁴ In the early years of the movement, some parents had informed the police on their children in order to prevent the participation of their children in the guerrilla war, which carried the threat of immanent death.

Although this price is without immediate material return, it is a formative aspect of becoming revolutionary in the Kurdish movement. It is through this price, understood to be a form of self-sacrifice, that party members like Zana and Hasan claim a morally higher ground while concurrently bearing the risk of being identified as “Stalinist.” This dedication to the Party’s cause can be referred to as an “ethics of conviction,” which implies that their actions are motivated by the principles that the Party set forth to achieve the ultimate end: “freedom,” very broadly defined (Weber 1919 cited by Fassin 2015). The means used to reach this end, including the sacrifice of the self and others, are justified by the proclaimed conviction that distinguishes revolutionaries from the rest regardless of how close they have become in the changing city life. To understand the kind of militant self that the ethics of conviction promotes and the disciplinary mechanisms through which this self is conducted, in the next section I consider the principle and practice of self-sacrifice.

The Militant Self

The image of a revolutionary as always ready to sacrifice his life for the Party is an ideal that the actual revolutionary often falls short of. Within the epic narrative of self-sacrifice, martyrdom figures as its ultimate form, and resonates throughout in the Kurdish movement. As Siyar Özsoy’s (2010) insightful analysis of guerrilla funerals in northern Kurdistan shows, since the early 1990s it is customary for the families of martyrs to prepare groom henna for their sons and cover the coffins of their daughters with a bridal veil. The funerals of unmarried guerrillas are thus transfigured into a mimesis of their imaginary weddings. Özsoy (2010) describes one well-known story of martyrdom in

Diyarbakır. It begins with the release of the political prisoner Hebun, who tells his family that he wants to marry Emel on August 15th. Excited by this news, Hebun's family makes all the arrangements and plans to accommodate as many as four thousand people. The family, however, is anxious because the date coincides with the PKK's 1984 initiation of the armed struggle: Did the couple choose this date on purpose, and if so, what is their purpose? Due to a police raid at the wedding, the bride and the groom go on the run and their celebration remains incomplete. The families' unspoken fears are realized as Hebun and Emel join the guerrillas only three days after their unconsummated wedding. The henna that Hebun's family preserved from the ceremony is once again prepared when his dead body is returned. Hebun's interrupted wedding is thus concluded with his funeral that sees his body united with the soil of the homeland.

Özsoy notes that this story circulates in Diyarbakır as testament to the kind of self-sacrifice the youth are to undertake for their "nation," "soil," and the "patriotic struggle". Weddings and funerals are thus conjoined, becoming one and the same ritual, which glorifies the life worlds of guerrilla fighters while making their untimely death socially intelligible. The symbolic weddings of fallen guerrillas are affectively charged occasions at which loss turns sacrifice and mourning into a collective celebration (Özsoy 2010: 53). Actual weddings, however, are postponed to a future in which freedom has been realized.

The ban on conjugal love among freedom fighters can be traced to the nationalist discourse codified by Kurdish intellectuals of the early twentieth century. As Martin Strohmeier's work on early nationalist intellectuals shows, "[...] the marriage metaphor implies that the individual achieves fulfillment only in battle for the fatherland, that the

true objects of his affections are his land and comrades. All are obliged to merge in this wedding, a union which supersedes all other bonds and relationships. Thus united as one will, one body, their blood sacrifice will conceive the precious child, freedom” (2003:88). As a contemporary Kurdish intellectual, the leader of the PKK pushes the national project one step further by delineating the codes of conduct for guerrillas to become masters over their desires and pleasures. In his lectures to revolutionary cadres, compiled in three volumes under the title *How One Ought to Live* (Öcalan 1995, 1996, 1999), the leader concentrates on love, sexuality, and the relationship between men and women in the context of guerrilla warfare. Öcalan presents what many in the PKK considered irrelevant to the liberation war as yet another front, the loss of which would precipitate the loss of the entire war. Just like the example of Nicocles, who intends to be a model for his fellow citizens through self-mastery over desire (Foucault 1990[1984]:172), Öcalan’s lectures draw extensively on his personal experience and describe how he managed his desires to carry the struggle forward.

The foundational story structuring Öcalan’s entire corpus of lectures is the failed conjugal relationship he had with the female founder of the PKK, Kesire. After purging Kesire from the movement, Öcalan began giving lectures on *How One Ought to Live*. Öcalan’s marriage, which lasted for ten years, was exceptional: the prohibition on marriage holds for other party members. Accusing Kesire of working for Turkish intelligence, Öcalan unpacks the dynamics of his previous marriage to demonstrate how the enemy could trap [*düşürmek*] party members by appealing to their desire for women, love, and sexuality. Öcalan redefines his relationship with Kesire, the “collaborator,” as a manifestation of the sinister war the Turkish state deploys against Kurds (Öcalan

1995:45). Had he surrendered to his desire for her, Öcalan argues, he would have been controlled by not only Kesire, but also the Turkish state (1995:93). Öcalan credits his self-mastery with enabling him to perceive the trap, prioritize his ties to the Party over the conjugal one, and protect the movement from corrosion. However, the threat is still there for all other party members, whose primordial desires, he warns, could distract them from the war if not moderated and restrained.

As a leftist revolutionary, Öcalan denounces the codes of honor imposed on young men and women through the traditional, feudal norms prohibiting sexual acts out of wedlock. The revolution is committed to “liberate” Kurds from these “oppressive” and “backwards” traditions. Yet Öcalan prescribes for revolutionaries an ethics of conviction based on sexual abstinence and an ascetic form of life that he perceives to be indispensable for the success of the militant struggle. By doing so, he distinguishes his injunctions on love, sexuality, and marriage from the moral codes of the social and situates them in the domain of ethics of self-conduct.

In the PKK’s guerrilla war, Öcalan believes physical strength alone to be insufficient—it must be complemented by the strength of self-mastery over desire, particularly sexual desire. In his formulation, sexual desire is neither inherently evil nor sinful, but its disorderly nature undermines the kind of discipline necessary for militants. Self-indulgence in bodily pleasures, then, dissolves the militant self, which requires alertness to discreet traps and strengthening oneself with the “hammer and anvil” every day (1995: 97). Öcalan expresses the threat of the sexual act to the militant self most concretely when he writes, “For most of you, sexual intercourse is a means of satisfaction and exhaustion. You feel like a man, you feel fulfilled. Then you think your world is

complete” (158). From this perspective, sexual activity is an expenditure that exhausts one’s physical energy and his desire to wage a war against the enemy as a result of the temporary pleasure of dominion derived from it. Similar to the way it is articulated in Greek thought, the sexual act is seen as “sapping the strength the individual should conserve and maintain, through the exhaustion it caused; and as prefiguring the death of the individual while assuring the survival of the species” (Foucault 1990:125). Indeed, Öcalan frequently refers to both the physical and moral death of the militant who loses himself in the pleasures of love.

Recognizing that the guerrilla army of the PKK is comprised of young men and women inclined to fall in love with each other, Öcalan’s lectures command them to direct their energy into the war being waged for “true love”, meaning the love for homeland (1996:61). However, he adds a crucial caveat in his formulation to further impress upon the significance of this channeling of desire. He says, “We are in a revolutionary period. The relations we establish are not normal relations, but are rather relations of historical importance” (1995:81). In this sense, existing conjugal and sexual relations reveal the deepest weaknesses of human beings and are forbidden until freedom is achieved. If these relations are not avoided, Öcalan says, “You will be enslaved. This weakens the level of your militancy and diminishes your capacity to fight” (76). In a sense, militant times are portrayed as extraordinary: a period in which the entertainment of primordial desires might have lethal consequences. Abstention, on the contrary, strengthens the self and prepares the revolutionary for sacrifice. However, perhaps it would be more accurate to assert that sexual activity and love are not prohibited, but deferred until the “right time.”

To reinforce this kind of self-mastery, revolutionaries are regularly called to attend meetings of the PKK to discover, develop, and overcome their political, military, and personal weaknesses. Through a cycle of criticism and self-criticism, such training sessions are designed to cultivate self-awareness and promote self-control. In the second volume of *How One Ought to Live*, one finds several dialogues between Öcalan and revolutionaries at meetings that test the extent to which the latter have internalized the former's lectures. With great formality and a clear hierarchy in place, Öcalan asks a revolutionary, for example, about his wife and marriage after he joined the movement. Initially, the revolutionary says, he had promised his wife that he would take her along. However, after the training he received, the revolutionary admitted that he turned away from his earlier beliefs on marriage. Öcalan approves the revolutionary's new sense of selfhood: "I am talking about a new marriage, principal marriage, political marriage. You are now married to the army, to the Party, to the country. This is the primary marriage you have to achieve. Other marriages are prohibited for those of you who do not undertake this marriage" (1996:182). Marriage to the nation relies on the sacrifice of existing ones, with sexual energy re-directed to the war for freedom and the funerals of guerrilla fighters becoming the mimesis of their wedding.

In her analysis of Sikh militant discourse in Punjab, Das underscores the way the "nature of time" is articulated in the discourse of community, which produces violent individuals under specific historical conditions (1995:133). In the Sikh militant discourse, Das stresses that the present is the site believed to give birth to a glorious future. It is when the present is charged with such an extraordinary potentiality, Das argues, that the suspension of ordinary morality becomes possible. We can see a similar depiction of time

in the PKK's discourse in which love is imbued with a treacherous quality, which at the present moment is presumed to distract the revolutionary from her/his "true love" for the nation.

In Öcalan's lectures, it becomes clear that there is an abundance of cases in which revolutionaries escape the PKK in pursuit of individual love. If love becomes equivalent to treason, then those revolutionaries disregarding the ban on love face a range of disciplinary and punitive actions, including intense ideological training, a reduction of rank, suspension of party membership, and even expulsion from the Party. Though the deterrent power of these measures appears self-explanatory at first sight, when I asked a former prisoner (who had served as a guerrilla fighter) whether it was actually possible *not* to fall in love, he rebuked me for placing too much emphasis on the rules and not paying enough attention to the subtle ways through which they are transgressed. Shifting his language from indicative statements to more figurative ones, he commented, "If you are a guerrilla, you must know how to make a fire without smoke." Like the fire in the mountains this former guerilla implied that the fire of desire could be entertained as long as it is shielded from view. Indeed, through the use of poetic language woven with endless metaphors, some former guerrillas published poetry on desire. One militant wrote:

Far away from me
at the edge of the night
there are hazel eyes. The rose is in chains
at the door of a heavy night
Like a lightning that dies out
shivers with frostbite

this delicate life.⁹⁵

In addition to this genre of poetry infused with a deep sense of longing and desire for the lover, there are other stories speaking to the unruly world of desire, which could not be restrained by militant pedagogy. Let me narrate one iteration of a well-known story that I heard from my interlocutors.

The story begins with a Kurdish villager's decision to join the guerrillas despite the fact that he is married with two small children. After some months of guerrilla training, the man is sent to a post only a few miles away from his village. [Here, the narrator notes that guerrillas are seldom sent to posts that are close to their homes. The reasons for this caution will soon become clear.] One night, once his comrades have sunk into a deep sleep, the man climbed down the mountain to visit his beautiful wife. From then on, he visited his wife in the evenings and returned to his post at dawn. A couple months after the man is transferred to another post, his wife realizes that she is pregnant. She keeps her pregnancy secret until it is impossible to hide. Fearing what might happen to her husband if the Party learns that he violated the rules, she does not tell anyone who the father of the unborn baby is. Instead, she bears all the threats and severe beatings from her husband's family. Finally, the husband's family shares the decision of the family council to kill the man's wife for sullyng their reputation. At this point, the man intervenes and discloses the truth to both the Party and his family. Though ultimately saving the lives of his wife and child, the Party forbids him from ever returning to that region.

⁹⁵ To maintain the anonymity of the author, I have refrained from offering details on the source of this poem.

In this story we see the kind of terror produced through transgression, in this case for a man and woman who used to form a conjugal family. Once the man joins the guerrillas, his marriage becomes null in the eyes of the Party. Despite the ideological training to transform the “self” into a militant one, the man cannot stay away from his wife in her vicinity. By visiting his wife every night, he violates the marriage rules of the Party, as well as its rules of war, which require guerrillas to be alert at all times. The lethal potentiality folded into the pursuit of forbidden pleasure becomes apparent to the couple only after the fact. Insofar as the rules of the Party conflict with the rules of the family, the wife risks the death of her and her unborn baby rather than disclose her husband’s secret. In so doing, she attempts to save the name of her husband within the Party at the expense of dishonoring the name of the family. We can guess that the wife misreads the Party’s injunctions or takes them at their face value when they are indeed more flexible in practice.

Rather than speculate on the possible miscalculations, however, I am more inclined to read this story as a manifestation of how desire births an image of the present that cannot be forfeited for an unknown future. To stretch the metaphor of fire and smoke even further, the fire of desire is predicated upon the momentary forgetting of the kind of smoke it might emit. Nevertheless, this story also reveals how desire gathers lethal force as it is articulated in the form of treason, inciting an intense anxiety that presides over the fear of love ushering in death.

While the violation of the rules of the family by women is framed as an assault on family honor, the Party assesses the transgression as a sign of individual weakness in resisting the kind of pleasures offered by the sexual activity. Consequently, the failure to

comply with rules is the revolutionary's failure to denounce personal pleasures and dissolve himself in the rhythm, tempo, and style of the Party. Since the Party defines the desire for national freedom as the one and only felicitous desire to be pursued by revolutionaries, any personal desire carries the threat of treason. The term commonly used for those entertaining such desires is *düşkün*, meaning fallen, devoted, and decayed, with the presumption that as one devotes oneself to the pleasures of life, she/he will become susceptible to decay and fallen into the trap of the enemy. To overcome this weakness, those violating the militant codes of sexual and intimate relations are often sent to a front of the war, where the *düşkün* self would transform into a militant self, devoted to impersonal love and strengthened by war. In addition to the transformation promised by embodied involvement in war, the Party emphasizes the importance of self-reflexive practices that are held during ideological training, which purportedly disciplines one's desires and prevents her/his "decay." What is particularly striking about the Party's articulation of *düşkünlük* is that the undertones of decay, which invokes the imagery from nature that is used in other contexts to naturalize corruption (see Khan 2015), is deployed here to indicate that the natural course of life becomes inapplicable to the revolutionaries in militant times.

Secret Witnesses

What is the relation between *yoz*, *düşkün*, and secret witnesses? The accusations of treason against middle-class Kurds are framed within the language of corruption, instead of conviction. Even if the moral codes underlying militant ethics seep into how revolutionaries view middle-class Kurds, the latter cannot be accused of failure in self-

mastery, but of *yoz* politics that forsake social relations in the name of personal gain. The criteria used to assess a revolutionary's conviction, however, is concerned with the disciplining of the self to overcome *düşkünlük*. Insofar as the ethics of self-making cannot be fully overseen by the Party, it is when the failure to abstain from pleasure becomes public knowledge that the revolutionary faces sanctions. This distinction that I delineated between *yoz* and *düşkün* becomes completely blurred in the courts of law where revolutionaries serve as "secret witnesses," testifying against their comrades to avoid prison sentence.

Imprisonment itself is viewed as a measure within the PKK, which separates the resilient from the weak, and the committed from the surrendered. As opposed to fighting an enemy through which revolutionary could actualize the ultimate self-sacrifice, capture by the enemy might turn her/him into the opposite of that self: the weak, the defeated, and the traitor. Similar to other contexts where torture produces collaborators in revolutionary movements (Feldman 1991; Talebi 2011), the prison accounts of Kurds are also infused by stories of revolutionaries shifting their allegiance to the Turkish state (Şahan and Balık 2004).

As such, distinct terms are used in Kurdish to define the various grades of treason to the Party. Though each has derogatory force, the gravity of treason signified is distinct. For instance, while *düşkün* [Turkish] and *ketin* [Kurdish] connotes the act of falling, when used in the context of treason it denotes falling into the enemy's trap. In addition, *Tırşıkçı* distinguishes the supporters of other Kurdish political factions from those of the PKK. Literally, it is the person who makes a *tırşık* [hodgepodge] meal, which serves as a metaphor (in the parlance of the PKK) deployed to demean someone for his inconsistent

and ambiguous political position with regard to the Turkish state. *Caş* [donkey's foal], however, defines active involvement as a counter-revolutionary or in paramilitary activities against the PKK (Gürbüz 2012). Those called *caş* may be targeted by PKK attacks and include armed Kurdish village guards participating in operations launched by the Turkish army. Finally, there is *ajan* [spy, agent], which is an oft-used term that fosters a more generalized suspicion within the Kurdish community, suggesting that anyone might be spying on each other, including neighbors, co-workers, family members, and friends. *Ajan* is the least identifiable category, since the person passing on information to the state keeps his identity secret. Until recently, the identity of an *ajan* was revealed if the person testified against the defendant under the auspices of the Sincere Confession Program [*Samimi İtirafçılık*]. Identified as "sincere confessor" by the state attorney, the person had to reiterate her/his testimony before the defendant, who was then afforded to pose questions to him. The recently established "secret witness" program, however, has incorporated additional protections to protect the identities of so-called *ajan*. Accordingly, suspicion has grown even more intense as the courts began protecting the identities of those providing them with useful information.

As a technique of evidence collection, the use of secret witnesses was legislated into the Criminal Procedural Code in 2008. At the time, the judiciary launched an unprecedented political trial against Turkish military commanders, who were accused of plotting a coup against the AKP government.⁹⁶ The legislation, which prevents the disclosure of the identity of witnesses offering testimony for the investigation of organized crime and terrorism, introduces an exception, the use of which is justified only

⁹⁶ The articles pertinent to secret witness are Criminal Procedural Code Articles 58, as well as Articles 5 and 9 of the Witness Protection Law.

in the case of severe threat to life, property, and the bodily integrity of witnesses or their family members (Tatar 2013). Further, secret witnesses could testify in the absence of the defense if the judge and state attorney determine the judiciary to be incapable of protecting witnesses in any other way. With the exception of these conditions, the law obliges witnesses to testify in open court to protect the accused's right to face their accusers, defend themselves with full knowledge of the evidence against them, and have a fair trial.

If the state attorney accepts a witness' request for protection, all personally identifiable data would be censored from the official record. As a result, the defense must contend with testimony from an anonymous source and without any access to the witness her/himself. Unlike the sincere confession program, in the secret witness program, the defendant and witness do not face each other before the court. Moreover, the judge would not be able to assess the witness's facial expressions, tone, or the affective mood as an indicator of the reliability of her/his testimony. Finally, as it would not be known what a witness's exact relation to a defendant might be, the court would not be able to eliminate the effects that a possible personal animosity might have on witness testimony. Due to the predicaments resulting from secret witnessing, legal professionals assert that any evidence collected through this program is unreliable and can only be treated as supplementary evidence (Tatar 2013). It is also prescribed in Article 9 of the Witness Protection Law that secret witness accounts cannot constitute the basis of a final verdict.

In the KCK trial, four witnesses were granted protection due to the extreme danger, the state attorney contends, the disclosure of their identity would pose to their lives and family. These witnesses who abstained from testifying before the court appear

in the indictment with codenames: *Xtanık* [Witness X], *Mercek* [Condenser], *Günüşiği* [Daylight], and *Papatya* [Daisy]. The extent of the information they provided the state attorney with varied. Nevertheless, all of them described the organizational structure of the KCK, identified defendants from their pictures, and established links between those defendants and the larger KCK model. Since the law requires secret witnesses to clarify if and how they know the defendants they are testifying against, the KCK indictment reveals that witnesses were *not* strangers—some knew the defendants from various municipalities and NGOs, others from prison, and still others from the internal party meetings.

At the center of witness accounts are professional revolutionaries accused of being executive members of the KCK. Whereas the testimonies of Daylight and Daisy were limited to general descriptions of the responsibilities of some defendants within the movement, the Condenser and Witness X claimed to have more intimate knowledge of the defendants of the trial. The Condenser, for instance, said of Zana: “I have known him since he worked in Diyarbakır. He is among the founders of the KCK and holds a very senior position. He investigated corruption cases of municipality workers, seized the properties of those involved in corruption, and transferred money to the organization.” Witness X, who seems closest to the defendants, made even more specific allegations by giving the names of individuals involved in the money transfers, had himself participated in meetings where high-level party decisions were taken, and identified camps where he had received ideological training along with those on trial.⁹⁷ Over the course of his testimonies, stretching over twelve months, the state’s attorney called Witness X to his

⁹⁷ The testimony was recorded in such a way that the information Witness X provided is both specific enough to demonstrate his knowledge of the defendants and vague enough to prevent disclosure of his exact relation to them.

office twice. In these meetings, Witness X drew organizational charts of the KCK, disclosed the command-order hierarchy within the party, and clarified the strategic organizational positions of each person he had identified. At the end of his statement, right above his signature, it is written that Witness X requested that the Effective Repentance Law be applied to his case. This implies that if the court finds his repentance felicitous according to Article 168 of the Turkish Penal Code, the testifying witness's criminal charges may be absolved for helping the judiciary establish the truth.⁹⁸

During the adjudication, secret witnesses played a role in the defense statements of some revolutionaries, who questioned the reliability of their testimonies. Having taken extensive notes on secret witness accounts, a certain defendant, Dirok, argued that these statements were not authentic—but fabricated according to police intelligence (see Figure 8 below). Dirok's objection to the accounts of secret witness was based on two observations: (1) repetitive clauses employed across the testimonies; and, (2) the extent of information each secret witness claimed. First, Dirok compared two separate testimonies offered by Witness X over the course of a year. These unique statements shared seven identical pages, which included identical sentence constructions and punctuations. Based on this observation, Dirok asked whether anyone could repeat even five consecutive sentences with the same words and tone in twelve-month intervals. Such repetitions revealed that Witness X's testimony was not typed as he answered the state attorney's questions, but were instead copied and pasted from previous statements. The copy-pasting Dirok detected put into question the originality of the entire testimony, which, Dirok argued, was prepared by the police and given to the witness for reiteration

⁹⁸ For Article 168 of Turkish Penal Code, see <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5237.pdf> Last accessed on July 30, 2016.

in front of the state's attorney. However, because the witness was not present in the interrogation process, this argument could be no more than speculation.

Second, based on the period Witness X claimed to have spent in prison, Dirok contested the nature of information the witness had access to. If the witness was imprisoned, how could he know, with such detail and precision, what had taken place outside the prison, Dirok asked. Similarly, he posed the following questions: How could Witness X know that I frequented PKK camps in Iraq if he was in prison at the time? On what basis does he claim that I was constantly in contact with the KCK committee if our communication was confidential? If I was indeed a senior member of the organization, why didn't the witness give the state's attorney my code name? What's been offered to Witness X to lead him to give this testimony? In essence, Dirok insinuated that there was an agreement that guaranteed Witness X's acquittal if he read the statement prepared for him by the police.



Figure 8: A page from Dirok's notes on Witness X's account. On this page, Dirok identifies all repetitions, as well as any amendments across Witness X's two different testimonies.

In my interview with Dirok's lawyer, she surmised that Witness X was either someone who did not exist at all or, more probably, someone who had intimate

knowledge of the movement and the defendants in question, which suggests that Witness X was a professional revolutionary working for the state. The suspicion harbored by the defense lawyer about ajan-cum-revolutionary is shared by former political detainees. With the release of political detainees, the suspicion of ajan has gathered even more corrosive force. Now that the state's operation was over, it was expected that the PKK would begin its own operations against the ajan of the KCK file and any other collaborators. Rumors quickly spread that the PKK was dispatching its guerillas to detain any ajan in Diyarbakır who may be working with Turkish intelligence. One of my interlocutors whispered in awe: "Two or three hundred people have already been arrested. Guerrillas are everywhere, but you cannot recognize them. Some of them dress up like the lumpen-bourgeoisie, some like the proletariat. They walk around the city undercover. They know everything. They are aware of everything." In the following days, another rumor circulated that guerrillas arrested a few *yoz* middle-class Kurds for corruption.⁹⁹ It was believed that *düşkün* revolutionaries were among the "arrested," but people were afraid to pronounce their names due to the significant positions they used to occupy in the movement. Hence, the term ajan is invested with the qualifiers that *yoz* and *düşkün* connoted.

Ironically, the KCK file was used as a source of evidence to conduct this purge of *yoz* and the *düşkün* ajan within the movement. Four hundred fifty dossiers were included in the appendix of the KCK indictment and surveillance reports. These reports, provided by the Turkish police, contained an abundance of information on social and intimate lives of defendants. For example, because the surveillance technologies had tapped the phones

⁹⁹ This list was welcomed by some city dwellers, who were fed up with rentier capitalism, elitism, and opulence in Diyarbakır.

of defendants for twenty-four hours a day over two years, the reports included the conversations and text messages of defendants with lovers and relations out of wedlock. During the trials, defense lawyers requested the judge to remove any material violating their clients' right to privacy. The judge, however, neither read those conversations during the adjudication nor removed them from the file. With these materials now circulating outside the domain of law, the Party began to seek out those who failed to conduct themselves according to its moral codes and militant ethics. Insofar as the failure to denounce personal interests and pleasures in private lives is identified as "treason," the KCK dossiers have thus become an invaluable source for identifying and locating ajan.

As suspicion of the ajan has become perennial, the revolutionaries deployed the language of militant ethics to make the existence of secret witnesses (like Witness X) who informed on their fellow comrades intelligible. While the KCK file did not disclose the identity of Witness X, it did demonstrate the pressure that could be induced with the constant threat that the police could expose the details of one's intimate life at any moment. Dirok, with obvious sarcasm, mentioned that the KCK file precipitated the gossip that his love letters were found in the indictment. Unlike the 1980s and 1990s, confession, repentance, and espionage were not produced through torture, but through the revelation of moral breaches.

More significantly, the testimonies of Witness X revealed that he was actively involved in the movement since 1997, had family members martyred in the mountains, and risked his own life while working with other militants. Each of these episodes could be read as a sign of his conviction for the movement. Yet, what if his surveillance reports attested otherwise? In my conversations with former political detainees, the idioms of

düşkün and *yoğ* merged together as an explanation for the sudden transformation of arduous supporters of the movement into *ajan*. Obviously, surveillance reports in the file's appendix did not include each and every phone conversation, as the transcripts would become unmanageable. But one of my interlocutors speculated that the police had another secret file that the state attorney utilized to trap some revolutionaries. Thus, the puzzle of the disloyalty of anonymous revolutionaries was resolved: it was their own failure to master their bodily desires that turned them into *ajan* who would then do anything for personal gain. What militant times define as *yoğ* and *düşkün* are thus imbricated in secret witnesses who at once fail to master their bodily pleasures and forsake responsibilities towards their comrades. By testifying anonymously, they evade not only prison sentence but also public reprimand.

Conclusion

During militant times, the present as a site for the actualization of a "good" life is sacrificed for the future glories promised by the revolutionary struggle. The kind of violence folded into the failure to acknowledge the families' protest of party politics, the individuals' desire for a middle class lifestyle, and the revolutionaries' longing for conjugal and sexual intimacy is justified by the predicaments of war for nation, homeland, and freedom. Until the war ends and freedom is achieved, Kurds are commanded to conduct themselves according to the "extraordinary" conditions of militant times. That said, I do not infer that these extraordinary conditions entail an Agambenian exception that suspends all existing rules. Rather, through the idioms of

düşkün and *yoz*, the Kurdish movement situates the war within a morally saturated landscape of relations and ethics of the self.

In this chapter, I have shown how the tension between the middle class and revolutionaries is translated into a particular moral economy in which there is a constant fight between what is viewed as good versus that of evil. The moral economy of revolutionaries is not about the consumer or producer markets in which the working class sets a “moral” price. Instead, revolutionaries envision that the neoliberal methods of regulation, such as good governance and accountability, would help identify and situate corruption. Moreover, it is not only middle-class Kurds, but also revolutionaries who are implicated in this moral economy. The ethics of the self that revolutionaries are supposed to master becomes both conducive and antidotal to treason. Even though revolutionaries renounce the moral codes of the Kurdish family for being sexually oppressive, this chapter illuminated how militant codes of self-conduct might justify an additional form of oppression in the name of “true love,” awaiting all in the future.

In the context of the perennial moral striving of the revolutionaries for an ethical self and a free nation, political trials offer insight not only into the kind of violence the Turkish state exerts on Kurds, but also the limits of the sacrificial revolutionary politics pursued by the Kurdish movement. Even though the KCK trials could not establish the criminality of revolutionaries in the eyes of Kurds, the reports produced by the judiciary, along with the secret witnesses it recruited, have unsettled the ideals set for *the beautiful children of the revolution*. The expulsion operations of the Kurdish movement seem to temporarily re-establish the violated norms of the militant self. Nevertheless, insofar as

the unruly desires of life are considered to be yet another front of the war, the present moment of militant times is pregnant to treason.

Conclusion

This dissertation sought to give insights into the space of the political as charges of terrorism that are levied against the Kurds by the Turkish state become enfolded in everyday life in northern Kurdistan. If the law assigns the role of defense to Kurds by marking their quest for national recognition and political autonomy as somehow tainted with guilt, I investigate the ways in which this seat of defense comes to be inhabited. The political character of trials charging Kurds with terrorism is at once obvious and yet the shape such politics take cannot be taken for granted. In the context of the War on Terror, which sweeps away the question of the political and replaces it with glaring violence, the political moves to a different register becoming something achieved through the small steps taken in the everyday. The imbrications of the everyday, violence, and the political then provide the scaffolding concepts for this dissertation.

The first and third chapters of this dissertation offer two distinct pictures of the everyday: one from the confines of prison, the other from the corridors of the courthouse. In the first chapter, I focused on the afterlives of the court documents of Kurdish political prisoners, who were put on trial during the 1980 military junta regime. Examining the production, circulation, and archiving practices, I delineated how court documents have come to be tethered to the master narratives of heroism and victimhood in the commemoration of the notorious Prison No. 5. As human rights advocates and Kurdish political activists recast the stories of fallen revolutionaries in the genre of heroism, I showed that the only form of political action recognized as resistance turns out to be death protests. The survivors of Prison No. 5, however, are identified as the bearers of

trauma for whom activists seek justice and demand reconciliation. By commemorating the past in these two registers alone, Prison No. 5 is valorized as yet another camp where there was either bare life or heroic death. These symbolic representations of Prison No. 5 render the very condition of possibility for representation invisible. In whose voice do we hear the stories of Prison No. 5, if heroes are long dead and the survivors are traumatized? By examining the fragmented stories appearing in the archived court documents and oral histories of former prisoners, I considered the ordinary practices of prisoners as formative of the political space of commemoration: small notes exchanged between prison wards, paintings drawn after death fasts, English stories of Arthur and Mary written in the marginalia. Through these ordinary practices of writing, I argued that prisoners re-made the everyday after the destructive violence of the junta and re-emerged today as narrators of Prison No. 5.

In the third chapter, I presented a second picture of the everyday by attending to the modes of waiting, embodied and expressed through modulated talks and gestures of family members in the courthouse. As active participants of court hearings, families are implicated in the waxing and waning of the tensions between political detainees and courts. In the shadow of impending judicial decisions, everyday life in the courthouse is imbued with the feelings of hope and doubt harbored by family members as they wait for their relatives' release. This chapter then investigated how family members ward off their vulnerabilities while displaying their allegiance to the political cause of their detained relatives. In the space of law closely surveilled by the police and soldiers, I asked how family members regiment their posture, gait, and mood both individually and collectively to perform the "political"? By examining the subtle gestures and expressions of care

shared within and between families, I elucidated the labor involved in the making of a community among the family members of detainees. This transient community, coming together at court hearings, serves as a shield that helps individual family members endure the trials and tribulations of court hearings. Though this shield could be a source of hope for members of this community, it concurrently prevents the immersion of those at odds with such a regimented space. Thus, I argued that as family members put strong barriers between themselves and those at the fringes of the social, they simultaneously delineate what they view as the bounds of the political.

It is important to underscore that the everyday is not treated here as a site liberated from the intervention of the state or one in which Kurds seamlessly reclaim political space. If the first and third chapters revealed how life is remade in subtle movements that connect prisoners and families, the second and fourth chapters examined how the everyday is reconfigured by the discourses of “terrorism” and “treason.” The second chapter revealed that through the work of surveillance technologies, any Kurd could be charged with and prosecuted for executive membership in a “terrorist” organization. By simulating a distinction between what appears on the surface and what lies underneath, the law approaches everyday life in northern Kurdistan as a set of codes that, if closely surveilled, could be cracked and expose hidden “terrorists.” According to the state attorney, this surface is comprised of public squares populated by crowds and is fabricated by the KCK, a *rogue* state challenging the Turkish state’s popular sovereignty. Wire-tapping, e-mail hacking, and bugging devices are then employed to establish connections between public and private domains, unified bodies of crowds and individuated bodies of suspects, and the *illegitimate* state of the KCK and the *legitimate*

state of Turkey. As the law conspires as to what lies in the *interior* of this surface, I revealed that surveillance expands its reach across space, time, and bodies. Thus, I argued that when the everyday is purportedly rendered “transparent” by surveillance technologies, one cannot know in advance which bodies and whose actions might be read to implicate one with the charges of “terrorism.”

While the law refashions the everyday as tainted by “terrorists,” the fourth chapter showed that the Kurdish movement views it as sullied by “traitors.” I thus examined how the recruitment of secret witnesses incited deep-seated fears of treason within the Kurdish movement. On the one hand, anonymous witnesses testifying against members of the Kurdish movement make tangible the tensions between middle-class Kurds and revolutionaries. Amid the rapid transformation of city life, I showed that this tension is mapped onto the morally-charged notion of corruption through which the everyday turns into a fight between good and evil. On the other hand, the state’s recruitment of secret witnesses from revolutionary cadres calls into question the higher moral ground claimed by revolutionaries by the virtue of their political convictions. In particular, the Kurdish movement prescribes self-reflexive practices and militant codes of conduct that compel revolutionaries to master their desire for sexuality, love, and family. As they master their desires, so the argument goes, revolutionaries become resilient fighters not only in guerrilla camps but also in prison. If a revolutionary collaborates with the state in custody, it is thus registered as the failure of militant pedagogy to conduct oneself properly. In this chapter, I argued that when the everyday, with its class-based tensions and bodily pleasures, is defined as another front of war, the Kurdish movement at once

justifies suspending the norms of ordinary life and also confronts *traitors* who undermine the movement from within.

Why should the interplay of the everyday, violence, and the political matter at all to understand the War on Terror, whose terms are defined by nation-states alongside their global allies? After 9/11, Turkey, as elsewhere, engendered legitimacy in its designation of the Kurdish struggle for recognition and autonomy as “terrorism,” while helping its NATO allies fight other “terrorists” abroad. Thus, one can read Turkey’s war on terror in northern Kurdistan as a manifestation of the increasing securitization of political space. Alternatively, it may also be read as a particular case with its long history of Kurdish national uprisings that does not add much to the discourse on global “terrorism.” Insofar as the War on Terror is tethered to particular localities through generic laws, surveillance technologies, and court trials, I offered insights into both the particular and general forces that I consider to be imbricated in its workings. Although the exceptional character of the War on Terror may be analyzed without recourse to the everyday, I believe that it is through attunement to its specific configurations in the everyday that we might apprehend what the *world has to say on it*: in particular, how its legal predicaments are absorbed into life.

§

The world that I counted on to write this dissertation changed drastically after completing my field research. The positive atmosphere generated by the peace process in March 2013 was utterly altered a little over two years later when President Erdoğan

refused to sign an initial agreement with the Kurdish movement that would lay out a mutually-recognized roadmap to peace. Until the June 2015 general elections, it remained unclear which direction the “process” would take. Nevertheless, Turkish soldiers were building fortress-like bases in rural Kurdistan while Kurdish youth in urban centers were preparing to defend their neighborhoods. In the national elections, the Kurdish political party, the HDP, passed the ten percent electoral threshold for the first time since 1980, compelling a redistribution of parliamentary seats. Due to this redistribution, the AKP could not obtain enough seats to form a government on its own. In the absence of strong parliamentary support, President Erdoğan, then, became a sovereign ruler without a governmental body to legislate and execute his decisions. Just as his predecessors had done before him, Erdoğan tabled the peace process while expecting that the AKP would regain its nationalist constituency in early elections, should war once again be launched in northern Kurdistan. With recourse to war, the AKP indeed consolidated its power in only four months and won early elections with a majority (49.5%). Since this victory in November 2015, Turkish Army troops have been attacking guerrillas and urban militias on a regular basis.

Under these circumstances, the PKK declared that political avenues were incapable of yielding Kurdish democratic autonomy. The PKK pursued the path of retaliation instead, and called on the youth to fight for an autonomous Kurdistan. As the fire of the youth spread from one district to another, the war expanded across the entirety of the Kurdish region. Over the last thirteen months, the Turkish Army laid siege on seven cities and twenty-two districts, which it shelled heavily using tanks and warplanes. Currently, it seems like the battles in urban centers have come to an end, leaving behind

immense destruction. According to the records of the HDP, the civilian death toll reached 550, with round-the-clock curfews displacing 350,000 people.¹⁰⁰ During the siege, eleven neighborhoods of Diyarbakir's Old City remained under curfews for 103 days.¹⁰¹ Though the Turkish Army announced the end of military operations in March 2016, half of these neighborhoods remain closed.¹⁰² In the place of these neighborhoods, their former inhabitants will find only empty fields awaiting them after the governor's office cleared the remainders of their demolished houses with bulldozers. While the buildings in cities and districts under siege were dismantled, those belonging to the state were protected with recently erected concrete fortifications enclosing them. By association, one of my interlocutors said, Diyarbakirites call these concrete fortifications the "Israeli wall."

Whereas northern Kurdistan has spiraled into another war with the termination of the peace process, the entire country fell into a state of emergency in the aftermath of an attempted coup on July 15, 2016. Though the coup has been defeated for now, it seems like Turkey will continue to be governed by executive decrees under the auspices of national security. Significantly, the AKP government defines the new "terrorist" threat as the Gülen movement, whose leader, Fethullah Gülen, and Tayyip Erdoğan were both committed to fighting the repressive secularist regime together for a good ten years. The religious pact between Gülen and Erdoğan expired when the time came to replace the secularist Father of Turkey [Ataturk] with a moderate Islamist one.¹⁰³ Hence, we are

¹⁰⁰ <https://hdpenglish.wordpress.com/2016/05/23/letter-by-hdps-co-chairs-to-un-secretary-general-ban-ki-moon/#more-1074> Last accessed on July 30, 2016.

¹⁰¹ See the report published by the Southeastern Region Municipalities Union on June 30, 2016: http://www.gabb.gov.tr/doc/2016/07/gabbhasartespit/GABB_Raporu_TR.pdf

¹⁰² See the report of the Diyarbakir Municipality: http://new-compass.net/sites/new-compass.net/files/SUR_Report_2016-04-07.pdf Last accessed on July 30, 2016.

¹⁰³ The dispute originated in December 2013 when the Gülen movement leaked out corruption records of four MPs from the cabinet. The records uncovered the money laundering activities of the AKP government in Turkey and beyond. Additionally, leaked wiretaps of then Prime Minister Erdoğan exposed his direct

witnessing another crisis of sovereignty unfolding in Turkey—this time between two Islamist figures. Backed by crowds, President Erdoğan and his government now manage this crisis by curbing political spaces and declaring any and all opposition “terrorist.” Given the crackdowns on teachers, journalists, academics, the judiciary, and many others, one wonders if a failed military coup has actually been succeeded by a civilian coup. The AKP government’s popular support does not defy the analogy when one considers the extensive support the junta leaders received from the Turkish public in 1980.

In the face of such turbulent changes in Turkey, I wondered if this dissertation would remain relevant. As the dust has begun to settle, however, it has become clear that the tendencies I deciphered in this dissertation remain despite the rapid transformation of Turkish politics. Interestingly, the symbolic place occupied by the 1980 junta leaders in the commemorative politics of the early 2000s is now inhabited by those who plotted the recent coup. As a way of condemning these “traitors,” the state media floods the public sphere with stories of resistance by the people. Obviously these stories are written in a wholly different genre from those examined in this dissertation; yet, we once again observe the discourse of heroism and victimhood pitted against the now notorious military commanders. As the military is made culpable for all atrocities, the AKP government refashions itself as the guardian of democracy. Furthermore, the significance of the cord between the sovereign and crowds has become ever more evident in the aftermath of the attempted coup. Gleeful crowds on the streets of Turkish-populated

involvement in corruption. Declaring the Gülen movement “terrorist,” the AKP government has since then been launching crackdowns and arresting chief police officers, soldiers, journalists and judiciary personnel. From December to June 2015, already numerous newspapers, TV channels, private universities, and hospitals were closed down with the allegations that they belonged to the Gülen “terrorist” organization. These operations had not received much public support until the attempted coup, which was allegedly masterminded by Fethullah Gülen.

cities bolster the legitimacy of the patriarchal sovereign, President Erdoğan. Yet the absence of Kurds on the streets of Kurdish-populated cities calls into question the relation of this sovereign to the Kurdish population and prompts the state attorneys to open new investigations. Thus, new arrest orders have been issued to return formerly released Kurdish political detainees to prison. Similarly, the trials continue with additional dossiers of surveillance records added to the existing ones.

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That said, I do not intend to collapse the rhythm, affect, and fragility of the peace process with the current process of war in northern Kurdistan. “Even if the state builds a bridge for Kurds, we do not step on it. We know that the state destroys,” Hamza’s aunt once said in the Diyarbakır courthouse. With the termination of the peace process, the unfinished bridge, which was meant to reconcile Kurds with the Turkish state, lies shattered in pieces. As the proverb suggests, the knowledge of destruction from times of war is always already present in times of peace. The line distinguishing the two processes is not a clear-cut one: sweeping suspicions and continuing tensions blur the distinction. However, each process invokes its own memories, births distinct aspirations, and incites different forms of action.

Exhausted by the sounds of the daily bombardment of Diyarbakır’s Old City and avoiding snipers each day, my primary interlocutor and very dear friend, Bejan, felt compelled to leave the city this summer. For a brief period, she stayed with me in Baltimore. Our reunion, however, did not spark the usual political discussions we often

entertained while we were both in Diyarbakır. Rather, she offered her concise observations on topics that we had already covered in previous discussions. She noted that the KCK trial was proceeding as usual, albeit with some modifications. Although the judicial decision is still pending, its primary defendants remain in prison without any prospect of release. The state attorney has recommended life sentences for each of them. She also added that the Chief Justice seemed to be in a rush to hand down heavy sentences for the remaining defendants. As a defendant in this trial, Bejan expects to receive a fifteen-year prison sentence. After these brief notes on the trials, we generally receded into silence. Neither of us approached the topic of our friends recently murdered by the Special Police Forces. We also tacitly agreed to not speak of the demolished neighborhoods and empty fields of the Old City until our next meeting.

Instead, Bejan colored our conversations with the story of a black hen. Fesih, the main character of the story, is known to be a gullible person by his neighbors in Bağlar. Immediately after the armed clashes ended in the Old City, new ones began in Fesih's neighborhood. Though this last one did not last long, residents of the neighborhood abandoned their houses to avoid being caught in the crossfire. Just like his neighbors, Fesih left everything behind, including his hens, and took refuge in another neighborhood for about ten days. When the curfews were lifted, the residents returned home to assess the extent of loss – their gaze was compellingly drawn to the bullet holes littering the walls of buildings, broken doors, shattered windows, and uprooted pavements. What caught Fesih's attention, however, was his missing black hen. Everyone in the neighborhood grew alarmed, and Fesih and his neighbors began searching for the black hen at the narrow streets of Bağlar. Children informed the residents of other

neighborhoods that Fesih's black hen was missing and asked them to join in the search. Bejan's (my friend's) nephew had first heard of the missing hen story from his father-in-law who was also living in Bağlar. While returning from the visit to his father-in-law, he noticed people asking each other if they had seen Fesih's hen. But before he reached the main boulevard, a child had found her who was stuttering around on one of the streets of Bağlar. The neighbors were relieved – their anxiety stilled.

During Bejan's stay, we laughed over the same story time and again. Like Fesih's neighbors, we too might find peace in some version of the lost and found hen. More than an object of displacement leading to melancholia, she denoted the possibility to find again what seemed lost at first sight. As I already begin to think of revising my dissertation to address the implications of the current armed clashes and attempted coup on the Kurdish movement, it is through the story of Fesih's black hen that I am planning to begin my writing. By moving in this direction, I hope to continue my effort to study not only the lives lost, but also the faith to find again what has been lost in times of militancy. Though I could not help but write my concluding remarks in a mood of mourning, I yield to a closure with the precious stories shared by my interlocutors.

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Appendix

Activities in the investigation stage at the State Attorneys' Office of Heavy Criminal Courts

Province	Total	Cases from last year	New cases	Cases judged	Postponed to next year
2013					
Total	36 827	24 938	11 889	12 544	24 283
İstanbul	4 404	2 133	2 271	2 312	2 092
İzmir	1 040	650	390	392	648
Bursa	243	48	195	167	76
Ankara	1 348	583	765	880	468
Antalya	450	169	281	353	97
Adana	2 223	1 173	1 050	720	1 503
Samsun	257	165	92	120	137
Erzurum	2 068	1 328	740	707	1 361
Malatya	2 228	1 690	538	562	1 666
Van	7 482	5 265	2 217	3 001	4 481
Diyarbakır	15 084	11 734	3 350	3 330	11 754
2012					
Total	38 295	23 535	14 760	13 353	24 942
İstanbul	4 512	1 874	2 638	2 375	2 137
İzmir	1 262	688	574	612	650
Bursa	134	-	134	86	48
Ankara	2 310	845	1 465	1 727	583
Antalya	227	-	227	58	169
Adana	2 388	877	1 511	1 215	1 173
Samsun	210	-	210	45	165
Erzurum	2 456	1 347	1 109	1 128	1 328
Malatya	2 254	1 467	787	564	1 690
Van	6 535	4 477	2 058	1 270	5 265
Diyarbakır	16 007	11 960	4 047	4 273	11 734
2011					
Total	34 371	21 923	12 448	10 736	23 635
İstanbul	4 289	1 696	2 593	2 415	1 874
İzmir	1 418	720	698	730	688
Ankara	1 905	499	1 406	1 060	845
Adana	1 730	695	1 035	853	877
Erzurum	2 079	1 301	778	732	1 347
Malatya	1 924	1 434	490	457	1 467
Van	6 154	4 301	1 853	1 677	4 477
Diyarbakır	14 872	11 277	3 595	2 812	12 060

Activities in the investigation stage at
the State Attorneys' Office of Heavy Criminal Courts

Province	Total	Cases from last year	New cases	Cases judged	Postponed next year
2010					
Total	34 426	22 349	12 077	12 503	21 923
İstanbul	4 176	1 688	2 488	2 480	1 696
İzmir	1 440	683	757	720	720
Ankara	1 485	534	951	986	499
Adana	1 645	693	952	950	695
Erzurum	2 269	1 210	1 059	968	1 301
Malatya	2 023	1 592	431	589	1 434
Van	6 484	4 284	2 200	2 183	4 301
Diyarbakır	14 904	11 665	3 239	3 627	11 277
2009					
Total	35 159	22 693	12 466	12 810	22 349
İstanbul	4 395	1 752	2 643	2 707	1 688
İzmir	1 422	594	828	739	683
Ankara	1 218	553	665	684	534
Adana	1 645	573	1 072	952	693
Erzurum	2 347	1 222	1 125	1 137	1 210
Malatya	2 183	1 726	457	591	1 592
Van	6 117	4 261	1 856	1 833	4 284
Diyarbakır	15 832	12 012	3 820	4 167	11 665
2008					
Total	35 257	22 325	12 932	12 564	22 693
İstanbul	4 654	1 588	3 066	2 902	1 752
İzmir	1 413	593	820	819	594
Ankara	1 312	519	793	759	553
Adana	1 637	425	1 212	1 064	573
Erzurum	1 777	1 133	644	555	1 222
Malatya	2 124	1 685	439	398	1 726
Van	7 075	4 667	2 408	2 814	4 261
Diyarbakır	15 265	11 715	3 550	3 253	12 012

Activities in the investigation stage at
the State Attorneys' Office of Heavy Criminal Court

Province	Total	Cases from last year	New cases	Cases judged	Postponed next year
2007					
Total	30 902	20 865	10 037	8 577	22 325
İstanbul	4 421	1 251	3 170	2 833	1 588
İzmir	1 212	538	674	619	593
Ankara	1 193	442	751	674	519
Adana	1 110	280	830	685	425
Erzurum	1 468	1 082	386	335	1 133
Malatya	1 996	1 610	386	311	1 685
Van	6 006	4 434	1 572	1 339	4 667
Diyarbakır	13 496	11 228	2 268	1 781	11 715
2006					
Total	28 032	19 744	8 288	7 167	20 865
İstanbul	3 589	1 029	2 560	2 338	1 251
İzmir	1 018	420	598	480	538
Ankara	775	361	414	333	442
Adana	804	223	581	524	280
Erzurum	1 474	1 068	406	392	1 082
Malatya	1 928	1 593	335	318	1 610
Van	5 518	4 131	1 387	1 084	4 434
Diyarbakır	12 926	10 919	2 007	1 698	11 228

Sources: Judicial Statistics 2013-2006, The Ministry of Justice, Turkey

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