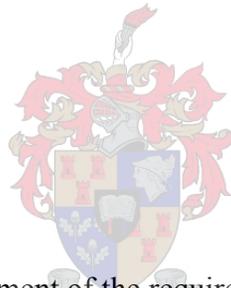


**The possible implementation of a federalist model  
and the Kurdish claims to self-determination:  
A comparative study of Iran and Turkey**

By

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## **Declaration**

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Date: September 2014

## **Abstract**

The Kurds, numbering somewhat 40 million, are the largest stateless nation worldwide. As smaller minorities, they are mainly spread in Iran, Iraq, Syria and Turkey in the Middle East. The Kurdish claims for self-determination have been a century-long struggle, and at the moment only the Kurds in north-Iraq have achieved the establishment of the semi-autonomous territory of Kurdistan, and the Kurds in Syria have autonomous control over the Kurdish region. Iran and Turkey with their significant Kurdish communities have not been successful in addressing the Kurdish claims of self-determination in an efficient and structural manner. This thesis assessed the possibilities of a successful implementation of a federal model in Iran and Turkey in order to address the Kurdish claims for self-determination. The main finding of this thesis is that the current political atmosphere in each country is not ready to make the necessary accommodations, as the transition to a federal system requires, and consequently will not be successful in addressing the Kurdish claims of self-determination. In Iran, it is found that the union between religion and politics, and consequently, the controlled nature of the theocratic system, will not accommodate for a society along federalist principles in which rule is divided amongst groups in society. In Turkey, it is found that while the political rule in Turkey is different from that in Iran, it is however believed that not even a possible transition to a direct Presidential system will change the governments fears of separatism, or the constitutional constraints which further hinders a federal transition. As seen from the assessment of the case studies, a federal implementation is not foreseen in Iran and Turkey within the nearest future, and will subsequently fail in addressing the Kurdish claims of self-determination. A transition of this manner requires dedication and willingness, and this research presents recommendations for the road towards a federalist political arrangement and greater Kurdish self-determination in order to reach a peaceful solution to the century-long Kurdish issue.

## Opsomming

Die Koerde wat 40 miljoen lede het is die grootste staatlose nasie in die wêreld. Hulle word hoofsaaklik in Iran, Irak, Sirië en Turkye in die Midde-Ooste aangetref. Die Koerde se aanspraak vir selfbeskikking is 'n eeue-lange stryd: op die oomblik het slegs die Koerde in Noord-Irak die vestiging van die semi-otonome gebied van Kurdistan terwyl die Koerde in Sirië outonome beheer het oor die Koerdiese gebied. Beide Iran en Turkye het aansienlike Koerdiese gemeenskappe, maar was onsuksesvol om die Koerdiese se aanspraak op selfbeskikking aan te spreek. Hierdie tesis assesser die moontlikheid vir die suksesvolle implimentering van 'n federale model in Iran en Irak om die Koerdiese aanspraak vir selfbeskikking aan te spreek. Die hoof bevinding van hierdie tesis is dat die huidige politieke klimaat in elkeen van hierdie lande ongunstig is: hierdie lande is nie gereed om die oorgang tot 'n federale sisteem te maak nie, en sal gevolglik onsuksesvol wees in die aanspreek van Koerdiese aanspraak op selfbeskikking. In Iran is daar geen onderskeid tussen godsdiens en politiek nie: die streng beheerde teokratiese sisteem sal nie die ontwikkeling van 'n samelewing langs federale beginsels toelaat waar mag tussen verskillende groepe in die samelewing verdeel is nie. In Turkye waar die politieke sisteem verskil van dié van Iran, sal 'n moontlike oorgang na 'n Presidensiële sisteem nie die vrese van separatisme verander of die grondwetlike beperkings verander wat 'n federale oorgang verhinder nie. Soos uit die gevallestudies blyk kan 'n federale sisteem nie in die nabye toekoms in Turkye en Iran voorsien word nie en sal hierdie lande gevolglik misluk in die aanspreek van die Koerdiese aanspraak op selfbeskikking. 'n Politieke oorgang van hierdie soort benodig toewyding en bereidwilligheid, en hierdie navorsing stel aanbevelings voor vir die pad na 'n federale politiese ooreenkoms en groter Koerdiese selfbeskikking. Dit is nodig indien 'n vreedsame oplossing vir die eeue-lange Koerdiese kwessie gevind moet word.

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## List of abbreviations

AKP	Justice and Development Party
BDP	The Peace and Democracy Party
CIA	Central Intelligence Agency
CNFI	The Congress of Nationalities for a Federal Iran
DTK	Democratic Society Congress
EU	European Union
FPC	Foreign Policy Centre
FTO	Foreign Terrorist Organization
G20	Group of 20
GLICA	Great Lakes Invitational Conference Association
HRK	East Kurdistan Defence Force
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICG	International Crisis Group
ISIL	Islamic State of Iraq and the Levant
KADEP	Party of Participatory Democracy
KDP	Kurdish Democratic Party
KDPI	Kurdish Democratic Party of Iran
KGK	Kurdistan People's Congress
KHRAG	Kurdish Human Rights Action Group
KODAR	Organization of Free and Democratic Society for East Kurdistan
KRG	Kurdistan Regional Government
MP	Member of Parliament
NATO	North Atlantic Treaty Organization
OSCE	The Organization for Security and Co-operation in Europe
PJAK	The Free Life Party of Kurdistan
PKK	Kurdistan Worker's Party
PUK	Patriotic Union of Kurdistan

UN	United Nations
UNPO	Unrepresented Nations and Peoples Organization
US	United States
WWI	World War I
WWII	World War II

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### **A note on the text**

Whilst carrying out the research for this study it was found that a variety of spellings have been used, depending on whether the traditional Kurdish version or a Latinized English version has been chosen. For the most part the true Kurdish version has been selected in this study. The exception throughout however, is in relation to quoted text in which case the author's original spelling/name has been replicated.

## Chapter I:

### Introduction and background to the study

#### 1.1 Background

The principle of self-determination has been characterized as one of the most important human rights within international law (Marshment, 2001:1); it is described and protected under the United Nations (UN) Charter of 1945 and the Geneva Conventions of 1977, amongst others. With the emergence of modern nation states, the belief that people have the right to freely decide their own destinies has continued to advance in a linear path, along with a growing awareness of national identity (Hannum, 1996:27). From Quebec to Catalonia, from the Saami to Palestine, throughout history the demands for self-determination and recognition have been numerous and insistent. The Kurdish case in the Middle East<sup>1</sup> is in this regard not unique.

At the end of the Ottoman Empire the colonial powers, France and Britain, redrew the borders in the Middle East and new sovereign states like Jordan, Iraq and Syria were created. This did not help the Kurds, who were distributed among several countries in the Middle East. Thus, although they were the largest minorities in Iran, Iraq, Turkey and Syria (Hevian, 2013:95), the Kurds missed the opportunity to achieve statehood. The Peace Treaty of Sèvres, signed in 1920 by the Allies and Turkey, recognized Kurdish claims of self-determination and explicitly stipulated in articles 62 and 64 that the Kurds were to exercise “local autonomy”. Arguably, the Peace Treaty of Sèvres is the most significant moment in the history of the Kurdish nationalist movement (Lewis, 1998:26). The two aforementioned articles read, in part, as follows:

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<sup>1</sup> ”Middle East” is in this thesis defined as the region including the countries of Palestine, Israel, Syria, Lebanon, Iran, Iraq, Egypt, the countries of the Persian Gulf and the Maghreb (Kuwait, Saudi Arabia, Qatar, Bahrain, United Arab Emirates Libya, Tunisia, Morocco, Mauritania and Algeria), Turkey, Pakistan and Afghanistan. For a more comprehensive discussion of the history of the definition of the Middle East, please refer to Al-Rodhan, Herd and Watanabe (2011). *Critical turning points in the Middle East 1915-2015*, p. 15-16.

**Article 62**

“...A commission sitting at Constantinople and composed of three members appointed by the British, French and Italian Governments respectively shall draft within six months from the coming into force of the present Treaty a scheme of local autonomy for the predominantly Kurdish areas lying east of the Euphrates, south of the southern boundary of Armenia as it may be hereafter determined, and north of the frontier of Turkey with Syria and Mesopotamia...”

(The Peace Treaty of Sèvres, 1920, article 62:13)

**Article 64**

“...If within one year from the coming into force of the present Treaty the Kurdish peoples within the areas defined in Article 62 shall address themselves to the Council of the League of Nations in such a manner as to show that a majority of the population of these areas desires independence from Turkey, and if the Council then considers that these peoples are capable of such independence and recommends that it should be granted to them, Turkey hereby agrees to execute such a recommendation, and to renounce all rights and title over these areas. The detailed provisions for such renunciation will form the subject of a separate agreement between the Principal Allied Powers and Turkey. If and when such renunciation takes place, no objection will be raised by the Principal Allied Powers to the voluntary adhesion to such an independent Kurdish State of the Kurds inhabiting that part of Kurdistan which has hitherto been included in the Mosul vilayet...”

(The Peace Treaty of Sèvres, 1920, article 64:13)

Thus article 62 offered “local autonomy for the predominantly Kurdish areas”, and article 64 suggested the creation of “an independent Kurdish State.” However, due to the rise of Mustafa Kemal Atatürk and his aspirations for a strong, centralized Turkish nation-state, the Peace Treaty of Sèvres was never ratified, but rather replaced by the Treaty of Lausanne three years later. This treaty made no mention of an independent Kurdistan (Edmonds, 1971:90). It was not decided whether the oil-rich *vilayet*<sup>2</sup> of Mosul, mentioned in article 64, should be granted to Turkey or Iraq at this stage. The *vilayet* of Mosul refers to an administrative district; Mosul is “Iraq’s second largest city (after Baghdad) and a major political and economic centre in the northern Nineveh province” (Knights, 2014). Thus this is an area of strategic economic importance. Only after the Lausanne Treaty did the League of Nations grant Mosul to Iraq rather than Turkey; this

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<sup>2</sup> *Vilayet* means province in Turkish.

was on account of the Turkish treatment of its Kurdish population (Koochi-Kamali, 2003:30).

The treaty of Lausanne was signed in Lausanne, Switzerland on July 24, 1923 and officially ended the war between Turkey and Britain, France, Italy, Japan, Greece, Romania and the Serbo-Croat-Slovene State. The Turkish state received international recognition and the territory of the Kurdish people was carved into four parts and distributed between Iran, Iraq, Turkey and Syria. In addition, there were smaller Kurdish communities in Armenia, Azerbaijan, Lebanon and the Soviet Union (Hannum, 1996:178; Finkel, 2012:149). Thus, while the Peace Treaty of Sèvres had been unjust to the Kurdish people, the Treaty of Lausanne, perceived as a victory for Turkey, marked yet another phase of struggle for the Kurds. The period between the two Treaties, or more accurately between 1918 and 1925, was arguably the period in which the Kurds lost their best opportunity to achieve statehood. Instead their homeland was divided between the new states that replaced the Ottoman and Qajar Empires (Kendal, 1993:49).

Despite an extensive history stretching back approximately 4000 years, involving those living in the sweep of the mountains and foothills north-east of Mesopotamia (Yildiz & Breau, 2010:4), it was not until what has been labeled “the genocidal *al-anfal*-campaign” (meaning “spoils of war”) from 1987 to 1988, led by Saddam Hussein’s government (Human Rights Watch, 1993), and the subsequent Persian Gulf War in 1991 (when the United States (US) forced Iraq out of Kuwait) that the world became aware of the struggles of the Kurdish ethnic group for security, self-determination and statehood in the Middle East (Eller, 1999:143). According to the *Economist* (2003), the Iraqi regime, in an effort to hinder Kurdish efforts toward political independence, killed as many as 150 000 Kurds and destroyed thousands of Kurdish villages during this campaign. However, these estimates are contested as other reports show higher numbers (Anti-Defamation League, 2005). Saddam Hussein was later charged with genocide for attempting to destroy the Kurdish people (Wong, 2006), and in 2013 the British Parliament officially recognized the *al-anfal* campaign as the “Kurdish genocide” (Daily News, 2013). During the Persian Gulf War, the US assisted the uprisings in 1991, in which Kurdish nationalists in northern Iraq and Arabs in the south rose up against the Ba’ath regime (Al-Jabbar, 1992:2). For a short period, around March 1991, the Kurds

controlled large areas of what they considered to be their “homeland” - Iraqi Kurdistan (Eller, 1999:143). However, this only lasted for a couple of months. Lack of international support combined with the absence of organizational, tactical and political coordination explains the failure of the rebellion of March 1991 (Al-Jabbar, 1992:12). Consequently, about 1.5 million Kurds escaped to the mountains and across the borders to Turkey and Iran (Peterson, 2002).

Numbering some 40 million, the Kurds are the largest group of stateless people in the world (Yildiz & Breau, 2010:4). Despite sharing a cultural identity as Kurds, the political and economic situation for the Kurds in the countries they inhabit differs greatly. The Kurds in Iraq have been granted autonomy since 1992 and have established the Kurdistan Regional Government (KRG). Thus the Iraqi Kurds enjoy political, economic and cultural self-determination as part of the federal state of Iraq (Hadji, 2009:519). In a similar manner, the Kurds in Syria, occupying the northeastern part of the country, have used the chaos of the Syrian civil war as an opportunity to assert more control over the northeastern area of the country. Accordingly, they have carved out “a relatively autonomous and stable region, free of government and rebel control” (Hallen, 2013). In January 2014 they were granted autonomy in the Democratic Autonomous Government of Western Kurdistan (Firatnews, 2014). The Kurds in Iran and Turkey, on the other hand, are under governance of their existing nation-states, despite actions taken to further the Kurdish case<sup>3</sup> and achieve a higher degree of self-determination in these two countries (Wilgenburg, 2014). Thus the importance of research on the self-determination of minority groups must not be underestimated.

This background provides the foundation for this research, which aims to assess a federal model of self-determination and the possibilities of implementing this in Iran and Turkey, thereby addressing the claims to self-determination for the Kurdish people in these two countries.

## 1.2 Research Problem

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<sup>3</sup> For clarification purposes, the terms “Kurdish case” and “Kurdish question” refer to the historical, social and political struggle for recognition and greater Kurdish rights in the Middle East. This research study will use both terms interchangeably.

The main research question of this thesis will be:

*Can federalism be successfully implemented in Iran and Turkey in order to address the Kurdish claims of self-determination?*

This research question firstly recognizes the fact that the Kurds located in Iran and Turkey have been struggling unsuccessfully for self-determination (Hevian, 2013:97). The struggle for recognition and independence in Iran continued after the 1920 Peace Treaty of Sèvres period. Immediately after World War II (WWII), the Iranian Kurds set up the short-lived independent Kurdish Republic of Mahabad, from January 1946 to December 1946, with Soviet support. This period is the only exception to the statement that Kurds have never had their own nation state (Hevian, 2013:95). Both in Iran and Turkey, Kurdish political parties were striving for recognition and basic rights. This will be further explained in Chapter Three.

Secondly, many groups seeking self-determination justify this on the basis of the universal right of self-determination (Raič, 2002:9). The Kurds are not an exception. Therefore, the research question also acknowledges that the Kurds, as an ethnic minority, in theory possess the right of self-determination granted under international law, and enshrined in the Charter of the UN as well as in resolutions of the UN General Assembly (Hadji, 2009:522).

Thirdly, the recognition of the KRG in the Iraqi federal constitution, in which the Kurds are granted the right to self-rule in the Kurdish inhabited areas, motivates this research study to ask whether a similar solution is possible in Iran and Turkey. Furthermore, federalism is a widespread model of government; “over 40 per cent of the world’s population live in a federation” (Yildiz and Breau, 2010:254). Accordingly, the stability and flexibility that federalism is said to confer is taken into consideration, and is the starting point of this study. This study attempts to assess whether a federal system can be implemented in Iran and Turkey; in this way it hopes to address the Kurdish claims to self-determination.

Two further sub-questions have been formulated and will support the main research question:

- 1) *What has the response by the Iranian and Turkish governments been towards the demands for greater recognition of their Kurdish population?*
- 2) *To what extent have the Kurdish political parties in Iran and Turkey furthered the Kurdish case?*

Both the main research question and the sub-questions are relevant for this study as they target the current political situation in Iran and Turkey; in addition Kurdish political actors to try to give a nuanced picture of the situation. Accordingly, this thesis explores the viability of implementing a federal system in which the division of powers between the central government and the Kurdish regions would enable effective regional government while also ensuring the state's unity. A practical and acceptable solution to the Kurdish problem is necessary for the future stability in these countries as well as in the Middle East as a whole.

### **1.3 Objectives and Relevance of the Study**

The Kurds are the largest stateless group worldwide, and are divided between several countries (Yildiz & Breau, 2010:4). This makes the Kurdish case not only interesting, but also important to understand in terms of the current world order and the protection of ethnic minorities, and of their language and cultural rights. This study will provide critical insights into the current political situation in Iran and Turkey, and explore whether federalism can be implemented, and whether this will meet the Kurdish claims to self-determination. The study focuses on self-determination within a federalist model for the Kurdish population in Iran and Turkey, and highlights the roles the various Kurdish political organizations have played in promoting the Kurdish case as a national issue as well as an international issue. While the two concepts of *self-determination* and *federalism* will carry this study, chapter two will also highlight secession and autonomy as other self-determination arrangements. However, more weight will be given to

federalism as a self-determination arrangement as this is the backbone of this study. This study does not want to undermine the importance of a central government, or denigrate the policies put forward by the Iranian or Turkish governments. It rather seeks to analyze the federal model of self-determination and to examine its applicability to Iran and Turkey, and consequently to the Kurdish issue.

The motive for exploring the possibility of federal models in Iran and Turkey (with the Kurdish issue in mind) is threefold. (1) Firstly, the Kurdish case stretches back over centuries and has been labelled “one of Middle East’s oldest ongoing ethnic conflicts” (Garfield, 2010:20). Moreover, the current tense situation in the Middle East, the “Arab spring”, and Turkey’s request for European Union (EU) membership all presuppose an understanding of the Kurdish case in the midst of everything else that is going on. (2) The federal model in Iraq, under which the Kurds have prospered (Hallen, 2013), guides the second justification for the research topic. As has been mentioned, the Iraqi government has found a solution to the Kurdish claims by giving them constitutional guarantees within a federal model. In the light of the Kurdish solution in neighboring Iraq, it becomes even more crucial to assess the political systems of Iran and Turkey, and in light of this, to examine the possible future of their Kurdish minorities. (3) Thirdly, as will be highlighted in Chapters Two and Three, there has been a shift in the Kurdish nationalist movement towards achieving greater democratic rights within the host states, rather than seeking to establish a sovereign Kurdish state. Consequently, this research assesses federalism as model of self-determination that could be implemented in Iran and Turkey and could meet these claims.

As will be shown in Chapter Three, the Kurds in Iran and Turkey have historically been subject to discrimination and the politics of assimilation. This is a consequence of the lack of explicit recognition of the Kurds in the constitutions of these countries. Ozkirimli (2013:13) further notes that the protection that the Kurds have been seeking under the right of self-determination has been resisted and thousands of lives have been lost in the struggle. McCorquodale (1994:859) explicitly states that the purpose of protecting the right of self-determination is “to empower the communities in question to prosper and convey their culture, language and traditions, as well as to be given the opportunity to participate in the political, economic and social process”. In line

with McCorquodale's (1994) quote, it is believed that the promotion of self-determination, which leads to empowerment of communities and to greater opportunities for political participation, is the focal point of the Kurdish struggle.

#### **1.4 Preliminary literature review**

This study will assess the possibility of implementing a federal model which recognizes the right to self-determination in Iran and Turkey, and thus addresses the Kurdish claims to self-determination. As already mentioned, the principle of self-determination is internationally recognized and embodied in numerous regional and international instruments (Unrepresented Nations and People's Organization (UNPO), 1996). As a general overview, this research study benefits from the scholarly work on self-determination within the framework of international law by Buchanan (1991a), Hannum (1993), Cassese (1995) and Crawford (2007). In order to understand the implications of self-determination and its human rights approach, this thesis has used McCorquodale's (1994) article, "Self-determination: a human rights approach." Furthermore, McCorquodale (1994) also gives a general understanding of the focal point of this research study: he examines the internal requirements for self-determination and lists three basic factors. These are (1) the right of the people in question to elect their own local government representatives; (2) the right to choose their own political status; and (3) the right to determine their political participation. This research study adopts these three basic elements of the federalist model and assesses them in the context of Iran and Turkey.

This research study benefits greatly from a detailed application and understanding of internal and external arrangements for self-determination; it also benefits from contrasting the situation of the Kurds in Turkey with their situation in Iraq. This is outlined in Yildiz and Breau's (2010) book, *The Kurdish conflict: international humanitarian law and post-conflict mechanisms*. The federalist model in this thesis is contrasted to the alternative political arrangement of secession and autonomy. This derives in part from the work of Buchheit (1978), Watts (1990) Buchanan (1991a) and Hannum (1996).

To understand the Kurdish situation in Iran and Turkey and the current constitutions of these countries, this research study derived valuable information from Ahmed (2010) and Yesiltas (2014). While Ahmed (2010) documents the lack of equal access to citizenship for the Kurds in Iran, Iraq, Turkey and Syria, Yesiltas (2014) discusses the Kurdish situation in the four countries, and argues that the Kurdish question is no longer an issue of statelessness, but rather a problem of democracy in these countries. As starting point for understanding the several political parties within greater Kurdistan, Hevian's (2013) article with its detailed description of "the main political parties" was of great assistance. In addition news articles from the Middle East, in particular from Al-Jazeera and Al-Monitor, as well as the political parties' homepages, have informed this study. As far as the Kurdish historical timeline in Appendix 1 is concerned, this benefits immensely from Gunter's (2011) *Historical dictionary of the Kurds*.

In sum, this research study draws on a variety of materials. The aim is to give a balanced and nuanced picture, while contextualizing the historical and current situation of the Kurds.

## **1.5 Research Design and Research Methods**

The aim of this research study is to assess the applicability of a federal model as a solution for the Kurdish claims of self-determination in Iran and Turkey. This is done by closely studying the mechanisms that have made the Kurdish cases in Iran and Turkey an ongoing topic of interest in the international context, and in particular within these two countries. This research is of a qualitative nature, and will thus consider explanatory, descriptive and exploratory aspects. The qualitative approach is preferable in this study because the emphasis is on acquiring in-depth knowledge from the two case studies specifically looked at, in comparison to quantitative research where the focus is on making generalizations derived from large-scale data (Burnham, Lutz, Grant & Layton-Henry, 2008:40). As Neuman (2006:34) explains, explanatory research aims at clarifying *why* questions, while descriptive studies seek to answer *how* and *who* questions, and exploratory research attempts to answer *what* questions. This research will aim to answer

all three types of questions. The federalist model within the broader self-determination theory will serve as the theoretical foundation and will be explained in-depth with regard to the selected cases. Furthermore, a detailed and accurate description of the current situation will be set out; this will identify the historical context of the Kurdish issue, as well as enabling us to understand the political developments in Iran and Turkey with regard to the Kurds and the progress of the Kurdish nationalist movement. It is important to bear in mind that the case studies are quite similar in terms of location in the Middle East: Iran and Turkey are similar in terms of population size, and both host significant Kurdish minorities, yet they have very different political structures. As will be further explained in Chapter Three, Iran's state religion is Islam and all political institutions operate on the basis of Islamic law. In contrast, Turkey is a secular state with no official state religion. In other words, while the case studies have much in common, the political structures in these countries are very different.

The research design will use both historical and comparative information to assess the applicability of a federalist model in Iran and Turkey. This will assist in addressing the Kurdish claims to self-determination in these countries. Comparative research is regarded as one of the most important research designs within political science in the sense that it helps us understand conditions that occur by comparing causes and making generalizations (Burnham *et al.*, 2008:66). The usefulness of applying a comparative design to this study is that it allows us to look at two similar cases (both with Kurdish minorities), while also taking into account the different political contexts. The similarities between the two cases might allow for some generalizations to be made.

This study will comprise a qualitative examination of primary and secondary material readily available in the public domain. This material consists mainly of written texts, such as books, articles, news articles, official government statements and documents written and published by political organizations in Iran and Turkey, as well as documents published by other organizations and institutions relevant to the research topic. In addition, two key semi-structured interviews with informants will be conducted and these will strengthen this study's validity. These two informants have been chosen on the basis of their work in the Kurdish Human Rights Action Group (KHRAG) in South Africa; both are close to where this researcher is based. It is believed that they have great

insight into the current situation as they work closely with the issue at hand. Semi-structured interviews are preferred as “the researcher cannot observe participants directly, but can assess important information through interaction with key informants” (Mohammed, 2013:16). The interviewee can give insight into his or her experiences and opinions, and provide a source of valuable information.

This study is fully aware of the ethical principles that guide researchers. For this reason this study is conducted in a way that balances the need to respect the privacy of individuals with the society’s desire for information (Burnham, *et al.*, 2008:287).

## **1.6 Limitations and delimitations**

Whilst it could be beneficial to undertake primary data collection on Kurdish self-determination in Iran, Iraq, Turkey and Syria, to provide a wider understanding of the current Kurdish situation in the Middle East, this is not feasible due to restrictions on time, finances and space. In-depth fieldwork on the political situation of the Kurds would have strengthened the research, but for now the use of primary and secondary sources will have to suffice. In addition, language barriers and the security considerations would be additional challenges to conducting research of this scope and would hinder the carrying out of fieldwork. Therefore this study relies on data readily available on the public domain.

There are delimitations to take into account as well. While there is a large scholarly debate about the possibilities of the territorial integration of Iraqi Kurds, or about the Kurdish situation in the light of the Syrian civil war, this research study will only focus on the Kurds living in Iran and Turkey. Furthermore, this research study delimits the discussion to the assessment of the possibilities of applying federalist models in Iran and Turkey. This study makes no use of hypotheses or any falsifiable assumptions, nor does it seek to make findings based on generalizations derived from other similar cases.

With regards to time dimensions, the study will focus mainly on events and circumstances dating from the Persian Gulf War of 1991, when the Kurdish case made headline news and the world became aware of the Kurds’ struggle for self-determination

and statehood in the Middle East (Eller, 1999:143). However, since historical events dating from World War I (WWI) lay the foundation for the Kurdish case, they are included in an overview format.

## 1.7 Outline of the Study

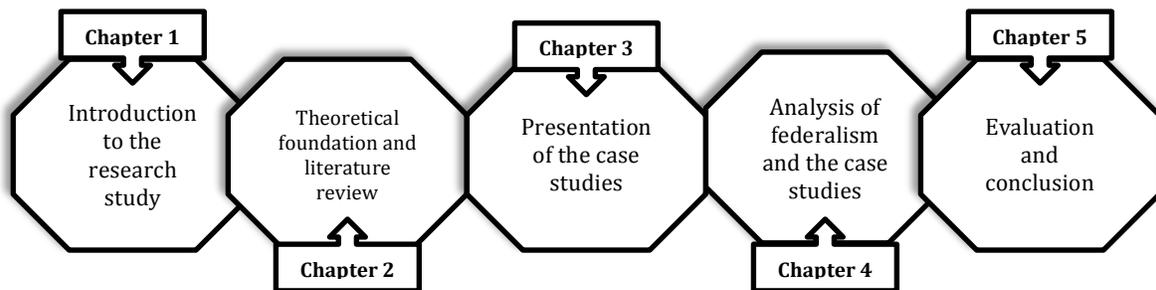


Figure 1: Outline of the research study

This thesis comprises five chapters. The following chapters will lay theoretical foundations, contextualize key elements, answer the research question and finally conclude with overall findings regarding the viability of the federal model in Iran and Turkey as a means of addressing the Kurdish claims to self-determination.

The second chapter will provide the theoretical foundations of this study, and situate it within the broader theory of self-determination. This chapter will also discuss other possible political arrangements for self-determination, namely secession and autonomy. After examining theoretical framework of federalism as a model of self-determination, it will be easier to apply this in the subsequent chapters in order to provide a detailed analysis of the Kurdish situation in Iran and Turkey. Furthermore, this chapter will conceptualize key terms (Kurds, Kurdistan, self-determination, and federalism) in order to map out the key areas of the research. A literature review of the current scholarly debate regarding Kurdish self-determination will provide a clear understanding of the progress of the Kurdish nationalist movement in recent times. As this review will establish, while the main aim of the Kurdish nationalist movements in Iran and Turkey

has historically been secession, these aspirations have changed; these movements now favour achieving greater self-determination within the host states.

The third chapter presents the historical background of the Kurds in Iran and Turkey from 1920 to 2014, with the aim of providing a general overview of the Kurds, their history, and their relationship with their respective governments. Furthermore, an examination of the political developments regarding the Kurds in Iran and Turkey will provide insight into the underpinnings of systems in which ethnic minorities have been deprived of their most basic rights. Lastly, in order to understand the Kurdish quest for self-determination, an in-depth analysis of Kurdish modern political history is necessary. Thus, insight will be provided into the progress of the Kurdish political movements in these two countries. Sub-questions one and two will be highlighted and answered.

Chapter Four will apply the theoretical framework of federalism, presented in Chapter Two, to each of the case studies presented in Chapter Three; it will assess the prospects for a federal solution in Iran and Turkey as a way of addressing the claims of Kurdish self-determination. The chapter will guide the discussion of the imperatives and the impediments to the creation of viable federal regions in Iran and Turkey.

The fifth and final chapter will bring together the findings, demonstrate the progress of the research study and evaluate the research study. Finally, the chapter will present recommendations for further research and present conclusions.

## **1.8 Conclusion**

The first chapter of this research study has served as an introduction to the topic to be explored through describing the background and presenting the problem statement. This develops a framework for the research question and sub-questions. Additionally, the methodology and research design have been outlined, as well as the limitations and delimitations of the study. This chapter has laid the foundation for the further examination of whether federalism can be successfully implemented in Iran and Turkey in order to address the Kurdish claims to self-determination. The following chapter will provide the theoretical perspective and conceptualize key terms of this research study.

## Chapter II:

### Theoretical foundation and literature review

#### 2.1 Introduction

In order to understand the existing literature on self-determination in general, and federalism in particular, it is necessary to grasp the concept, and understand its applicability to minorities in general, and to the Kurds specifically. The choice of a federal model of self-determination derives from the fruitful shift towards federalism in Iraq, where the Kurds have been granted self-determination. Furthermore, the federal model has a unifying effect within divided societies, and is a political arrangement that many states have successfully implemented. For these reasons the model of federalism seems an appropriate starting point for this chapter. With the aim of building a solid theoretical foundation, there are a few basic terms that need to be clarified before the discussion of the specific aspects of the Kurdish situation in Iran and Turkey. This chapter introduces the concepts that are fundamental to this thesis and to the research question: *Kurds, Kurdistan, self-determination* and *federalism*. As this chapter will illustrate, self-determination arrangements can be achieved through federalism, autonomy or secession, amongst other possibilities. This chapter will examine these three types of political arrangements, with an emphasis on the federal model, which is the focal point of this study. The chapter also provides a comprehensive overview of the relevant literature on the phenomenon of Kurdish self-determination and its development, in particular within the last few decades. This chapter sets the stage for an evaluation of Iran's and Turkey's roles in the Kurdish debate. It will assess whether a federal model can be implemented, and subsequently address the Kurdish claims to self-determination.

#### 2.2 Defining the Kurds

According to Chaliand (1993:6), words such as *mountain people* and *people without a country* have loosely been used to describe the Kurdish people. While these statements

may reinforce pessimist opinions about the Kurds, they nevertheless underline the common perception, captured in the Kurdish proverb, that the Kurds “have no friends, but the mountains” (Gunter, 2011:2). Koohi-Kamali (2003:24) argues that there is great uncertainty about the origins of the Kurds, but it is most likely that they were originally Indo-European tribes who came to the mountainous regions of Kurdistan and settled amongst the Sumerians, Babylonians and Assyrians. Yildiz & Breau (2010:5) explain that the historical use of the name *Kurd* goes back to the seventh century AD. Furthermore, the Kurdish historical timeline is approximately 4000 years long, and shows the clan history of over 800 different tribes. While there exists no precise view, the general consensus is that Kurds have a distinct language and culture, different from that of Arabs, Turks and Fars (Koohi-Kamali, 2003:24). With the breakup of the Ottoman Empire and the creation of new nation-states, the Kurds were divided between different states. The largest concentrations were located in Iran, Iraq, Syria and Turkey (Finkel, 2012). There are also smaller minorities of Kurds in Armenia, Azerbaijan, Lebanon and the Caucasus (Yildiz & Taysi, 2007:1; Ahmed, 2010:76). Kurds are also scattered in diasporas worldwide, mostly located in Europe and the US.

According to Ahmed (2010:76), “the Kurds are one of the national and ethnic minorities in the Middle East.” Afra (1966:4) states that what distinguishes one ethnic group from another depends on traits such as language, religion, and the common idea of a homeland. Similarly, Minority Rights Group International (2014) defines minorities as ethnic, religious and linguistic groups that are smaller than the rest of the population and that wish to maintain and develop their identity. The Kurds exhibit, to some degree, all of these traits. Afra (1966:4) furthermore argues that, apart from the feeling of being Kurdish, language is the strongest collective bond amongst the Kurds. This is, however, debatable, as there are numerous dialects within the Kurdish language that are not commonly understood among the Kurds. The language spoken by the Kurds belongs to the Indo-Iranian family of languages, and is comparable to Farsi, spoken by the Persian people in Iran. The Kurdish language comprises the two major Kurdish dialects, Kirmanji and Sorani. Kirmanji is quite common amongst the Kurds in Turkey, Syria and the Caucasus, while Sorani is mostly spoken in Iran and Iraq. Other dialects such as

Hawrami, Zaza and Lori are also spoken by Kurds (Ahmed, 2010:76). Besides having a distinct language, the Kurds can be viewed as an ethnic nationality.

## 2.3 Kurdistan

Even though the term *Kurdistan* (or *Greater Kurdistan* as it is also referred to) is not a central element of this thesis, it is nonetheless important to understand its connotations and the significance it has for Kurdish nationalism and the Kurdish demands for the right to self-determination. There have been numerous attempts to define the term *Kurdistan*. Directly translated, *Kurdistan* means “the land of the Kurds” (Kalay, 1997:2). Yildiz and Taysi (2007:2) documents that the use of the term first appeared in the 12<sup>th</sup> century when a province named Kurdistan was created in what is today’s Iran. However, Koohi-Kamali (2003:26) explains, “There is no clear consensus on the borders of Kurdistan”, supporting Yildiz and Breau’s (2010:5) claim that countless political, economic and social changes over the centuries have changed the geographic extent and altered the borders of Kurdistan. Nonetheless, Kalay (1997:2) suggests that the geographical area of Kurdistan “stretches from the Taurus Mountains in the west to the Iranian plateau in the east, and from mount Ararat in the north to the plains of Mesopotamia in the south.” In other words, the geographical term Kurdistan refers to the area in the Middle East where the four states of eastern Turkey, western Iran, northern Iraq and north-eastern Syria intersect. This area covers approximately 500 000 square kilometres, an area as large as Spain (Lewis, 2008:11; Central Intelligence Agency (CIA) Factbook, 2014).

The concept Kurdistan does not merely describe a territorial area; it is also a socially- and politically-charged entity. Certainly, McDowall (1985, cited in Hannum, 1996:178) states, “although the term Kurdistan appears on a few maps, it is clearly more than a geographical term since it also refers to a human culture which exists in that land. To this extent Kurdistan is a social and political concept.” However, the concept has no legal or international standing. The struggle for a sovereign Kurdistan has been an essential part of the Kurdish history. However in recent years most Kurds have advocated greater self-determination within the borders of existing states (Great Lakes Invitational Conference Association (GLICA), 2008). For the purpose of clarification, this thesis will

refer to Kurdistan as comprising the Kurdish-dominated areas of the four states of Turkey, Iran, Iraq and Syria, as shown in *map 2.1* below. Although the vast majority of the population of Kurdistan are ethnic Kurds, many minorities also live there, such as Assyrians and Armenians, Turkomans and Turks, Arabs and Iranians, amongst others (Gunter, 2011:4).



**Map 2.1: Map of Greater Kurdistan**

Source: Disputed territories (2014)

## **2.4 A common understanding of self-determination**

Within the international system and the community of nation-states, minorities in a state may attempt to secede from an already existing state and attain statehood of their own, or at least achieve self-governing regions within the boundaries of a state. It is claimed that those who advocate for statehood or for some degree of self-rule defend this on the basis

of the universal right of self-determination. Musgrave (1997:2) defines self-determination as “whenever a people freely determine its own political status.” In recent times, John P. Humphrey (1984:193) pinpoints the historical importance of self-determination in this way: “the proposition ... that every people should freely determine its own political status and freely pursue its economic, social, and cultural development has long been one of which poets have sung and for which patriots have been ready to lay down their lives.”

The history of the concept of self-determination goes back to the French Revolution, with which it has been closely connected in international political discourse. Clashing interpretations of the concept have stirred international conflicts and led to bloody wars. In fact, the concept of the self-determination of peoples has shaped the borders of states, and it is expected to produce more changes to state borders and political structures within as well as between states (Kalay, 1997:1). The “father of modern self-determination” is US President Woodrow Wilson (cited in Yildiz & Breau, 2010:200), who in his famous “Fourteen Points” speech encouraged the Kurds to seek autonomy. Furthermore, in point twelve, Wilson emphasized that non-Turkish minorities in the Ottoman Empire should be given the right of “autonomous development”:

“The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.”

This can be taken as a clear indication that Woodrow Wilson supported the notion of self-determination for minorities in Turkey, such as the Kurds.

As the core principle of international law, self-determination arises from customary international law. In addition it is protected by several international treaties such as the UN Charter, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Legal Information Institute, 2013; Yildiz & Breau, 2010:207). Article 1 is common to the two International Human Rights Covenants (ICCPR and ICESCR), and states “all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

Additionally, the Declaration on Principles of International Law (UN General Assembly, Resolution 1514(XV), 1960) further clarified this right by stating:

“Subjugation of peoples to alien subjugation, domination and exploitation constitutes a violation of the principles [of equal rights and self-determination of peoples], as well as a denial of fundamental human rights, and is contrary to the Charter of the United Nations.”

Similarly, McCorquodale (1994:859) explains that:

“The right of self-determination is a right which reflects the importance given to communities, collectives and families in many societies and the general inherent communal quality of humans. The purpose of the protection of this right is to enable these communities as communities to prosper and transmit their culture as well as to participate fully in the political, economic and social process, thus allowing the distinct character of a community ‘to have this character reflected in the institutions of government under which it lives’. It also forms part of the empowering process of human rights. Thus the right protects people from being subject to oppression by subjugation, domination or exploitation.”

Thus, within the human rights approach to the right of self-determination, all peoples have the legal right to decide their own destiny. Furthermore, the African Charter expressly states, “nothing shall justify the domination of a people by another” (cited in McCorquodale, 1994:859). However, the principle of self-determination does not specify how a decision is to be made, or what the outcome should be. Therefore, it is up to each state to decide whether the right to self-determination should be realised through, for instance, the arrangements of succession, some form of autonomy or through federalism.

Scholars such as Crawford (2007), Cassese (1995), Hannum (1993) and Buchanan (1991b) have all illuminated the field of self-determination within a legal framework. James Crawford published in 2007 the second edition of the book entitled *The creation of states in international law*, an updated version of the 1979 edition. In a comprehensive examination of the topic of self-determination, Crawford (2007) touches on the criteria for statehood, self-determination and secession. Crawford’s core argument is that the creation of states should be dealt with by international law, instead of leaving the task to individual states. If one applies this argument to the Kurdish issue, it is clear

that the international community should step up and support the Kurds in their quest for self-determination. While Turkey, as a result of pressure regarding its quest for EU membership, is trying to reach a peaceful settlement with the Kurds, the Iranian State has not shown any willingness to listen to the Kurdish claims.

On a similar note, in “Self-determination of peoples: a legal reappraisal”, Cassesse (1995) analyses the concept of self-determination and comes to the conclusion that customary international law applies to colonial peoples, to peoples under foreign occupation and to racial groups that are denied access to government. The author underlines the importance of a closer relationship between the concept of self-determination of peoples and the protection of ethnic and other minorities. Continuing to develop the notion of international law, in a scholarly article by Hannum (1993) titled “Rethinking self-determination”, the author encourages a human rights-based approach that would support autonomy within a state with the aim of balancing state sovereignty and group demands for self-government. In Allen E. Buchanan’s (1991b) article titled “The right to self-determination: analytical and moral foundations”, the relationship between the concept of self-determination and the numerous rights that come with it is discussed. It is argued that this can play a vital role in protecting the rights of indigenous peoples. Furthermore, Buchanan (1991b:41) argues that if the protection of group rights were to be included in the concept of self-determination, this could serve as “a powerful weapon.”

Within the debate in the literature, there has been a distinction between two main approaches to the right to self-determination: the “peoples” approach and the “territorial” approach (Brilmayar, 1991; McCorquodale, 1994; Hannum, 1996). The “peoples approach” explores who the people are to whom the right applies. Different conditions for this have been suggested, such as common historical background, common racial or ethnic identity, cultural homogeneity, linguistic unity, ideological or religious resemblance, territorial connection and the size of the group (McCorquodale, 1994:866). The limitation of this approach is that it allegedly fails to acknowledge the evolution of nations and peoples. Furthermore, it is said to overlook the fact that a “people” may be created to achieve political or social ends, and it ignores the fact that individuals are rarely members of one group only.

The “territorial approach”, on the other hand, concerns the impact on territorial sovereignty of closely exercised control over a territory. In the colonial era, the approach was seen as involving a handover of territorial control from the colonial power to the independent state. If the territory in question is not a colony, this approach takes on trust the constitutional or legislative provisions of a state, for instance the extent of its federal structure, in order to evaluate whether the separation of a territory within a state is possible. The challenges with regard to this approach are that it disregards the issue of internal self-determination in its attempt to find criteria for external self-determination. Moreover, secession is not the only, or perhaps even a necessary, method of exercising the right to self-determination (McCorquodale, 1994:869). Buchanan (1991:18) illustrates the different possible political arrangements by drawing an imaginary linear path, starting at one end with a unitary centralized state, then progressing to federalism and even confederation, before ending with an alliance among sovereign states.

As is suggested by the principle of self-determination, the Kurds are in theory entitled to determine their own political dispensation. According to scholars such as Buchanan (1991a), McCorquodale (1994), Hannum (1996) and Yildiz and Breau (2010) there are three possible models that meet the legal claims to self-determination by ethnic minorities, such as the Kurdish population: these are secession, autonomy and federalism. These three models have been selected for further discussion and will be presented to give an overview of the arrangements through which self-determination can be realised.

#### *2.4.1 Secession*

The external aspect of self-determination concerns the territory of a state, which international law commonly refers to as *secession*. This right is practiced when a new state is formed from a secessionist movement (Yildiz & Breau, 2010:202). Secession is defined by Coppieters (2003, cited in Yildiz & Breau, 2010:218) as “the withdrawal from a state or society through the constitution of a new sovereign and independent state”. As the Kurdish struggle for sovereignty has shown, “secession is not an instant fact, but a complex series of claims and decisions, negotiations and/or struggle, which may – or may not – lead to the creation of a new State” (Kohen, 2006:14). According to Yildiz and

Breau (2010:218), there are two models of secession: *a consensual model of state succession* and *a non-consensual model of state succession*. The former model applies when all parties agree to secede and form a sovereign state. The birth of Africa's newest state, the Republic of South Sudan, can to some extent serve as an example. A non-consensual model of state secession suggests that a sovereign state is formed through armed conflict. The break-up of Yugoslavia and the establishment of a sovereign Kosovo have elements that fit the case of a non-consensual model of state secession.

With the aim of giving a clearer understanding of the concept, Buchanan (1991a:10), in his study of secession, contrasts secession to revolution. While a revolutionary's goal is to overthrow the existing government and make fundamental constitutional changes within the state, a secessionist's aim is to restrict the scope of the state's power and challenge state authority. Secessionists seek sovereign status as a way of achieving political independence. However, secession involves not only separation from an existing state in order to become a sovereign state. In some cases, a group secedes from one state and becomes part of another. An example is the Transylvanians who wish to secede from Romania and become part of Hungary. Buchanan (1991a:10) also explains that although it is most common to think of secession as one group seceding from the state, there are in fact several types of secession: these are group versus individual secession; central versus peripheral secession; national versus local secession; majority versus minority secession; and secession by the better-off as opposed to secession by the worst-off (Buchanan, 1991a:16). Furthermore, Buchanan (1991a:27) raises the issue of the morality of secession, as well as dividing the theories that assert a general right of secession into the following categories: *Primary Right Theories* and *Remedial Right Only Theories*. Primary Right Theories argue that the right to secede is only justified if those in question have suffered violations of their rights, the exception being the claimed right of secession itself. Similarly, Yildiz and Breau (2010:219) point out that the group must justify a possible secession by referring to unjust treatment, for example when its territorial sovereignty has been violated; when it is faced with discriminatory redistribution; where there is a lack of equal opportunities; or where their individuals' or states' rights have been violated. Consequently, one needs to show that other forms of redress (other than secession) are not available. Primary Right Theories

have also generally been categorized as “just cause theories”, where a just cause is required in order to achieve secession (Fabry, 2006). On the other hand, Remedial Right Theories holds that there should be a general right of secession grounded in the will of the people. This category has also been labeled “choice theory” (Fabry, 2006). It must not be confused that the right of self-determination automatically implies that independence or secession from an existing state is the only way of exercising this right. As McCorquodale (1994:864) explains, there must be a consensus amongst all people in a territory before any changes with regard to its sovereignty can occur.

When considering the Kurds in Iran and Turkey, their situation could meet the requirements for primary right theories. As will be shown in Chapter Three, the Kurds can point to the violation of individual rights by the states in which they live; in theory this could entitle them to secession. However, further examination of the question of succession reveals some challenges. The Kurdish nationalist movement has indeed advocated for a sovereign Kurdistan. However, in recent years this struggle has shifted to advocacy for self-rule within existing borders. It has proved challenging (if not impossible) to form a sovereign Kurdistan for several reasons. These include the threat to territorial integrity, the lack of a united Kurdish movement, and the lack of international support, all of which militate against the possibility of a Kurdish State. Consequently, the right of self-determination has to be realised through other arrangements. As Buchanan (1991a:29) explains, the right of self-determination does not always include the right to secede. In fact, this right to self-determination can often be accommodated in other, less “dramatic” ways (Buchanan, 1991b:29). The discussion will now focus on autonomy as a possible political solution.

#### *2.4.2 Autonomy*

In the context of self-determination, another possible political arrangement is autonomy. Dryden (2010), in the Encyclopedia of Philosophy, states that the concept of autonomy is “intertwined with the right to pursue one’s interests without undue restriction.” Furthermore, autonomy allows minority groups to exercise direct control over their own affair, while the centralized power is concerned with matters of common interest. Ghai

(2003:23) clarifies the distinction between the two basic types of autonomy, territorial or group autonomy. Territorial autonomy can either take the form of a federation (e.g. Canada, India, and Switzerland), as will be discussed below, or it can take the form of autonomy for a few regions only (for instance, Greenland, Kashmir and New Caledonia). Autonomy is appropriate when minorities are concentrated in one region of the county and constitute a majority within that particular region, while group autonomy occurs when a minority is not geographically concentrated, but is nevertheless in charge of matters affecting culture, language, religion and personal law. This is the case for Muslims in India or for linguistic groups in Belgium. Members of a particular group, regardless of where they are living in the state, are bound by the rights and regulations made by a council for that particular group. Both territorial and group autonomy provide the minority or the territorial community with the right to legislate and administer matters that affect them in particular; generally national authorities are excluded (Ghai, 2001:23).

Even though autonomy and federalism may at first glance seem to be two sides of the same coin, there are important differences. Autonomy is a special arrangement between the centre and one or two regions (for instance Scotland and the United Kingdom). Furthermore, autonomous territories do not share legislative power with the central government; neither do autonomous models have an Upper House. In comparison, federalism combines self-rule by regions with shared rule at the centre. Thus, the regions govern themselves while simultaneously sharing power in the central government. However, that is not to say that autonomy does not make provision for federal arrangements (Papagianni, 2006:37). This is evident in the case of India, for instance. The Indian Constitution states that each Union and territory has its own government, while the central government is the governing authority of the Republic of India.

As far as the Kurdish case is concerned, a similar arrangement could provide the Kurds with self-determination. An example is the recent case of the Syrian Kurds, who declared autonomy for the Kurdish parts of Syria (Abdulla, 2014). However, it can be argued that autonomous arrangements are better suited to islands, which are under subject to the domination of another country. For instance, Greenland is under Danish rule, but has autonomy over all social and political matters (except foreign affairs and national defence). This study will now turn to the central theme of this thesis, namely federalism.

### *2.4.3 Federalism*

The internal aspect of self-determination relates to the federal arrangement of political power. In short, federalism refers to “the division of power within a state” (Wessels, 1992:35). The Canadian scholar Ronald Watts (1990:6) defines federalism as “the advocacy of multi-tiered government combining elements of shared-rule and regional self-rule”. Therefore the diversity of human affairs can be reflected in the unity that federalism offers. Furthermore, according to McCorquodale (1994:864), federalism in the first place concerns the right of peoples within a state to form their local government; secondly, they have the right to freely choose their own political status; thirdly, they may choose political participation. This applies to federalism as it will be used in this study. The reasons for this are as follows: the Kurds have been advocating for greater recognition and political rights in the Middle East for decades, without achieving the desired outcomes. The exception to this statement is the Kurdish area of Iraq, which has been granted self-rule. Thus, the most recent federal state in the international community is Iraq (Yildiz & Breau, 2010:224).

There is a consensus that the political federalism as a model of self-determination contains at least two levels of government, and that the division of power and jurisdiction are enshrined in a constitution, but the practical arrangements may vary (Mohammed, 2013:56). Watts (1990:1) states that federal arrangements are changeable, and there is rarely one set of principles that fits all cases. Indeed, Yildiz & Breau (2010:224) argue that the variations in economic and social diversities, as well as the number of constituent unions and the allocation of legislative powers, are factors that must be taken into consideration. However, Watts (1990:7) notes that some factors need to be present for a federal arrangement to exist. He lists six characteristics that federations have in common, (1) There are two orders of government that are acting directly on their citizens. (2) There is provision for a formal constitutional distribution of legislative and executive authority by which revenue resources are allocated and autonomy is specifically recognized. (3) The mode of representation is laid down in law. (4) There is a supreme written constitution which cannot be amended unilaterally and which requires the consent of a significant number of the constituent units. (5) There is an independent judiciary. (6) There are institutions to facilitate intergovernmental collaboration in those areas where

governmental responsibilities are shared or overlap. Whilst all six factors are important in their own way, Yildiz and Breau (2010:222) note, “It is the constitutional process that is particularly important in establishing a federation.”

Four types of federal arrangements can be seen in, for instance, Brazil, Canada, the US and Australia. Even though their federal arrangement are distinct from one another, they are large in size with large populations; this makes it challenging to govern people scattered across such vast distances through a unitary system of governance. Divided into smaller entities, states, or provinces with a centralized government, these countries have found a way of efficiently serving their people and protecting their liberty while balancing local powers with the central power. Sir Robert Menzies (1967:24) touches on this by saying, “In the division of power, in the demarcation of powers between a Central Government and the State Governments, there resides one of the true protections of individual freedom.” The US federation binds its fifty states and one federal district by federal law, while Canada is organized along ethnic and religious-linguistic lines (Elazar, 1995:28). The presidential federal arrangements in Brazil resemble those in the US in terms of institutional structure, but greater power is given to its municipalities (Samuels, 2003:16). The constitutional monarchy of Australia has six states and two territories with power divided amongst them and various institutions (Twomey & Withers, 2007:20).

This notion of shared rule and regional self-rule can be said to have certain advantages. Charles Tiebout and Gordon Tullock explain that the development and maintenance of separate communities within a state usually ends up with more satisfied citizens as power is shared and preferred policies can be adopted by particular regions (cited in Bednar, Edkridge Jr. & Ferejohn, 1999:7). This may well lead to political stability. In addition, pluralism is encouraged, and people have more access to leaders and opportunities. Federalism can also prevent tyranny as it ensures the separation of powers. However, the advantages of federalism will only be realised if all citizens have trust in the system and believe that the regional governments will not take advantage of one another and that the centre will not try to take advantage of its position. If this is not the case, disputes and suspicion will reduce the participants’ support for the system (Bednar *et al.*, 1999:2).

Alongside these strengths, the federalist model has to face challenges. In the 21<sup>st</sup> century, globalization leads to a blurring of the territorial boundaries of the nation-state and this makes it challenging to introduce a federal structure (Yildiz & Breau, 2010:224). In addition, federalism is a territorial form of government, and this can challenge the rights of the majority. However, with constitutional arrangements guaranteeing that all citizens have equal access to human rights mechanisms and political participation, these criticisms can be addressed (Yildiz & Breau, 2010:224).

As already mentioned, this thesis will apply the internal aspects of self-determination, which is the federalist structure, when assessing whether federal arrangements can be implemented in Iran and Turkey, and subsequently address the Kurdish claims to self-determination. The goal with the application of this theoretical foundation is to understand federalism as a model of self-determination better, as well as to understand the Iranian and Turkish context. This will equip one with the tools needed to assess the possibility that viable federal states in Iran and Turkey could be a way of meeting the Kurdish claims. Kurds in Iran and Turkey are advocating for minority rights and for recognition, as well as for greater political participation. It can be argued that the federal model, as presented here, one which embraces diversity, may be able to provide guarantees for self-determination, as demanded by the Kurds in Iraq. As the newest federal state in the international community, an article of Iraq's constitution states, "the Republic of Iraq is a single federal, independent and fully sovereign state in which the system of government is republican, representative, parliamentary, and democratic, and this Constitution is a guarantor of the Unity of Iraq" (Yildiz & Breau, 2010:224). Thus, the Kurds in Iraq have managed to achieve a solution to their demands through the arrangements of federalism.

As seen from the preceding discussion on federalism, this political arrangement may possibly benefit the Kurds in terms of protecting the territories in which they live in Iran and Turkey. A federal model might allow for the entrenching of local identities, a common religion and a common culture for the Kurds within these territories. However, it is necessary to assess whether it is possible to implement a federal system in Iran and Turkey. In view of the comparative nature of this research, a comparison of the different political structures in Iran and Turkey will be conducted. As Chapter Three will show, the

Islamic Republic of Iran is a theocracy in which religion and politics are intertwined, while the Republic of Turkey is a constitutional democracy. It can be questioned whether these two very different political systems are flexible enough to accommodate a federal model of self-determination.

## **2.5 Review of Kurdish self-determination**

As this review will illustrate, the last decade has seen a shift in the way the Kurds pursue self-determination. While previously there was a focus on the establishment of a sovereign Kurdistan, there is now a focus on achieving greater self-determination within the host states. This clear shift occurred after the capture of the *Kurdistan Worker Party's* (PKK) leader Abdullah Öcalan in 1999, in which Öcalan influenced the party to drop their initial demands for independency and rather opt for autonomous regions (Jongerden & Akkaya, 2013:171). This thesis looks specifically at a comparative examination of the possible implementation of a federal model in Iran and Turkey, in an attempt to address the Kurdish claims to self-determination. It is not easy to retrieve information on this topic, and in particular with reference to Iranian Kurds. An explanation for this is the closed nature of the Islamic Republic of Iran. However, there are texts which deal broadly with Kurdish self-determination, and more specifically with secession and federalism.

A few scholars have questioned the lack of a sovereign Kurdish state in the Middle East. A 2004 article entitled “Why Kurdish statehood is unlikely” by Michael M. Gunter discusses why the establishment of a sovereign Kurdistan is a doubtful prospect. The geographical area referred to as Kurdistan is located within four existing states (Iran, Iraq, Turkey and Syria), and an independent Kurdistan would threaten territorial integrity in the region. Furthermore, Gunter (2004a:106) proclaims, “No state on earth would support a doctrine that sanctions its own potential breakup. A possible Kurdistan could come into existence if the already existing states in the Middle East were to collapse, or if war were to break out in the region. Furthermore, the lack of nationalism and unity also hampers the achievement of statehood. Gunter (2004a:108) examines the four different countries, and provides suggestions for the road ahead. In the case of Iran, the Islamic

republic is not supportive of minorities, and has crushed several Kurdish uprisings. Consequently it is argued that the best the Kurds can hope for is the secular development of the country, which could result in revisiting the issue of minority rights for the Kurds. The Iraqi case is the only case that invalidates the argument that Kurdish statehood is highly unlikely. However, it is suggested that if Iraqi Kurdistan proves to be a failed state that cannot sustain a federal democracy, then the best thing would be for the U.S., Turkey and Iran to allow Iraq to be partitioned into its constituent parts, rather than forcing it to remain a unity that the Kurds would oppose. As for the Kurds in Turkey, Gunter (2004a:109) argues that their best hope lies with the quest for membership of the EU. This will require Turkey to meet various democratic criteria and this would result in the granting of Kurdish minority rights within Turkish borders. In the case of Syria, Gunter (2004a:110) points to the fact that the Kurdish population is too divided and weak to bring about secession. Therefore, a gradual liberation from the new regime of Bashar al-Assad would be the best thing for the Kurds.

Another hypothesis to explain why the Kurds lack a modern national identity is advanced by Neopytos G. Loizides in his (2010) article, "State ideology and the Kurds in Turkey". Loizides (2010:513) describes the Kurds as what Miroslav Hroch calls "nations without history"; these are defined as those nations "which had at no time in their pre-capitalist past been the repositories of an independent political formation." The Kurdish case is contrasted with that of the Serbs and the Poles, who even though they had lost their statehood, still shared a unique political identity. Because the Kurds have not enjoyed statehood in the recent past, their case is much more difficult, Loizides (2010:513) argues.

Moving from the question of sovereignty and a modern Kurdish identity to the issue of self-determination within the international arena and human rights law, it is evident that these topics have been much discussed in the literature. In *the Kurdish conflict: international humanitarian law and post-conflict mechanisms* by Kerim Yildiz and Susan Breau (2010), the authors highlight the concept of self-determination within human rights law, and elaborate on the Kurdish situation in Iraq and Turkey specifically. They take the implementation of the federal system in Iraq as a point of departure and argue that the political solution to the situation for the Kurds in Turkey is for the Turkish

government to be “willing to grant the minority rights protections and constitutional guarantees of diversity that are incorporated in a model of federalism, or else the only other possible result of this conflict is a continuing struggle for secession” (Yildiz & Breau, 2010:226). Furthermore, they review the current political platform in Turkey and recommend for a long-term solution to the conflict. A possible outcome of the conflict is that some degree of autonomy, within the federal model is granted and guarantees the right to self-determination. The study underlines the importance of resolving the conflict in compliance with international law - not only from a human rights perspective, but also from the perspective of finding a lasting solution to the dispute.

Turkey has been subject to pressure from the outside world on account of the handling of its Kurdish population, particularly after it sought EU membership. However, in the last few years, there has been a willingness to find a solution for all parties. In “Turkey’s Kurdish conflict: pathways to progress”, Yildiz (2012) discusses the Kurdish conflict in Turkey in the context of conflict resolution and peace building. Yildiz (2012:151) argues that the complex and divergent attitudes of the state towards the Kurds and their demands have prevented any viable solution to the conflict. Kurdish demands for self-determination have been met by the “classical approach”, that is, by military intervention, which has only led to a continuation of the ongoing conflict between the state and the Kurdistan Worker’s Party (PKK). The article argues that a political and democratic solution must be applied in order for the political problem to be solved. Furthermore, the steps to be taken to achieve a long-lasting peace are as follows: a constitutional reform must be implemented that is more democratic and inclusive of Turkey’s minorities; the opposing groups must work in close partnership towards an inclusive self-determination arrangement that might result in a positive outcome to the problem. Yildiz (2012:161) argues that secession is almost impossible, as there is too much opposition from the state as well as from the international community. However, a model of decentralization incorporated into Turkey’s constitution or the adoption of a federal model might lead to a solution. As a way of moving forward, it is argued that the parties must negotiate a peace agreement and consider models of transnational justice and reconciliation.

When it comes to the Kurds in Iran, Kerim Yildiz and Tanyel B. Taysi's book (2007) entitled "The Kurds in Iran: the past, present and future", gives an historical overview of Iran's development and of the emergent state's policy towards its Kurdish population. The authors offer an overview of the Kurdish population and the issues they encounter within the country. A historical overview of Iran's development since WWI, the revolution of 1979, the war with Iraq and the state policy towards the Kurdish population is highlighted; the book also provides a critique of Iran's human rights violations, in particular towards minorities and women. Yildiz and Taysi (2007:108) argue that for any real change to occur, Iran must find a viable solution to the Kurdish issues in the country. Furthermore, it is argued that Iran should be pushed by the international community to negotiate directly with the Kurds, rather than through the involvement of the international community. The resolution of the Kurdish issue will affect the whole region as well as Iran's international policy and international relations; therefore it is very important to find common ground for a lasting solution.

Mohammed Ali Ahmed's (2010) doctoral thesis provides an interesting angle on the discussion of the Kurdish issue in the Middle East generally. Although not specifically focused on the topic of self-determination, it nevertheless gives an important assessment of the situation of the Kurds in the Middle East. His thesis, entitled "The legal status of the Kurds in the Middle East: The twenty-first century policies of Turkey, Iran, Syria and Iraq towards the Kurds", investigates the constitutional policies of Turkey, Syria, Iran and Iraq and their treatment of the Kurdish minorities within their sovereign borders in the twenty-first century. Furthermore, from the theoretical basis of the theory of citizenship, Ahmed (2010) questions whether "equal citizenship", that is equal rights and responsibilities for minorities, exists in these states. He provides a thorough examination of the emergence of nation-states in the Middle East, and a modern overview of the four case studies as well as the role of external factors (such as international legal documents). In sum, the four case studies demonstrate that the constitutions and penal codes of the four countries are discriminatory towards their Kurdish minorities. The exception is the new political and legal system of Iraq after 2003, which is less discriminatory in comparison. Ahmed (2010:242) proposes that the realisation of

minority rights through various forms of autonomy is the key to pluralism and peace in the Middle East.

As far as secession and federalism is concerned, a recent research study was completed by Mohammed (2013) entitled “The politics of Iraqi Kurdistan: towards secession or federalism?” Mohammed’s (2013) doctoral thesis is based on fieldwork in the Kurdish areas of Iraq, in which both private and public participants were selected to give their opinion of whether Iraqi Kurdistan should secede from Iraq or stay integrated within a federal model. Interestingly, most people saw the future of the Kurds as lying within a federal political arrangement, in which the Kurds would exercise a certain degree of self-determination within the unity of Iraq.

Finally, the research study by Yesiltas (2014) entitled “Rethinking the national question: anti-statist discourses within the Kurdish national movement”, highlights the shift from understanding of the Kurdish question in terms of the issue of statelessness, to examining the challenges of democratization within existing states. Yesiltas (2014) gives a comprehensive overview of the situation of the Kurds in Iran, Iraq, Turkey and Syria and highlights the political and ideological transformations they have undergone; the most significant of these is the advent of “democratic discourse” (2014:293). While the pre-1990 period was mostly characterized by a struggle for sovereignty, the Kurdish national movement has in the last two decades come to understand that their claims for greater recognition can only be realised within a democratic state structure. Thus, the Kurds have become “democratic agents” (Yesiltas, 2014:294) that seek influence through their relationship with their central governments.

## **2.6 Conclusion**

This chapter started by conceptualizing the four central concepts of this thesis, *Kurds*, *Kurdistan*, *self-determination* and *federal*, before moving over to give a thorough introduction to the theory of self-determination in general, and that of federalism as a model of self-determination in particular. The political arrangements of secession and autonomy were also considered to show that self-determination can be realised under different political arrangements. However, with regard to the Kurdish claims of self-

determination, it was explained that neither secession nor autonomy could be realised in Iran or Turkey, due to the prevailing political structures. When it comes to federalism, its unifying factors illustrate that it may be a viable political solution in the Iranian and Turkish contexts. However, the political situations in Iran and Turkey will be highlighted in Chapter Three, and the application of the theory to the case studies will be given in Chapter Four. The literature review on Kurdish self-determination helped to demonstrate the evolution of Kurdish claims to self-determination in recent decades. It is clear that the Kurdish claims to independent statehood have transformed in favour of greater rights to self-determination within existing states. Chapter Three will contextualize the case studies of the Kurds in Iran and Turkey.

## **Chapter III:**

### **Presentation of the case studies**

#### **3.1 Introduction**

Having conceptualized the federalist model in the preceding chapter, this chapter will examine the Kurdish political history in Iran and Turkey in order to show how the systems in which the Kurds live have been reluctant to assign its Kurdish minorities a greater degree of self-determination. The two case studies have been chosen because while the Kurds in Iraq and Syria enjoy self-determination, the Kurds in Iran and Turkey have so far not reached any definite agreement with their governments; thus the claims to self-determination are ongoing. Furthermore, the Kurds in Turkey have received much attention, whilst the Kurds in Iran have not. This research study takes the political arrangement of federalism and assesses it within the Iranian and Turkish contexts to understand whether it can be implemented in these countries, as a way of addressing the Kurdish claims to self-determination. This chapter will begin by giving a brief overview of the Kurds in Iran and Turkey; this will provide information on geography, ethnic composition, religion, language and economy. The political development and the responses by the governments towards the Kurds in Iran and Turkey will be examined to show how this has laid the foundation for a system in which Kurds (and other minorities in these states) have been deprived of most of their conventional rights. Finally, in order to understand the Kurdish quest for self-determination, and to what extent the Kurdish political parties in Iran and Turkey have furthered the Kurdish case, an in-depth analysis of modern Kurdish political history is necessary. Insight will be given into the Kurdish political movements in these two countries; this will demonstrate how these developments have had a crucial impact on determining the direction in which the Kurds in Iran and Turkey are headed. This chapter will highlight and present findings with regard to sub-questions one and two. To summarise, this chapter will offer a rich understanding of how the Kurds have advocated for their right to self-determination.

### 3.2 Overview of the Kurds in Iran

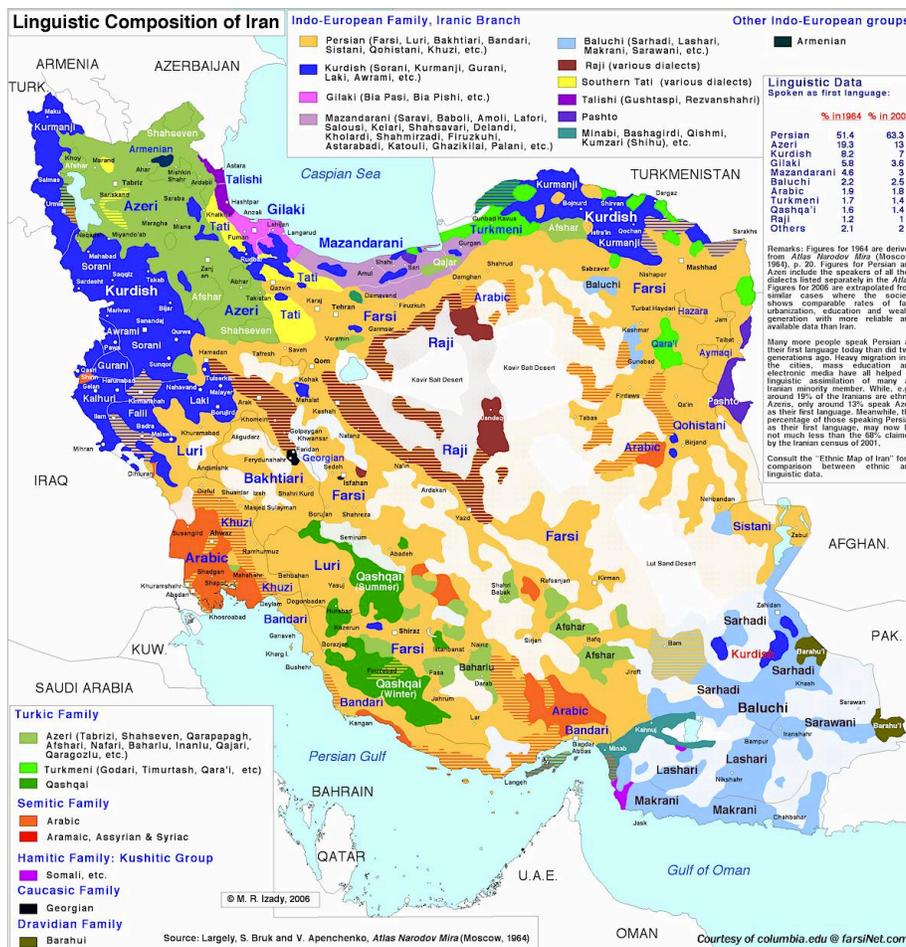
Iran provides an important insight into Kurdish history; Iran was said to be “the intellectual center of the Kurdish nationalist movement in the mid-20<sup>th</sup> century” (Ahmadzadeh & Stansfield, 2010:11). Not only are Kurds thought to have originated from Iran, but the term *Kurdistan* first appeared in Iran in the twelfth century when the Seljuk prince Sandjar created a province that happened to coincide with the modern province of Kurdistan in Iran. Moreover, it was in Iran that the first and only independent Kurdish republic existed from 1945-1946 (Yildiz, 2007:2). Thus, the Iranian authorities’ aim of establishing a nation-state in which non-Persian ethnic groups would not be given the opportunity to politically express themselves as minorities has been only partly successful (Ahmadzadeh & Stansfield, 2010:12).



**Map 3.1 Kurdish inhabited region in Iran**

Source: UNPO (2014)

The area which the Kurds in Iran inhabit is known unofficially as “Iranian Kurdistan” or “East Kurdistan” because its location is to the east of Greater Kurdistan. As can be seen in *Map 3.1* Iranian Kurdistan is the highlighted green region in north-western Iran that stretches from Mount Ararat in the North to the Zagros Mountains in the South. In this thesis, “Iranian Kurdistan” will be used to designate this area in which the Kurds in Iran are located. This region borders Kurdish-inhabited areas in Iraq, Turkey and Armenia (UNPO, 2008). Iran’s Kurdish areas are divided into three administrative provinces: Kurdistan in the central area, western Azerbaijan in the north and Kermanshah in the southern area. However, the province of Ilam, southwest of Kermanshah, is also recognized as part of the wider Iranian Kurdistan. The central area of Sanandaj is officially referred to as *Kurdistan* (Ghassemlou, 1993:95; Yildiz & Taysi, 2007:4).



Map 3.2 Linguistic composition of Iran.

Source: Mid East Posts (2013)

While the Persians (also called Iranians) form the majority of the population in Iran, it is difficult to give an accurate estimation of the total number of the Kurds in Iran, as the Iranian government is reluctant to give any estimate of the composition of its population. Ahmed (2010:71) notes that there has never been any census of the ethnic minorities in the country. According to Yildiz and Taysi (2007), the Kurds make up about 12 to 15 per cent of the Iranian population of close to 81 million<sup>4</sup>. This amounts to nearly 7 to 9 million Kurds. Ahmed (2010:71) on the other hand contends that the total Kurdish population in Iran is closer to 8.5 or 9 million, and comprises no more than 12 per cent of the total population of Iran. Yet, according to recent indicators completed on behalf of the CIA Fact book (2014), the Kurdish population in Iran is believed to be approximately 10 per cent of the total population of Iran, that is approximately 10 million Kurds. These different figures underline the lack of consensus about the population of the Kurds in Iran (Ahmed, 2010:71).

While Kurds across the various states share a set of similarities, such as culture and customs, their most distinct shared feature is the Kurdish language. While the Kurdish language spoken in the Middle East stems from the Indo-European family, different dialects exist in the different areas. As *Map 3.2* shows, the Kurds in Iran speak a variety of dialects. While Kurmanji is mainly spoken in the northern areas, Sorani and Gurani are spoken in the south. These different dialects have hampered communication between fellow Kurds in Iran. While the Kurdish language of the Iranian type is written in Arabic script, other dialects can be written in Latin or even in the Cyrillic alphabets. This additionally complicates communication between Kurds (Koochi-Kamali, 2003:27). The religious composition of the Kurdish population in Iran is quite uniform: Islam is the official religion, and over 99 per cent of the population is Muslim (CIA Factbook, 2014). However, while 80 to 90 per cent of the Iranian populations are Shia Muslims, most Kurds belong to the Sunni orientation (Ahmed, 2010:160). The remaining one per cent of the Iranians consist of Christians and Jews (CIA Factbook, 2014).

When it comes to the economy, the Kurdish area is rich in natural resources; the main income for the Kurdish population has largely been derived from agriculture. Ghassemlou (1993:101) commented that the Kermanshah region has benefited from oil

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<sup>4</sup> CIA Fact book (2014) holds that the Iranian population reached 80 840 713 people by July 2014.

production; this was largely responsible for the increase in Iran's national income in the 1970s. While the Kurdish areas in Iran have contributed greatly to the state's economy, it is questionable how much has been invested in Kurdish economic development. The UNPO reported in 2008 that whilst the Iranian constitution, Article 48 reads, "there must be no discrimination among the various provinces with regards to the exploitation of natural resources", Iranian Kurdistan remains underfunded and exploited. For instance, the agricultural way of life has been challenged by the government's policy of laying land mines in agricultural fields, thereby threatening crops and livestock.

Having provided a general overview of the Kurdish minority in Iran, this thesis will now discuss the Iranian government's stated policies towards the Kurds.

### **3.3 The Iranian government and public policy towards the Kurds**

On the surface, the Iranian government has much in common with governments elsewhere: a president who is popularly elected, a legislature and a powerful judiciary. However, what sets the Islamic Republic of Iran apart from most governments is that it is an Islamic theocracy, operating under the doctrine of *Velayet-e Faqih*, or rule by the Supreme Leader. Ayatollah Ali Khamenei is currently the Supreme Leader and exercises ideological and political control. While the President is responsible for the everyday running of the country, it is the Supreme Leader who sets the tone and direction of domestic and foreign policy, as well as exercising control over the armed forces and security services (Yildiz, 2007:47). Francis Fukuyama (2009) described the 1979 Constitution as "a curious hybrid of authoritarian, theocratic and democratic elements". In other words, although there are presidential elections every fourth years, all social, cultural, economic and political matters are determined by the Supreme Leader, and this is justified by reference to the *Shari'a* (Islamic law).

The documented history and relationship between the Iranian ruling powers and the Kurdish minority can be traced back to the early sixteenth century; this relationship was described by Koochi-Kamali (2003:39) as "a difficult one". The first documented occurrences emerged as the Safavid Persian Empire rose to power. The aim of the Safavid policies was a strong and centralized state; they specifically targeted the Kurds

and their aspirations for autonomy. Kurdish tribes were set against each other, creating hostility between them, as well as with the state (Yildiz, 2007:33). The Qajar Kings, who followed the Safavid Empire, continued on the same path as their predecessors. Kurdish principalities were abolished and replaced by leaders directly assigned from the capital. The last powerful Kurdish Prince was stripped of his powers in 1865 (Koohi-Kamali, 2003:39).

Later, when Reza Pahlavi came to power through a military coup in 1921, he “adopted a zero tolerance policy towards Kurdish rebellions and uprisings” (Yildiz, 2007:34). Under Reza Shah, a centralized nationalist state was established where a “Persian-first policy” took precedence over other ethnic or religious identities in the country (Ahmadzadeh & Stansfield, 2010:13). Furthermore, Yildiz (2007:35) describes how the system of “Persianification” was enforced throughout Iran, and how this affected Kurds and other non-Persian ethnic groups. All public works in non-Persian languages, including Kurdish, were banned. Kurdish schools were closed down and administrative positions in Kurdish regions were given to Persians. Economics, infrastructure and health care in the Kurdish regions were the worst in Iran (Yildiz, 2007:35).

Ghassemlou (1993:98) commented that since the 1940s, the teaching and public use of the Kurdish language in Iran had been banned. The only exception to this (and to the statement that Kurds have never had their own nation state) was the short-lived independent Kurdish Mahabad Republic in 1946. Koohi-Kamali (2003:42-43) notes that the Kurds took advantage of the fragile situation in the country during WWII and pursued their quest for autonomy. While the country was occupied by Allied Forces, the Kurds, with Russian assistance, set up the short-lived Mahabad Republic (this will be discussed later). After the collapse of the Kurdish Republic, most Kurdish nationalists found it difficult to openly express their demands for autonomy, and hence went underground. It was not until the 1979 Revolution that the Kurdish movement voiced its opposition to the Shah’s system and asked for political, economic and cultural recognition (Koohi-Kamali, 2003:43).

On the eve of the 1979 Revolution, it took some time before Kurdish political parties were able to reach an agreement with the Iranian government with regard to granting the Kurds greater recognition and self-determination. Koohi-Kamali (2003:171-

173) documents that the Kurdish regions in Iran were deserted by the Iranian army, and the Kurds took effective control of these areas. Adopting a conciliatory approach, the government promised to recognize ethnic rights throughout the country. An 8-point autonomy program, in which the Kurds insisted on taking control over the Kurdistan area, was soon drafted by Kurdish political parties and presented to Ayatollah Khomeini who was the Supreme Leader at the time. Although the Kurds felt encouraged, Khomeini rejected the plan, stating that the demands were “unacceptable” (Koochi-Kamali, 2003:172); he accused the Kurds of seeking independence. The situation changed rapidly, and rather than reaching a solution, the Kurds and the Iranian guards took up arms against each other (Koochi-Kamali, 2003:173).

Current research by Ahmed (2010) on the legal status of the Kurds in Iran has shown that, with the 1979 Constitution, the Kurds were denied access to equal citizenship, that is, equal access to political, educational, social and economic institutions in Iran. Furthermore, the Kurds have been vulnerable to policies of assimilation into the Iranian nation. This is reinforced in a report written by Cameron & Danesh (2008:60) on behalf of the Foreign Policy Centre (FPC), whose work is focused on promoting a fairer world. The report concluded that, “the Islamic Republic of Iran has consistently and systematically discriminated against Baha’is, women and Kurds.” Moreover, this conclusion is supported by Ahmed (2010:149) who states, “the law is not applied equally.” Ahmed (2010:160) documents that while article 12 explicitly defends the rights of non-Shia Muslims, in practice the Kurds are discriminated against in their community affairs and in access to public affairs. For instance, very few Sunni-Muslims have positions in embassies, universities and other important public institutions. Additionally, Kurds are unable to achieve high-ranking positions in government or in the judiciary. Similarly, Yildiz (2007:31) shows how the 1979 Constitution and the actual legal practice are two quite diverse matters. Article 15 of the Constitution states, “local languages may be used in the press and in the mass media” (Ahmed, 2010:154), and article 19 grants equal rights for all ethnic minorities (Yildiz 2007:31). Ahmed (2010:180) notes that there are restrictions on opposition political parties, and minorities are forbidden from forming any political parties or cultural forums. This explains why the Kurdish nationalist movement either works underground in Iran, or from the Kurdish part of Iraq; this again

highlights the poor legal status of the Kurds in Iran. The fact that Kurds are Sunni Muslims, means that they are subject to “double discrimination” (Urrutia & Vilellas, 2012:9), on the basis of both ethnicity and religion.

It was believed that while the restrictions on freedom of association, assembly, and speech were a problem during President Khatami’s two administrations (1997-2005), the Ahmadinejad government (2005-2013) intensified these restrictions in the name of security (Ahmed, 2010:159). With the new Iranian President Hassan Rouhani who took office in August 2013, it was hoped that the injustice and inequality which has characterized the country would be reduced. During the Presidential campaign, one of Rouhani’s promises was to “work on removing the stain of discrimination and inequality from the face of the religious and ethnic minorities in Iran” (Bordbar, 2013). Rouhani also gave the impression that he would be a more flexible leader, promoting Iran’s re-engagement worldwide. However strong his promises seemed to be, Rouhani crushed the hopes of greater Kurdish rights when he stated, immediately after his election victory, that Iran is “not a multi-ethnic state ... there is only one nation in Iran and that is structured by the Islamic system” (Yesiltas, 2014:288). Since the new President has carried the torch, International Campaign for Human Rights in Iran has recorded that more than 200 people have been executed, many of them Kurdish activists. This information is verified by UNPO (2014) and Gatestone Institute for International Policy Council (2014). In addition, the 1979 Constitution does not acknowledge ethnic minorities; this is (supposedly) as a way of illustrating that “there is no difference between Muslims who speak different languages” (speech by Khomeini in 1979, cited in Yesiltas, 2014:246). However, in spite of this claim that all Muslims are equal, there is a lack of freedom of expression, freedom of press, as well as freedom of religion. Indeed, Hakki (2008:41) notes, “in Iran publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or to the rights of public.” Since the establishment of the 1979 regime, “tens of journalists and publishers have been detained, executed or murdered” (Hakki, 2008:41). However, as of 2014, there is reason to believe that these numbers have only increasing. Based on these statements, it is fair to conclude that criticism of the state is not tolerated, and that such actions can have fatal consequences.

It is documented that the 1979 Constitution discriminates against non-ethnic Persians on the basis of ethnicity and religion. For instance very few Kurds or Sunni-Muslims hold positions in embassies, universities, or other public offices. Cameron and Danesh (2008:35) highlight that the fact that Iran is the only Muslim country to have signed and ratified the Universal Declaration of Human Rights and the two International Covenants, makes the situation rather ironic. As far as the first sub-question is concerned, that is, *What has the response by the Iranian and Turkish governments been towards the demands for greater recognition of their Kurdish population?* this section makes it clear that the Iranian government has ignored most attempts at granting greater democratic rights to the Kurds. Ever since the early sixteenth century, the ruling elite has been concerned with promoting a centralized Iranian state authority, at the expense of the larger ethnic minorities that live in the country. While Kurdish attempts to gain some degree of self-determination on the eve of the 1979 Revolution came close to success, the Kurds were once again left without any rights. With the establishment of the Islamic Regime, the relations between the government and Kurdish political parties improved. However, this apparent progress received a sharp setback as the government believed that the Kurds were opting for independence. Since then, the political relations between the Kurds and the regime have been strained. It was hoped that with the election of a new President in 2013 the situation for the Kurds would improve, but so far little has been done from the government's side to meet the Kurdish claims to self-determination. This study now moves on to discuss the Kurdish nationalist movement in Iran in order to investigate to what extent they have furthered the Kurdish case in Iran.

### **3.4 Kurdish nationalist movement in Iran**

The modern-day Kurdish nationalist movement can be traced back to the early 1900s, when the tribal chief Ismail Agha Simko opposed Reza Shah's centralizing policies in Iran. Ahmadzadeh & Stansfield (2010:13) argue that Simko's revolt "laid the foundations of the Kurdish nationalist movement in Iran." Koohi-Kamali (2003:82) documents that Simko's revolt came as a response to the central government; it was aimed at advancing Kurdish liberation, and also at avenging the death of his brother, who was killed by the

Persian authorities when Simko was a young man. Simko's uprisings were based on tribal support and power, but were also limited by tribal aspirations. Even though he received great tribal support, his raids and exploitation of the non-tribal settled population of the regions under his own authority, resulted in him being greatly disliked and feared. Ahmadzadeh and Stansfield (2010:13) note that his opponents viewed him as a cruel leader who threatened the territorial integrity of Iran and its legitimate modernizing ambitions. Simko's struggle for Kurdish independence ended in 1929 when he was led into a trap and murdered in an ambush ordered by the Iranian government (Koochi-Kamali, 2003:83). While Simko's revolt, mainly inspired by tribal ambitions, lacked a nationalist agenda and did not gain any degree of self-determination (Ahmadzadeh & Stansfield, 2010:13), it is nevertheless viewed as the beginning of the modern Kurdish nationalist movement in Iran.

Ismail Agha Simko was not the only one who opposed the new policies of the Iranian state, in which Persians were the dominant ethnic group. In fact, various national organizations were established after WWI to further the Kurdish case against the central authorities. Nonetheless, these organizations failed to achieve the goal of a sovereign Kurdish homeland. It was not until the end of WWII that the modern Kurdish political parties as we know them today were established (Hevian, 2013:94). However strict the central authorities of Iran have been in controlling political activities, they could not quash the Kurdish nationalist movement, which continued despite the great risk of political prosecution. The Iranian Kurdish political parties that have managed to establish themselves over the years have rarely gained the support of more than a small minority of Kurds; this is due to regional and socio-cultural differences within the country. However, there are three political parties that have been selected for the purpose of this research that have achieved a certain degree of momentum due to their size and influence. This researcher has been unsuccessful in determining the membership of the specific organizations, but it would seem that the *Kurdish Democratic Party of Iran* (KDPI), *Komala* and *The Free Life Party of Kurdistan* (PJAK) have high levels of support, not only within Iran, but also within the diaspora. Yesiltas (2014:20) documents that both KDPI and Komala have established offices and communication networks in northern Iraq to advance their nationalist claims. When it comes to PJAK, Yesiltas (2014:24) notes that

this party has “attracted attention and showed considerable potential for organizing social and cultural activities and also for carrying out armed struggle against the Islamic regime.” The three Kurdish political parties in Iran will now be examined to determine the extent to which they have furthered the Kurdish case.

### *3.4.1 Kurdish Democratic Party of Iran (KDPI)*

President Qazi Muhammad established the moderately left-wing *Kurdish Democratic Party of Iran* (KDPI) in late 1945<sup>5</sup>. To avoid confusion it is necessary to explain that KDPI replaced the initial party, *Komala*<sup>6</sup> (or Committee for the Revival of the Kurds) which operated between 1942 and 1945. In 1941, the British and the Soviet forces, invaded Iran, toppled the Reza Shah Pahlavi’s government, and handed over limited autonomy to the Kurds. According to the party’s webpage, Qazi Muhammad established KDPI to replace Komala (1942-1945) “for the purpose of creating a modern, well-organized and popular political party with an explicit commitment to democracy, liberty, social justice and gender equality” (Kurdish Democratic Party of Iran (KDPI), 2014). Gunter (2011:174) notes that the new organization’s goal was self-rule for the Kurds within Iran. Similarly, Yesiltas (2014:16) reports that right after the KDPI’s formation, the KDPI issued a statement setting out its programme of policies, and “calling for the Kurds to be free and independent in the management of their local affairs and to receive Kurdish independence within the borders of Persia.” Not long afterwards, with guidance from the Soviets, the *Mahabad Republic of Kurdistan* was set up: the prolonged advocacy for Kurdish nationalism had paid off, at least for a short while. From January 1946 to December 1946 the Kurdish Republic of Mahabad was written into history as the only independent Kurdish republic to date. Within the new republic, language and social rights were focal points, and the Kurds enjoyed self-rule (Gunter, 2011:165). Yesiltas (2014:240) pinpoints the importance of the Kurdish Republic for the Kurdish nationalist movement as a whole by stating, “the Mahabad Republic not only marked the advent of

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<sup>5</sup> KDPI is also abbreviated as PDKI due to its Kurdish name *Parti Demokirati Kurdistanî Eran*. This thesis will use KDPI consistently.

<sup>6</sup> Komala (1942-1945) must not be confused with the party Komala which was set up in 1969 and still exists today. More information can be retrieved in Gunter’s (2011) *Historical dictionary of the Kurds* (2nd ed.), p. 165-166.

modern nationalism in Kurdistan, but it also defined the Kurdish issue in Iran as a denial of the Kurdish identity by the sovereign power and the Kurds' resistance to this denial." However important the Republic was, the international community never officially recognized it. Due to a lack of Soviet support towards the end of WWII, and a new Iranian leadership, the Republic of Mahabad fell in December 1946, and Qazi Muhammed was subsequently executed by Iranian troops. Consequently, the KDPI went underground and became relatively inactive. Due to its inability to work in Iran, KDPI focused its attention on Iraq and events that occurred there.

It was not until after the 1979 Revolution that the party reoriented itself to meet the challenges facing the Kurds in Iran under their new leader, Abdul Rahman Ghassemlou, who popularised the slogan "Democracy for Iran. Autonomy for Kurdistan" (Hevian, 2013:95-96; Gunter, 2011:175). After the inception of the new Islamic Republic, the KDPI faced challenging times. KDPI, and KDPI's rival, Komala (founded in 1969) posed a challenge to the Iranian government. In addition, while KDPI faced internal divisions, there were also in-fighting between the KDPI and Komala. Ghassemlou was assassinated in 1989, and so was his successor, Sadiq Sharafkandi, three years later. According to Hevian (2013:96), the organization abandoned armed struggle in the 1990s, and has since become weak and disorganized, with diminishing levels of support. Although its influence in Iranian Kurdistan varies, it is active in the Kurdish diasporas in North America, Europe and Australia (Hevian, 2013:96). Recent information from its homepage states that as a democratic socialist party, the PDKI supports the efforts of other ethnicities to achieve national rights and "regards them as strategic allies in the quest of ending dictatorship and bringing about a federal democracy that reflects the rights and interest of the country's diverse national communities" (KDPI, 2014). To this end, KDPI co-funded the Congress of Nationalities for a Federal Iran (CNFI) with organizations representing the Azeris, Balouchis, Turkmen and Arab minorities in Iran (KDPI, 2014). While the Kurdish nationalist movement in Iran has been divided, this has slowly shifted. Recently, there has been greater collaboration, not just within the different minorities, but also between the Kurdish parties. For instance, in August 2012, KDPI and Komala signed a cooperation agreement "that raised hopes for a united Iranian Kurdish front" (Yesiltas, 2014:291).

### 3.4.2 *Komala*

In 1969, a Kurdish Marxist movement was born with the establishment of the party *Komala*, meaning “society”. *Komala*’s teachings are inspired by the Chinese communist revolution. Since the formation of *Komala* in 1969, several groups have broken off the original organization due to differences in “ideology and strategy” (Rudaw, 2014), and set up splinter groups of *Komala*. In 1983, the leaders of *Komala* together with some Iranian communist activists established the *Communist Party of Iran*, while in 1991 the *Workers Communist Party* was established. In 2000, the party experienced another split, when a group broke off and established a new under-group of *Komala*, and within recent years, the social party under *Komala* has been formed. The original *Komala* calls itself the *Komala Party of Iranian Kurdistan* with Abdullah Mohtadi as the secretary general, while Ibrahim Alizade is secretary general for the *Komala Communist Party of Iran*, which was established in 1983. The influence of *Komala* in general was not only evident in Iran, but also spread to neighbouring countries, even when Kurdish nationalist activity was punishable by death. Today, one can find *Komala* followers in the Kurdish diaspora outside the Middle East. The 1969 organization was set up by extreme left-wing students in Tehran and operated underground until it announced itself publicly at the end of 1978 when the Shah was overthrown. In an attempt to further the case of Kurdish nationalism and self-determination against the state of Iran, it early on became part of the underground campaign of the ongoing Kurdish struggle against the Iranian Shah. According to Hevian (2013:96), the original 1969-*Komala* and KDPI became the two main Kurdish parties in Iran fighting for Kurdish rights against the Islamic Republic of Iran. The party’s headquarters is located in the Kurdish part of Iraq. According to their political statements, their aim is not to secede from Iran, but to gain self-rule within state borders (Hevian, 2013:97; Gunter, 2011:166).

### 3.4.3 *The Free Life Party of Kurdistan (PJAK)*

The *Free Life Party of Kurdistan (PJAK)*<sup>7</sup> was founded in 2004 with the aim of

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<sup>7</sup> The abbreviation PJAK comes from the party’s Kurdish name *Partiya Jiyana Azad a Kurdistanê*.

establishing Kurdish federal states in Iran, Turkey, and Syria; its aims were similar to those of the KRG in Iraq. According to Gunter (2011:177), Abdul Rahman Haji Ahmedi, a previous member of the Turkish Kurdistan Workers Party (PKK), is the current leader of PJAK. PJAK is viewed as the Turkish PKK's Iranian branch and considers Abdullah Öcalan as their supreme leader. Thus, whilst PJAK operates in Iran, PKK operates in Turkey. According to their political agendas, they advocate for greater cultural and political rights for the Kurds. According to Hevian (2013:97), PJAK considers itself to be a political, social and cultural movement with an armed wing, the East Kurdistan Defence Force (HRK). They have around 3000 armed fighters, half of whom are women. The organization has a strong commitment to women's rights both nationally and internationally. According to an article published by Briggs (2012) in *The New Zealand Herald*, PJAK has challenged the Iranian government on several occasions, and was in 2009 condemned as a terrorist group by the US. Furthermore, Hevian (2013:97) reports that clashes between Revolutionary Guards and PJAK fighters broke out in 2011; this eventually ended with a ceasefire. Recently, PJAK has announced the formation of a new organization, *Organization of Free and Democratic Society for East Kurdistan* (KODAR), and has issued further calls for dialogue with the Iranian leadership, in an attempt to bring about peace (PRESS TV, 2014).

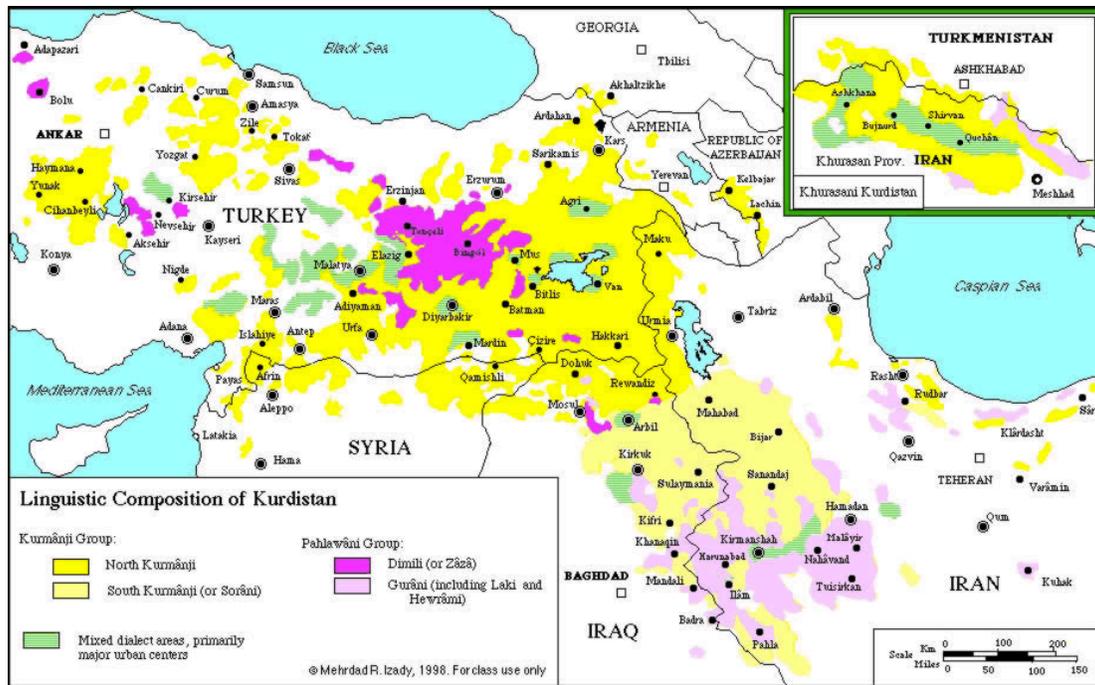
In sum, the examination of the goals of these prominent Kurdish political parties in Iran does not reveal major programmatic differences. Both KDPI and Komala have democracy and equal rights for all the ethnicities in Iran as the main themes of their political agendas; both state that their mission is to advocate for Kurdish rights, and for regime change in Iran, within a federal framework. When it comes to PJAK, its goal is the formation of "a democratic organization of people as well as practice of the democratic values to achieve a radical type of democracy and to launch a democratic confederacy in eastern Kurdistan" (Yesiltas, 2014:17). When answering the second sub-question, *To what extent have the Kurdish political parties in Iran and Turkey furthered the Kurdish case?* it can be said that the Kurdish political parties in Iran have demonstrated a strong will to resolve the Kurdish issue. However, what has hampered these movements has been the absence of unity. While they have advocated strongly and



study will use “north Kurdistan” to designate the Turkish areas which the Kurds inhabit (See *Map 3.3*). According to Finkel (2012:149), Kurds form the majority in fifteen provinces in southeast and east of the country. The city of Diyarbakir is regarded as the unofficial capital of the Kurdish region. On the opposite side of Diyarbakir one can find “Istanbul, the largest Kurdish city in the world” (Finkel, 2012:150). As in the case with the Iranian Kurds, the lack of precise figures is a result of state denial or undercounting for political reasons; the total number of Kurds in Turkey can only be estimated. Yildiz and Breau (2010:5) suggested that the Kurdish population is somewhere between 15 and 20 million, making up around 23 per cent of the Turkish population. Finkel (2012:150), on the other hand, argues that if one defines a *Kurd* as someone speaking the Kurdish language, then the figure is closer to 10 million, or 12,5 per cent of the total population. Recent estimates from the CIA Fact book (2014) suggests that the Kurdish population in Turkey is approximately 14 million strong, equating to about 18 per cent of the total Turkish population of close to 82 million citizens<sup>8</sup>. Hence, the Kurdish composition of Turkey can only be estimated; it is impossible to give precise figures. Gunter (2011:3) supports the idea that a large number of Kurds have “partially or fully assimilated into the larger Arab, Turkish, or Iranian populations surrounding them.” This makes the estimation even more challenging.

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<sup>8</sup> According to CIA Fact book (2014), it is estimated that the Turkish population reached 81 619 392 million by July 2014.



**Map 3.4 Linguistic composition of Greater Kurdistan**

Source: Institute Kurde (2014)

As can be seen in *Map 3.4*, the Kurds in Turkey speak mostly the dialect of Kurmanji, while Zaza is spoken amongst the Kurds in the north-western part of the country (Yildiz & Breau, 2010:4). Whilst there are no province-wide studies of ethnicity, studies of the mother languages spoken may help to demonstrate who is Turkish or Kurdish. Interviews carried out by *International Crisis Group* (ICG) in Diyarbakir in September 2011 conclude that “although the majority of Kurds speak Turkish, only about 10 per cent of residents say Turkish is their mother language” (ICG, 2012:1). What is unclear is the total number of residents researched. Comparably, in 2011 a survey was carried out of over 3,000 Diyarbakir women located in the northern areas of the province. Whilst 12 per cent said their home language was Turkish, 76.5 per cent said that it was Kurmanji and about 11 per cent said it was Zazaki (ICG, 2012:1).

Like Iran, Turkey is a predominantly Muslim country. According to Finkel (2012:151), most Kurds in the region are Sunni Muslims; in addition there are a small number of Christian and Jewish Kurds. The CIA Fact Book (2014) confirms these estimates.

Turkey is home to an “advanced emerging economy” (Finkel, 2012:43). Furthermore, it is a member of the *Group of 20* (G20) countries and has the seventeenth largest economy in the world. In Europe, it is ranked as the “eight largest and fastest growing [economy]” (Finkel, 2012:43). In line with these economic advances, the Kurdish provinces have also flourished economically. According to the ICG report (2012:i), Diyarbakir and its surrounding province used to be ranked Turkey’s third most important economic centre. However, it has now fallen to a 63<sup>rd</sup> place due to “low investments, flawed government policies and PKK sabotage, kidnappings, terrorist attacks and extortion” (ICG, 2012:i). Heper (2007:1) comments that the south-eastern region in which most Kurds live “is one of the country’s least socio-economically developed regions.” Nonetheless, the residents in the area are investing in the city’s growth through marble quarries and the booming real estate sector (ICG, 2012:i).

Having presented a general overview of the Kurds in Turkey, this thesis discusses the Turkish government’s responses towards the Kurdish quest for self-determination.

### **3.6 The Turkish government and public policy towards the Kurds**

Modern-day Turkey emerged from the break-up of the Ottoman Empire in 1923, led by Mustafa Kemal Atatürk as the first national president; a position he held until his death in 1938. As a leader, Atatürk was perceived as “a dictator, with his Republican People’s Party being the only legal political party” (Yildiz & Breau, 2010:6). Besides, Yildiz and Breau (2010:6) further notes that a new “Europeanised” Turkish Constitution was adopted in 1924; this focused on a new nationalist state, and was “based on a vision of the unified, centralized and ethnically homogenous nation state.” Moreover “[the constitution] sought to enforce a single Turkish identity, introducing dramatic reforms aimed at displacing the importance of Islam in society, placing the military at the core of the state and looking to the secular, industrial West for inspiration” (Yildiz & Breau, 2010:6). In other words, a Turkish identity was superior to the other ethnic identities in the country. This point is supported by Ahmed (2010:61) who notes, “the cultural and ideological underpinnings of this new social organization were Turkish nationalism, which strongly emphasized the country’s Turkish culture and ethnic roots, downplaying

and even suppressing religious or ethnic groups who voiced alternative sources of community.” Indeed, Yildiz and Breau (2010:6) explain:

“A necessary tenet of the ambition to achieve an all-Turkish national identity was the destruction of alternative identities through assimilation. This was demonstrated in the failure to recognize the Kurds as a minority in need of protection or to acknowledge their language and culture under the Treaty of Lausanne.”

Thus, since the creation of modern-day Turkey, Turkish language and culture has been at the forefront.

The Republic of Turkey is viewed as a democratic, constitutional state accommodating the largest group of Kurds in the Middle East. Indeed, TATORT Kurdistan (2013:9) credits Turkey with being a “model for democracy in the Middle East”. Likewise, Finkel (2012:106) notes that Turkey is a “democracy governed by respect for the integrity of the ballot, parliamentary procedure, international convention, and the rule of law”. Furthermore, Finkel (2012:107) states that Turkey has been complimented “as an example of how a contemporary Muslim-majority society can be democratic”. However, Turkey’s lack of recognition of its Kurdish population has been heavily debated. This debate grew in particular after Turkey sought EU membership. Turkey’s EU membership is “reliant upon the implementation of the Copenhagen Criteria of minority rights for its Kurdish ethnic group” (Gunter, 2004b:201). In 2012, a transition towards a Presidential system was suggested (Uluengin, 2012), and the first national Presidential election took place in August 2014. President Recep Tayyip Erdoğan won over 50 per cent of the votes, and there was no need for a run-off election.

As far as the Turkish-Kurdish relationship is concerned, Loizides (2010:518) states, “the official position of the Turkish state was to negate the existence of a separate Kurdish ethnicity in Turkey, and Kurds suffered from cultural, political and economic repression.” Furthermore, the Turkish state has in the past “denied” basic human rights to its Kurdish population, as well as forbidding education, the publication of books and newspapers, and the public use of the Kurdish language (Loizides, 2010:514). The discrimination against the Kurdish population goes back to the 1930s, and was made explicit by Law No. 1850, which legalized “murders and other actions committed individually or collectively, from the 20<sup>th</sup> of June 1930 to the 10<sup>th</sup> of December 1930 ...

during the pursuit and extermination of the revolts in Kurdish areas” (Hannum, 1996:186). Furthermore, the then Minister of Justice stated, “We live in a country called Turkey, the freest country in the world ... I believe that the Turk must be the only lord, the only master of this country. Those who are not of pure Turkish stock can have only one right in this country, the right to be servants and slaves” (Hannum, 1996:186). From these statements, it becomes clear that Turkish ethnicity was believed to be *the* ethnicity, to be promoted at the expense of the other minorities in the country. Between 1925 and 1938 more than one million Kurds were forcibly suppressed and relocated by the Turkish government. Heper (2007:1) states that Turkey has been the scene of protracted armed conflict between the Kurds and the Turkish government. In fact, a total of 17 Kurdish rebellions took place between 1920 and 1938. In the Kurdish areas, martial law remained in force until 1946. With the first free general election in Turkey in 1950 the Democratic Party came to power. This provided some prospect for change for the Kurdish minority in Turkey. Some Kurds were elected to Parliament, and the infrastructure in the Kurdish region improved. In the mid-1960s, the Kurdistan Democratic Party (KDP) was established. However, the Turkish government increased its efforts to silence cultural and political activity, such as by prohibiting the Kurdish-Turkish journal and repressing the Kurdish population. By the 1970s, there was continuing oppression of the Kurdish population (Hannum, 1996:187). Turkey’s policy has consistent been focused on destroying Kurdish culture and ensuring the forced assimilation of Kurds into a homogenous Turkish society (Hannum, 1996:188). The Turkish government also refused to acknowledge the existence of the Kurds, and instead referred to them as *Mountain Turks* (Hannum, 1996:189). Gunter (2004a:108) commented that Turkey feared that in granting the Kurdish ethnic minority cultural, educational, social and political rights, it would invite Kurdish secession. As will be shown, these fears still prevail today.

However troublesome the history between the Kurds and the Turkish government has been in the past, in recent years; as a result of pressure from the EU and domestic and international human rights advocates, liberalization has gradually permitted greater Kurdish cultural expression (Bragg, 2014:3). Furthermore, there has also been emphasis on negotiation and on reaching a peaceful settlement of the Kurdish issue. Egin (2013) recognizes that by the beginning of the new millennium, Turkey’s government had begun

to grant greater rights to the Kurds. By 2009, a “Kurdish Opening” had taken place in which it was proposed to “grant[ing] amnesty to PKK militants, broadcasting rights to private Kurdish television networks, and Kurdish-language classes in schools” Egin (2013). Larrabee (2013:134-135) argues that these reforms were designed to strengthen democracy and enhance Turkey’s campaign for EU-membership. While these measures raised hopes that the Kurds might finally reach a negotiated settlement to the Kurdish issue, the reform process soon stagnated, and progress on the Kurdish issue came to a halt. This dissatisfaction can be seen in the lack of support for Erdoğan’s Justice and Development Party (AKP)<sup>9</sup> during the 2009 municipal elections, in contrast to the greater support for the AKP in the 2007 parliamentary elections (Larrabee, 2013:135). Somewhere between 2009 and 2010, secret talks between the Turkish government and representatives of the PKK, but excluding the PKK leader, Abdullah Öcalan, took place in Oslo, Norway. Larrabee (2013:135) points to the fact that while the peace talks in Oslo came to an abrupt halt, they nevertheless “played an important political role in advancing the dialogue between the government and the PKK.” This is evident in the fact that by the late 2012, the Turkish government had held direct talks with the imprisoned Öcalan, in an effort to end the 30-year-long fighting between the PKK and the state. Issues of disarmament, the departure of PKK insurgents from Turkey, the release of prisoners and the recognition of Kurdish minority rights have so far been discussed (Cirlig, 2013). In September 2013, the then Turkish Prime Minister, Erdoğan, announced a reform package to mark the start of the Kurdish peace process. The package dealt with lowering the electoral threshold for political parties, permitting Kurdish as a teaching language at private schools, allowing villages to use their Kurdish names, authorizing women to wear headscarves in state institutions and decriminalizing the use of Kurdish letters not found in the Turkish alphabet. The package does however not respond to demands for the release of the thousands of political prisoners or juveniles. Furthermore, the state continues to prosecute journalists and lawyers and other activists on the pretext that they are aiding terrorists and terrorist organizations. For these reasons the Kurds have not been satisfied with these reforms (Kurdish Human Rights Action Group (KHRAG), 2013:1).

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<sup>9</sup> The abbreviation AKP comes from the party’s Turkish name, Adalet ve Kalkınma Partisi

Consequently, one wonders whether the package deal was a tactic from Erdoğan's side to win votes for his Presidential election in August 2014.

As stated, there is great domestic as well as international pressure on Erdoğan to find a settlement to the Kurdish issue. Larrabee (2013:136) lists three main factors why Erdoğan made a renewed effort to solve the Kurdish issue in 2012: (1) the growing activism of the PKK, which affected the domestic Turkish security; (2) the electoral considerations to boost his party's declining support; and (3) Öcalan's strong influence amongst the Kurds reinforced the importance of dealing directly with him to end the PKK insurgency. While one can question why the peace process has taken so long to initiate, Egin (2013) offers an account of the practical political factors that explain Erdoğan's reluctance to initiate negotiations. Since most Turks regard the PKK as terrorists, Erdoğan would lose domestic Turkish support. Egin (2013) compares Erdoğan meeting with Öcalan with "President Obama sitting down to chat with Osama bin Laden in bin Laden's better days." Despite this, Erdoğan has understood that Öcalan's credibility amongst the Kurds is of value for the peace process in general, and has thus opened the way for peace talks.

The above section has illuminated the constrained relationship between the Turks and the Kurds after the end of the Ottoman Empire; it has looked at the assimilation approach towards the Kurds during the rule of Atatürk, and at recent developments in the peace negotiations between the Turkish government and the PKK. With regards to the first sub-question, *What has the response by the Iranian and Turkish governments been towards the demands for greater recognition of their Kurdish population?* this research study can conclude that the Turkish state has historically repressed the Kurds, and discriminated against them on the basis that they were not Turks. Actions to promote Kurdish self-determination have been severely punished, and any cooperation with the PKK has been rejected. However, there was a shift in the Turkish government's policy in relation to the Kurds during the early 2000s. Domestic and international pressures contributed to renewed efforts to reach a peaceful settlement with the Kurds. Thus, the Kurdish claims for greater recognition have at times been rejected, but more recently they have been taken into account. This study will continue to discuss the Kurdish nationalist movement in Turkey and its role.

### 3.7 Kurdish nationalist movement in Turkey

Several Kurdish political parties in Turkey have been established to further the Kurdish cause and work for greater recognition. Some parties have been dissolved, while others have grown in reputation and size. It is difficult for political parties to survive within the Turkish political system. Political parties may face restrictions and sanctions if their ideology and party programmes are in conflict with Turkey's constitution. In fact, according to Ahmed (2010:121-123), since 1992, the Constitutional Court has ruled that 12 political parties had to dissolve on the grounds that they had addressed minority issues in their party programmes or because their activities were interpreted to be contrary to the principle of secularism. The Freedom and Democracy Party and the United Communist Party of Turkey are prominent examples of parties that had to dissolve because their party politics did not fit the Turkish Constitution's philosophy. There are currently close to ten different Kurdish political parties in Turkey, all stressing the need for greater self-determination (Hevian, 2013:95). This research study will give attention to three of them: *Kurdistan Workers Party*, *Party of Participatory Democracy* and *the Peace and Democracy Party* because they have a significant influence in the Turkish political sphere.

#### 3.7.1 *Kurdistan Workers Party (PKK)*

In 1978 the Kurds in Turkey established one of the better known Kurdish political parties of today, namely the *Kurdistan Workers Party (PKK)*<sup>10</sup>. Abdullah Öcalan has since its formation been the party's leader. They are also known as *Kongra Gel* or Kurdistan People's Congress (KGK). The PKK was formed as a response to Turkish oppression of the Kurds, as well as to the constant military intervention in the Kurdish regions in Turkey. Originally the PKK held a Marxist political ideology; hence it saw the need for a radical transformation of the social and political organization of Kurdish society. The establishment of an independent Kurdistan, uniting Kurds across several borders, was the organization's ultimate goal (Hevian, 2013:103). Due to the organization's emphasis on Kurdish nationalism, it gained both the support and sympathy of Kurds worldwide.

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<sup>10</sup> The party also carries its Kurdish name *Partiya Karkerên Kurdistan*, hence the abbreviation PKK.

However, the organization's attempts to cooperate with the Turkish state have at best proved challenging. Since 1984, the PKK has fought an armed struggle with Turkey, costing over 40,000 lives on both sides, with as many as 3,000 Kurdish villages destroyed (Hevian, 2013:104). These numbers are confirmed by Hawks (2013:278) and Taşpinar and Tol (2014:1).

In the 1990s, the PKK rolled back its initial demands, calling instead for more autonomy for the Kurds within the Turkish borders, as well as calling for stronger cultural and political rights for the Kurdish population in Turkey (BBC News, 2013). For security reasons, PKK's leader, Öcalan, decided to leave Turkey and carry on his political work in neighbouring countries. In an attempt to avoid arrest, Öcalan planned to flee to South Africa to seek political asylum. However, in 1999 he was captured in Nairobi, Kenya, and sent back to Turkey<sup>11</sup>, where he was later prosecuted and sentenced to death. Due to the abolition of the death penalty in Turkey in 2002, Öcalan's sentence was later revoked to life imprisonment, and he is now held in solitary confinement on Imrali Island near Istanbul (Hevian, 2013:104). Nevertheless, he is still listed as the party's leader. Yesiltas (2014:155) documents that the PKK's ideological framework since 2000 has been based on the texts that Öcalan has composed as part of his defence case. In these texts, the concepts of "democratic Republic" and "Democratic Confederation" are emphasized; he supports the development of decentralized and democratic transformation (Yesiltas, 2014:156). Due to the party's use of armed violence, Öcalan and the PKK are listed on the EU's, North Atlantic Treaty Organization's (NATO) and the US State Department's list of terrorist groups<sup>12</sup>. Despite great differences between their respective positions, the Turkish government and the PKK held talks in 2013 in an attempt to find a peaceful solution to the Kurdish issue (Hevian, 2013:104). Although still in prison, Öcalan has great influence on the PKK and on the Kurds in general. For instance, Öcalan's appeal for an end to hunger strikes or the use of violence has been effective (BBC News, 2012). While in prison, he has published a few books and pamphlets on the issue of negotiations and dialogue. According to the homepage, "Freedom for Abdullah

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<sup>11</sup> The Kurdish Human Rights Action Group South Africa (KHRAG) was henceforth established to advocate for Öcalan's release, and further the Kurdish issue in the Middle East in general.

<sup>12</sup> A detailed legal discussion of the concept of *terrorism*, as well as the jurisprudence on terrorism and the PKK within the international community can be found in Yildiz and Breau (2010), p. 139-167.

Öcalan” (2014), an international petition has been launched; it “demands freedom for Abdullah Öcalan and the political prisoners in Turkey.” Furthermore, the petition emphasizes the importance of Öcalan’s release for a peaceful solution to the Kurdish issue.

### *3.7.2 The Peace and Democracy Party (BDP)*

The Peace and Democracy Party (BDP)<sup>13</sup> succeeded the Democratic Society Party (DTP) in 2008<sup>14</sup> and is a Kurdish political party inside Turkey. Hevian (2013:8) notes that at the time of the BDP’s creation, many Kurdish members of parliament (MPs) and mayors joined the BDP; currently BDP candidates hold 36 seats in the Turkish Parliament. On their webpage, the party defines itself as a left-leaning mass-based party with an emphasis on “the establishment of the free, democratic and ecological society.” Furthermore, its ambition is to find a democratic solution to the Kurdish problem and to secure fundamental Kurdish rights in Turkey through peaceful means (Peace and Democracy Party, 2014). However, things have not gone as was hoped. In 2013, six of the party’s elected members of parliament (MPs) were put in prison, suspected of having links to the PKK-party. The BDP advocates for human and minority rights, and its representatives are of both sexes. It is the only party that openly supports the rights of gays and lesbians, as outlined in its party programme (Hevian, 2013:105). In contrast with other parties, the BDP demands that the following be included in the Constitution: “Everybody has a right to live in peace and in a disarmed society.” Furthermore, the BDP also proposes that the constitution shall guarantee the setting up of a Parliamentary commission to determine war damages, and insist on compensation and mine clearing (Bozkurt, 2013). The BDP has offices and representatives in Washington, Brussels, Paris, Erbil (Hewler, Iraq-Kurdistan) and Rome (Hevian, 2013:106).

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<sup>13</sup> The abbreviation BDP comes from the party’s Kurdish name *Bariş ve Demokrasi Partisi*

<sup>14</sup> Democratic Society Party was forced to close due to its connections with the political party PKK. Turkey’s Constitutional Court outlawed all of the party’s eight predecessors, but with each banned party, a substitute party was formed (Hevian, 2013: 105).

### 3.7.3 Party of Participatory Democracy (KADEP)

The Party of Participatory Democracy (KADEP)<sup>15</sup> was founded by Serafettin Elci in 2006, and was then the country's 53<sup>rd</sup> political party. According to their party programme, KADEP is “a pluralist, participatory, secular, liberal social democratic mass party” (Katilimci Demokrasi Partisi, 2014). Elci is famously known for stating, as a cabinet minister, in 1979: “There are Kurds in Turkey. I am also Kurdish” (Rabar, 2014). According to Kurdnet (2006), Elci has consistently advocated a federal structure to resolve the Kurdish question, stating, “only a federal system can find a reasonable and permanent solution to Turkey's fundamental problem with priority – the Kurdish problem.” Elci passed away in 2012, and the party's current leader is Lutfi Baksi (Hevian 2013:8). The party supports Kurdish nationalism and has good relations with the Kurdistan Democratic Party in Iraq. According to their party programme, KADEP emphasizes the need for a democratic civil society with a focus on governance through the federal model.

Based on this outline, there are no significant programmatic differences between these three parties. All three emphasize the need for democratic rule for Turkey. As far as the PKK is concerned, its decision to use armed violence against the state has stirred domestic and international concern, leading to its being labeled a terrorist organization. In answering the second sub-question, *To what extent have the Kurdish political parties in Iran and Turkey furthered the Kurdish case?* it can be argued that the PKK has indeed furthered the Kurdish case by putting it on the international agenda. However its resort to armed violence has prevented it from reaching a resolution with the Turkish government. Öcalan has been acting as a facilitator in this matter, and is seen to have much influence amongst the Kurds. When it comes to BDP and KADEP, they are indeed advocating for a resolution to the Kurdish issue, and BDP in particular has a large representation in Parliament. What is hampering them seems to be the lack of unity amongst the Kurdish political parties in Turkey, as well as the constitutional constraints that have outlawed

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<sup>15</sup> The party's Turkish name is Katilimci Demokrasi Partisi, therefore the abbreviation KADEP

most Kurdish political parties, resulting in their forced closure. The recent steps taken by the Turkish government towards settling the Kurdish issue are a sign that the peace process is progressing.

This case study has demonstrated that as minorities in Iran and Turkey, the Kurds have throughout history faced discrimination, purely on the basis being an ethnic and religious minority. While the state structures in which they live differ from one another, their experiences have nevertheless been similar. The Kurdish political parties have in both countries been disadvantaged by their lack of unity, as well as by the constitutional restrictions on political activities.

### **3.8 Conclusion**

This chapter has contextualized of the two case studies involved in this research. The aim of the chapter was to place the Kurdish socio-political situation in a historical context in Iran and Turkey. A general overview of the Kurdish minorities was presented in order to demonstrate the consistent Kurdish aspiration to self-determination. The chapter went on to highlight the public policies pursued by the two states towards their Kurdish minorities; both states discriminated against the Kurds. An overview of the Kurdish nationalist movement was also presented to show the actions taken by Kurdish political parties in an attempt to advance the Kurdish claims. The main aim of the political parties was to settle the Kurdish issue by democratic means. The response from both governments has been lukewarm, and the constitutions of both countries condemn Kurds for promoting Kurdish issues. However, the Turkish government has been attempting to solve the issue and has called for negotiations with the PKK. This can be taken as a sign that both parties are eager to find a lasting solution to the Kurdish struggle. This research study will now move to Chapter Four, which is the focal point of this study. This chapter will apply the federalist model, described in Chapter Two, to the case studies which have been presented.

## **Chapter IV:**

# **Analysis of the possibilities of federalism as a way of addressing the Kurdish claims to self-determination in Iran and Turkey**

### **4.1 Introduction**

Thus far in this thesis, a comprehensive overview of the relevant theory as well as a description of the Kurdish cases in Iran and Turkey has been given. This chapter presents the focal point of this research: it will assess whether or not the federal model can be implemented in Iran and Turkey, and whether this has the potential to address the claims of the Kurds to self-determination. The information presented in the previous chapters will be processed and will serve as the basis for the discussion. This chapter will guide the discussion of the imperatives and the impediments to the creation of viable Kurdish federal regions in Iran and Turkey.

### **4.2 A possible political solution: Applying the federalist model to the case studies**

Whilst the Kurds in Iran and Turkey have been seeking the right to self-determination since the beginning of the 20<sup>th</sup> century, these demands became more urgent after the establishment of the KRG in Iraq. In fact, the Iraqi model has provided guidance and inspiration for the Kurds in the Middle East. Bengio (cited in Yesiltas, 2014:26) rightly states: “Iraq was the epicentre of the Kurds’ great leap forward in the early 1990s: the establishment of the KRG ... it is to the KRG experience that Iranian, Syrian and Turkish Kurds increasingly look for lessons and guidance, and rightly so.” Although the successful implementation of federalism in Iraq has functioned as an example for Kurds in the Middle East, the political atmospheres in Iran and Turkey do not resemble that in Iraq. In fact, it took an American invasion to open the door for the liberty of the Iraqi Kurds.

As was seen in Chapter Two, federalism, at its core, means (1) that people can freely control their local government (within the framework of the division of powers); (2) they can choose their political status; and (3) they can determine their own political participation. This study will analyze the Iranian and Turkish cases in light of these factors. This will help to answer the main research question: *Can federalism be successfully implemented in Iran and Turkey in order to address the Kurdish claims of self-determination?* While the Kurdish cases in Iran and Turkey share a number of common characteristics, the answer to this question will differ as each of these countries has its own distinct political and ideological structure, as was shown in Chapter Three. The Iranian case will first be discussed, then the Turkish case.

### **4.3 Federalism and the case of Iran**

Chapter Three highlighted the Iranian government's historically tight grip on its ethnic minorities, such as the Kurds. Yesiltas (2014:241) explains that claims to self-determination have often been regarded as a national security issue by the Iranian government, rather than as a political question requiring a response. For a federal transition to take place, power must be divided between the central Iranian state and local or regional tiers of government. While it must be up to the Kurds and the government to reach a consensus on how to divide power, a solution as such will ideally give the Kurds the responsibility to take charge of their own political affairs and choose their preferred political policies. However, a transition of this kind, in which the government accommodates the Kurds' demand for self-determination, is currently unlikely. This is because of the fear that the Kurds will eventually seek independence from Iran. For instance, Ahmedi (2012:2) stated in 2010:

“Partly as a result of political developments in post-2003 Iraq and partly as a result of the efforts by the minorities themselves, federalism has been raised as a formula for political coexistence in Iran. The Persians generally eschews the very notion of federalism. The main obstacle, it appears, is the fear of separatism.”

Not only is the Iranian government said to be worried about territorial disintegration, they are also worried that the Kurds will form ties with the international community, which in turn could threaten Iran's legitimacy. For instance, Yildiz and Taysi (2007:113) argued that the Iranian government was closely monitoring the Kurdish movement "as it appears to believe that the Iranian Kurds are attempting to influence the US to attack Iran, in an attempt to gain power and an autonomy." It is uncertain whether this argument would apply today, but the fact that Iran and the US have been strong opponents, makes it credible.

Ahmed (2010:154) also raises the issue that ethnic minorities are not allowed to administer the territorial areas they inhabit; this refusal underpins the "authoritarianism inherent in the hierarchy." Thus, high administrative posts are assigned to others from outside the area, rather than to local people. This again illustrates that fears of giving power to ethnic minorities stems from the notion that this will automatically weaken the state's legitimacy. The focus is therefore on strengthening the autocratic regime at the expense of ethnic minorities.

Whilst the Iranian government wants to portray the proponents of democratic reforms and federalist measures in Iran as separatists, the reality is somewhat different. Yesiltas (2014:267) rightly observes that there is great support for democratization, rather than secession (also highlighted in Chapter Three) within the Kurdish nationalist movement:

"The major Kurdish opposition groups in Iran, KDPI and Komala, not only underscore the necessity of democratizing the political process in Iran, but also stress the need to accommodate the demands of the Kurds and other national minorities in a decentralized structure. The Kurdish call for democratization includes demands for rights and freedoms, and an examination of the rules and institutions Iranian society requires in order to achieve a more inclusive democracy."

Indeed, Abdullah Mohtadi (cited in Yesiltas, 2014:283), the Secretary General of the Kurdish Komala party of Iran, issued a statement with the aim of encouraging solidarity between the Kurds and the Green Movement:

"The people of Kurdistan do not demand special rights or benefits for themselves. They do not demand separation from Iran. Their demands are not outside the common framework of contemporary democratic regimes and recognized standards of human

rights. The people of Kurdistan rightly demands that the effective leaders and political and cultural figures of the Green Movement and the practical activists of the movement, approve and support the demands of the people of Kurdistan, and in so doing allay their rather legitimate fears.”

The Green Movement that Mohtadi is referring to is the protest movement that followed the post-presidential election in 2009, in which protestors demanded the removal of the elected Ahmadinejad from power and the annulment of what was seen as an fraudulent election (Yesiltas, 2014:238). The Kurdish areas of Iran remained mostly calm and did not join this protest movement. According to Mohtadi, this was because the “Green movement’s platform was not very clear and did not include anything that would please the Kurds” (Yesiltas, 2014:238). Thus, while the Kurdish movement has stated that the fears of separatism are unfounded, at the moment the Iranian government regards this is the great threat. Besides the fear of separatism, an additional challenge is the closed nature of the Iranian state. Within this closed state, human rights abuses, which are a constant challenge for the citizens, are justified under *Sharia* Laws (Cameron & Danesh, 2008:5). The UN General Assembly and Amnesty International, amongst other human rights action groups, have condemned these injustices, which mostly affect women and ethnic minorities (International Center for Human Rights, 2014; Amnesty International, 2014). One interviewee recognized the concern for the Kurdish population caught within this system by stating:

“I think in Iran it’s worse than Turkey. Especially, I mean, in Iran, what you can see now is that a lot of Kurdish journalists and activists are being hanged in public. Still, the Kurds are not represented in the Parliament of Iran, which is very strange actually because they make up one of the large minorities of the country.”

As observed by the interviewee, a further challenge for the Kurds (and other minorities) in Iran lies in the political recognition of their ethnicity. This aspect relates to the second point of federalism, in which under a federal political arrangement, the citizens can freely choose their political status. However, as demonstrated in Chapter Three, the lack of freedom of expression and freedom of press in Iran make this unlikely. As the interviewee suggested, prosecution for political activism is the norm. For Iran this means

that unless the constitution is changed, the lack of ethnic recognition in Iran will result in people not being able to choose their political position. However, this points to another obstacle, which Yesiltas (2014:249) highlights: “The central problem lies more with the implementation than with the law itself.” Consequently, it is not only the redrafting of the law that is required, but also the full implementation of the law by the rulers of the country. As the situation is now, no matter how the law is written, a small group of clerics led by the Supreme Leader are the ones that have the ultimate control over government and the legislature (Ahmed, 2010:151). It goes without saying that such a rule is exercised at the expense of the protection of basic freedoms and human rights. As far as the third factor is concerned, the law hinders the citizens to fully participate politically.

This section has assessed whether the federal model could work within the Iranian context in order to address the Kurdish claims to self-determination. Due to the controlled nature of the Iranian system, the conclusion is that the adoption of a federal model in Iran is not possible in the short-term, and thus, the Kurdish claims to self-determination will not be addressed effectively. The biggest challenge in the application of a federal model, in which the Kurds are entrusted with local self-rule, lies in the close links between political and religious life in Iran. Within this system, religion is used as a basis for identification within the state, at the expense of basic human rights and freedoms. While a federal model is said to work best in ethnically divided societies, such a system will only work if there is willingness for it amongst all parties. At the moment, the Iranian government is neither willing nor ready to give up centralised power, as would be required in a federal arrangement. However, even though the application of a federal model is not currently viable, this is not to say that this system can never be implemented. This section concludes with four recommendations which will assist the realisation of a federal political arrangement.

#### **4.4 Practical recommendations for Iran: towards the realisation of a federal model**

The factors that need to be present if Iran is to develop into a federal state would appear

to be a long way off for the Iranian government. At the moment, the attitude of the rulers in Iran towards ethnic and religious minorities is too strict to allow any hope that self-determination can be realised in the near future. First and foremost, mutual trust and confidence must be built and measures for representation expanded, before self-governance is put on the agenda. The Kurdish political parties would also benefit from uniting into one formation which could communicate with the government with one voice. It would be desirable to strengthen cooperation with the Congress of Nationalities for a Federal Iran (CNFI), the largest coalition of ethnic minorities in Iran, to achieve greater momentum. These political organizations have come together and created an umbrella organization, and “formulated demands and a path towards federalism, democracy and a secular rule in Iran” (UNPO, 2013:20). In addition, there needs to be a significant change of attitude and mentality on part of the government to allow for the possibility of granting the Kurds greater self-determination. Thus, a step-by-step approach is essential. As has already been shown, however, the state continues to equate efforts to promote self-determination with separatist tendencies; therefore the Kurdish political parties must gain the trust of those in power if they are to realise their aspirations for greater autonomy within Iran. Following from this assessment of the current situation of the Kurds in Iran, and from the analysis of the prospects for a federal arrangement, the following steps are proposed to move towards a greater degree of self-determination for the Kurds. These proposals are categorized under four different headings:

#### *4.4.1 Separation of religion and state*

As clearly stated, the Islamic Republic of Iran exercises political power on the basis of the *Sharia* laws of Islam. Thus, all state-related matters are handled according to the criteria laid down by *Sharia* law. The violation of human rights is justified on the basis of *Sharia* Law (Ahmed, 2010:155). The issue of the relationship between religion and state poses challenges for the citizens in terms of lack of religious freedom and freedom of speech, a restricted press, restrictions on behaviour and on what to wear, amongst others. In order to transform the state into an inclusive, democratic entity, secularism must be introduced in Iran. The demands for secularism have been strong and fierce, but have not

resulted in any significant changes. In 2003, on the question of secularism in Iran, a former chief prosecutor of Iran's Revolutionary Court illustrated his reformist opinion by stating:

“There are two lines of thinking here. The first group think religion must meddle in every little detail of government affairs and people's lives ... The second group, like myself, thinks there is no mandate in Islam to dictate how a president or parliament or army should operate; the will and vote of the people must decide who shall run a country and how.”  
(Fassihi, 2003)

The demands for secularism have not decreased since 2003. However, the grip that the government has on the population will probably not allow for any reduction of the unity between state and religion in the near future. A transformation of this sort will most likely only be possible through the same force that was responsible for establishing the Islamic Regime in Iran in 1979: a revolution will be needed. While this recommendation may seem unattainable, and is unlikely to be realised any time soon, it is still a factor that needs to be addressed if a transformation to a federacy is to take place. With a separation between state and religion comes also the separation between private and public, and more freedom for the population. As Yildiz and Taysi (2007:105) note, at the very least, human rights will be greatly improved.

#### *4.4.2 Constitutional changes: explicit recognition of minorities*

According to Ahmed (2010:150), the Iranian constitution does not handle its minorities equally; there are “systematic obstacles to equality.” In addition, Ahmed (2010:152) shows that by declaring one faith to be the state religion (Shia'ism), Kurds and other minorities who belong to other faiths are marginalized. While the exact ethnic composition of Iran is unknown, Yesiltas (2014:246) suggests that nearly fifty per cent of the population consists of ethnic minorities, that is, Azeri, Arab, Baluch, Turk, Gilaki and Mazandarani, as well as the Kurds. The challenges facing this large group of people must be tackled through the explicit recognition of the rights of minorities in the constitution if federalism is to have any future. As well as ethnic rights, the rights of non-Muslims must

also be recognized. In this way religious freedom will also be provided for. In addition, other languages than Persian must be recognized. If explicit recognition of minority rights is given in a redrafted constitution, Kurds and other ethnicities will enjoy greater rights as minorities, and will be able to claim their rightful place in society. Moreover, Kurds will also be able to study in their own language, and freely show their affiliation to their culture. These are qualities which a federal model emphasize.

#### *4.4.3 Consultative processes between the government and the Kurdish political parties*

It is essential that the Kurdish political parties establish effective institutions to enable dialogue with the government. In this way, the demands of the Kurds can be considered in a systematic manner, while at the same time building trust. Once some mutual confidence has been built, demands from the Kurds can be addressed in a more effective way. It is important to note that no modern national government in Iran has granted any degree of autonomy to minorities, thus steps towards implementing self-determination must follow at a later stage. First, the need to accommodate all ethnic minorities must be dealt with. The government must not feel threatened or fear that national security is at risk, otherwise there may be a breakdown in their relationship with the Kurds. It is not only Kurdish political parties who are advocating for a federal Iran. While the total number of non-Persian political organizations is not clearly known, the Congress of Nationalities for a Federal Iran (CNFI) consists of sixteen non-Persian political organizations. The support for a federal Iran indicates that a positive democratic force is developing amongst the various political parties. This large group enjoys great support within the country, and can be a positive force for change. Thus, by granting the Kurds an effective voice in their own affairs, combined with a commitment to non-violence and peaceful relations, whilst maintaining the territorial integrity of the country, negotiations for a federalist model may make progress.

#### *4.4.4 International pressure*

Whilst the Kurds (and other minorities) can increase pressure and demand a greater degree of self-determination, international human rights organizations and the UN should take steps on behalf of minorities, not only in Iran, but worldwide, to expand their protection under international law. As Ahmed (2010:180) reported, in Iran, there are no TV stations or radio channels in minority languages, and education is not possible in Kurdish or other minority languages. If it is in the interest of the international community to bring about stability in the Middle East in general, then, Ahmed (2010:242) argues, the Kurds must not be overlooked. Furthermore, Ahmed (2010:242) states, “minority rights are the key to pluralism and peace in the Middle East. In order to achieve stability in the region, guaranteeing the legal rights of the Kurds, as the largest ethnic minority of the four examined countries is the key.” In particular, in the case of Iran, the international community must put pressure on the regime to peacefully negotiate and address the demands of its minorities; it must move towards the implementation of a federal system in which minorities can be accommodated.

The case of the Kurds in Iran is complicated. This is not only because of the closed Iranian system, but also because of the nature of the regime, in which the private and the public are closely intertwined. Whilst the prospect of achieving a federal Iran in the near future is far-fetched, there are measures that can take the Kurds a step closer to achieving their goal of greater degree of self-determination in Iran. This research study will now turn to applying the federal model to the Turkish case study to assess whether the federal model can be implemented there to address the Kurdish demands for self-determination.

### **4.5 Federalism and the case of Turkey**

While it may seem unlikely that the federalist model can be achieved in Iran in the near future, given the current political atmosphere of that country, the Turkish context is rather

different, mainly because religious and political affairs are not intertwined as in Iran. At the outset of the 1980s and through the 1990s, the demand for a Kurdish breakaway was at the forefront of the claims by the Kurdish nationalist movement in Turkey; however, these claims have drastically changed in the last decade, and the focus has shifted to greater self-determination for the Kurds within Turkey. For instance, the PKK leader, Öcalan, has argued for “democratic autonomy”, in which the Kurds can live in unity, under their own local government authorities. Indeed, in 2013, Öcalan, in a famous speech to the Turkish people, tried to move the Kurdish struggle “from the military realm to the world of democratic politics in Turkey” by calling for a democratic Turkey (Yesiltas, 2014:119). Nevertheless, this does not mean that the fear of federalism is not still present in the Turkish government. In 2010, Loizides (2010:522) commented, “there is a fear that federal or other territorial arrangements could unavoidably lead to secession, even though the official leadership of the Kurdish minority party does not demand any such arrangements.” These fears, amongst others, have hampered the progress of the peaceful resolution to the Kurdish issue.

Chapter Three highlighted the historical assimilation of the Kurds in Turkey and the efforts towards extinguishing the Kurdish language and culture. No matter how “problematic” (Heper, 2007:1) the relationship between Kurds and Turks has been in the past, the two parties have recently shown signs of a willingness to negotiate. When applying the first factor of federalism, in which power is divided between the central authority and local and regional governments, one must look at the recent developments, including the introduction of the directly elected Presidency in Turkey. These changes within the political landscape must be taken into account. While Turkey cannot be compared to the successful experience of the US Presidential system, it is said that typically within these forms of government there are direct elections, and separate institutions with mutual checks and balances; these bring greater efficiency and stability (Türk, 2011:37). It is highly likely that federalism can develop within this system (Yahya, 2014). Thus, one can draw the conclusion that *ideally* speaking, within this more hopeful political climate, there can be a division of power, democracy can be enhanced and there can be greater productivity. However, the other possibility, which may be more likely, given the Turkish political atmosphere, is that such a system will lead to a more

authoritarian regime. This has been the case in, for instance, Latin American countries (Türk, 2011:37). Furthermore, Türk (2011:38) points to the fact that there are only a few stable Presidential democracies worldwide, which illustrates the complexities of implementing such a system. Indeed, Clark, Golder and Golder (2012:749) discovered that presidential systems have a bad reputation in developing countries. It is also believed that Erdoğan will use his Presidential powers to tighten his grip on the country, as is the case, for instance, with Russia's President Vladimir Putin (Uras, 2014). The positive outcomes of a Presidential system, as seen in the US, where there is a division of power, are not foreseen in Turkey in the near future. Relating this back to the research question, it can be said that while a Presidential system will increase the likelihood of a federal system in Turkey, this will not happen automatically. Since the establishment of the Turkish Republic, the country has witnessed three constitutions, four military interventions and sixty governments in the last ninety years (Türk, 2011:41). It is clear that the structural problems that Turkey faces are not going to change overnight. While negotiations have begun between the Kurds and the Turkish government, a process labeled as "radical" (Öniş, 2013:115), there have been some interruptions to the continuing progress. There are hopes within the Kurdish community that the Presidential system will bring about federal changes, and that is why the presidential system enjoys the backing of the PKK supporters and of Öcalan (Yahya, 2014). Even though Turkey is a democratic country, the constitutional restrictions on minorities and Kurdish political parties cast doubt on the apparent acceptance of democratic values. Therefore, relating this back to federalism and factor one, it is argued that it is unlikely that Turkey will in the near future decentralize its authority and establish local governments to accommodate the Kurdish claims to self-determination. A constitutional transformation was suggested two years ago, but this has yet to happen.

As far as factors two and three are concerned, unless the constitutional restrictions on the establishment of political parties and political activities are removed, it is unlikely that the people or the Kurdish political parties will be politically active. The constant criminalizing of Kurdish political parties hinders the Kurdish political development in general and prevents the furthering of Kurdish aims. Unless these problems are

addressed, a federal system which addresses the Kurdish claims to self-determination will not be possible in Turkey.

To summarise, it can be said that while the Turkish context is different from that of Iran, it is nevertheless unlikely that a federal transformation will happen in Turkey in the near future. This has largely to do with the fears of separatism, and a Presidential system that might make the political situation more challenging for the general public, and the constitutional limitations on political activities. There is a lack of commitment to democratic reforms. However, just as with the case of Iran, there are measures that can be taken to facilitate progress towards implementing a federal model in Turkey.

#### **4.6 Practical recommendations for Turkey: towards the realisation of a federal model**

While a Presidential system is on the verge of being put in place in Turkey, there must also be a commitment to democratic reforms in order to reach a peaceful settlement of the Kurdish issue. Based on the evaluation of the current Kurdish situation in Turkey, as well as the analysis of this situation in the light of federal structures, the current situation does not make room for federalism. However, four steps are proposed in order to move towards greater self-determination for the Kurds and to move Turkey towards a federal dispensation.

##### *4.6.1 Redraft the constitution*

The Kurds in Turkey have demanded a redrafting of the constitution to remove ethnic discrimination. At the moment, “the Turkish constitution does not recognize Kurds in Turkey ... and no mention [is made] of anything Kurdish” (Ahmed, 2010:115). Furthermore, article 66 of the constitution reads “everyone bound to the Turkish state through the bond of citizenship is a Turk” (Ahmed, 2010:115). Thus, as Ahmed (2010:117) reports, “the policies to assimilate all the non-Turkish speakers to Turkish nation have been justified by the constitution.” While it has been punishable to use the Kurdish language publicly until recently, the Turkish government has accommodated a

few Kurdish demands in the famous “democratization package”. Kurdish-language television, the legalization of private Kurdish language courses, elective Kurdish language classes in schools as well as plans to introduce education in Kurdish in private schools have been among the political gestures made towards the Kurds (International Crisis Group Report, 2013:i). This has however been met with a lukewarm response. Critics argue that rather than genuinely settling the Kurdish issue, Erdoğan was building support for the presidential election in 2014, and for the parliamentary elections in 2015. One interviewee expressed similar misgivings:

“He (Erdoğan) is trying to buy time. He is saying in the media that I want to settle the Kurdish question, to solve the issue, but I think he is just looking for support from the Kurdish side so that they will vote for him as well. For his party. Because what you see is... A lot of Kurdish people are supporting his party. Not only Kurdish parties, but also the AKP-party of Erdoğan. So he knows that, and he is trying to use the issue to get support from their side.”

In KHRAG’s (2013:1) newsletter, they point out that while these gestures from the Turkish government are welcome, the democratization package failed to secure the release of thousands of political prisoners or juveniles. Additionally, there was the continued prosecution of journalists, lawyers and other activists on the pretext that they are aiding terrorists or terrorist organizations. Thus, the Kurds have not been satisfied with these reforms. Yildiz and Breau (2010:225) note that “constitutional guarantees of minority groups’ language, religious, educational and cultural rights” are another basic feature of a federal state, and these must be address in order for all members of society to enjoy the same legal rights. There is no doubt that redrafting the constitution, so that all ethnicities that comprise the country of Turkey are recognized, as well as their respective languages, cultures and nationalist symbols, will be a significant step towards greater democratic reforms. In fact, this constitutional recognition would comply with the Kurdish demands for the use of Kurdish language as part of the public education system.

#### *4.6.2 Lowering the electoral threshold*

Ahmed (2010:125) observes that the proportional representation system in Turkey requires the attainment of a ten per cent national threshold. In other words, political parties must reach at least ten per cent of the total votes cast, and they must also be registered in more than half of the provinces, in order to qualify for seats in parliament. Özbudun (2013) states that the ten per cent electoral threshold is the highest in Europe, and effectively eliminates minor regional parties from parliamentary representation. Similarly, the European Court of human rights (cited in Ahmed, 2010:126) criticized this practice in Turkey by stating that “the 10 per cent threshold in Turkey is the highest in any Council of Europe member state and it must be lowered.” Ahmed (2010:125) reports that the Organization for Security and Co-operation in Europe (OSCE) found that the ten per cent threshold for party representation “is unusually high and remains the highest in the OSCE region.” However, this is not to say that Kurds or other ethnic party members have not entered parliament. They have, but only through the denial of their ethnic identity (Ahmed, 2010:127). Özbudun (2013) notes that Erdoğan proposed three alternative electoral reforms: (1) maintaining the ten per cent threshold; (2) abolishing the national threshold and introducing a single-member plurality in which the winner takes all; or (3) lowering the threshold to five per cent. It is the last option (lowering the threshold to five per cent) that has received most attention. It was part of a “democratization package” that the Turkish government proposed last year; however, it has still not been implemented.

In a report published by ICG (2013:22) about the Kurdish situation in Turkey, they propose that the electoral threshold, which they argue is “the biggest gap between political practice and the popular will”, should be lowered to five per cent, which is the EU norm. This is in an effort “to allow fair political representation for Turkey’s Kurdish movement and other parties.” Furthermore, Kurdish political parties, who are usually obtaining around six per cent of the votes, will most likely not have difficulty in passing the five per cent threshold (Özbudun, 2013).

While the debate as to whether the high threshold is a tactic from Turkish side to prevent Kurdish parties from entering parliament remains a discussion for another time, the debate about lowering the ten per cent threshold is a critical part of the democratic reforms that must be put in place in order to peacefully resolve the Kurdish issue.

Furthermore, it will be in keeping with the diversity in political representation that federalism requires.

#### *4.6.3 Introduce decentralized local government structures*

In order to secure the cultural, religious and ethnic identity of minority groups in a state, regional governments may be set up. In this way, matters such as education, health, social welfare and labour, and maintenance of law and security are dealt by the regional government, whereas defence and foreign affairs, amongst others, are handled by the central government. A decentralized local government structure in Turkey can be equivalent to that of the KRG. In this regard the state is devolving authority to local bodies. In this system, the Kurds can have their own flag and national symbols. However, there are some objections to a decentralized local government. The ICG (2013:16-17) states that decentralization “is a sensitive issue for Turkish nationalists, who see a federal system as the road to Kurdish secession.” In other words, not only the government, but also Turkish citizens (though not all of them) are worried that granting these rights to the Kurds will ultimately lead to secession. However, this scepticism did not stop the Turkish government from implementing municipal laws in November 2012, thereby meeting some Kurdish demands. The Municipal Law bill that was passed emphasizes the increase in the number of metropolitan municipalities from 16 to 29; metropolitan mayors will operate as chief executive officers of cities. The English Turkish newspaper *Today's Zaman* (2012) informed its readers in an article that the Turkish government “emphasizes the need for strong local administration with expanded borders able to produce optimal municipal services, such as construction planning, the coordination of municipal infrastructure and transportation within municipal boundaries.” It is yet to see if these assurances can be implemented within a federal model of government.

#### *4.6.4 Remove the PKK from terror list*

The peace talks that have been commenced in Turkey between Abdullah Öcalan and government officials have never been made public, largely because of the classification

of the PKK as a terrorist organization. Yesiltas (2014:119) notes that these negotiations mainly “reflected the Turkish government’s prime motive to end the armed insurgency of the PKK rather than a genuine will to establish peace in Turkey.” However, it was during the New Years celebration of *Newroz*<sup>16</sup>, that Öcalan made a call of a ceasefire and urged an end to the three-decades-long conflict; the PKK leader was publicly acknowledged by the Turkish government as a legitimate political actor representing the Kurds in Turkey, as well as the “chief negotiator within the peace process” (Yesiltas, 2014:119). With regard to the steps taken in the negotiations, one would assume that the road towards achieving a peaceful solution was laid. In fact, however, the characterization of the PKK as a terrorist organization makes negotiations between Turkey and the PKK a challenging task. Yildiz and Breau (2010:198) note that, “states and the international community do not want to be seen as rewarding bad behaviour by giving “terrorist” organizations a place at the negotiating table.” As a way of avoiding such a dilemma, Norway, for instance, refused to include the PKK on its list of terrorist organizations because doing so would not assist a resolution of the conflict. When it comes to Turkey’s involvement with the PKK, BBC News (2013) wrote in an article that Turkey refused to negotiate with PKK and has offered “only a limited amnesty to its members.” As a possible solution, the Peace Assembly of Turkey recently called on the member states of the EU to remove the PKK from the EU’s list of terrorist organizations; in addition they should facilitate direct communication links between Öcalan and the PKK (Firat News, 2014). Similarly, Yildiz and Breau (2010:198) argue that removing the PKK from the list of terrorist organizations might be a step in the direction towards a peaceful resolution of the Kurdish issue in Turkey. Even if the PKK were removed from the list of terrorist organizations, a genuine will to settle the conflict amongst the parties could prevail. If one compares peace processes in other countries, for instance Northern Ireland or South Africa, history has shown that negotiations with organizations that have been labeled “terrorists” can produce positive outcomes if there is commitment and willingness from all the parties as well as international support and an efficient negotiations team. In fact, Nelson Mandela was not removed from the US’ terror list until 2008 (The Telegraph, 2008), although South Africa had by that time reached a peaceful settlement.

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<sup>16</sup> Refers to the traditional Iranian new year celebration in Kurdish society which falls on March 21st

In sum, while an implementation of the federal system in Turkey is not foreseeable in the immediate future, there are nevertheless hopes for such a transformation in the long run. While the relationship between the Kurds and Turkey has been constrained in the past, the recent peace negotiations indicate that there is a willingness to solve the Kurdish issue. These proposed recommendations can be steps taken towards the implementation of a federal model in Turkey, and address the Kurdish claims of self-determination.

#### **4.7 Conclusion**

This chapter has applied the theoretical framework of federalism to each of the case studies presented in Chapter Three, and has also assessed the prospects for implementing a federal dispensation in Iran and Turkey, as a way of addressing the Kurdish claims to self-determination. This chapter has revealed that a federal implementation within the political structures of Iran and Turkey is not possible in the near future. In the case of Iran, this has largely to do with the state structures in which there is a fusion of politics and religion. The constitution thus emphasizes religion, rather than explicitly recognizing minorities. When it comes to Turkey, even though there has been willingness to negotiate, the lack of a democratic culture and the lack of any specific recognition of minorities in the constitution hampers the development of a federal structure. Even though the direct election of a President recently took place in Turkey, it is not believed that a possible transition to a Presidential system will change the political structures in the direction of a federal arrangement any time soon. The chapter concluded by making a number of recommendations on how federalism could be achieved in each case. The next and final chapter will evaluate the research study and offer recommendations for further research.

## Chapter V:

### Evaluation of the research study and concluding remarks

#### 5.1 Introduction

The aim of this research study was to assess the possibilities of the implementation of a federal model in Iran and Turkey, as a way of addressing the claims to self-determination for the Kurdish people in these two countries. The political future for the Kurds in Iran and Turkey was studied through the lenses of the Kurdish nationalist movement, and the current political atmosphere in Iran and Turkey was taken into account. Furthermore, the responses from the governments in these two countries towards the Kurdish demands were examined. Though the Kurdish case has been widely studied, in particular in the last few decades, there are few existing comparative case studies that evaluate the political dynamics of the Kurds in Iran and Turkey. This thesis took particular notice of this and helped to fill this gap through its concern with identifying and assessing federalism as a self-determination arrangement in a comparative two-case study of the Kurds in Iran and Turkey. This chapter will now trace the development of the thesis and summarise the main findings of this study.

#### 5.2 Progress of the research study

This thesis progressed from the initial question of whether federalism can be successfully implemented in Iran and Turkey in order to address the Kurdish claims of self-determination. Chapter One introduced this study as a qualitative and comparative case study, dealing with explanatory, descriptive and exploratory aspects. The main research question was formulated as follows: *Can federalism be successfully implemented in Iran and Turkey to address the Kurdish claims of self-determination?* Two additional sub-questions were developed to supplement the main research question: (1) *What has the response by the Iranian and Turkish governments been towards the*

*demands for greater recognition of their Kurdish population? (2) To what extent have the Kurdish political parties in Iran and Turkey furthered the Kurdish case?*

Lastly, the limitations and delimitations of the research study were also described in Chapter One.

The first step in answering the main question was to investigate, and provide detailed definition of, the federal model as an attempt to meet demands for self-determination in Chapter Two. This chapter also examined two other ways of meeting demands for self-determination arrangements, namely secession and autonomy. The successful implementation of a federal model in Iraq served as a guide when applying and evaluating this theoretical framework in relation to the Kurdish cases in Iran and Turkey. Furthermore, as the theory of federalism “combines the principles of unity and diversity” (Gamper, 2005:1299), it provided the appropriate tool to investigate the claims of minorities to self-determination, without defying state authority. Thus, the theory of federalism proved an appropriate starting point for this thesis. After clearly understanding the theory of federalism, it became easier to apply this in the subsequent chapters in order to provide a detailed analysis of the Kurdish situation in Iran and Turkey. Furthermore, the terminology used in this thesis; *Kurds, Kurdistan, self-determination* and *federalism*, was conceptualized. These concepts were chosen as they make up the cornerstones of this study and throw light on the research question. An extensive literature review on Kurdish self-determination was provided to give a clear understanding of how the Kurdish movement for self-determination has evolved, particularly in the last decades. While the Kurdish nationalist movement has historically advocated uncompromisingly for secession, and for the establishment of an independent Kurdish state, the literature review illustrated that, particularly within the last decades, the Kurds in Iran and Turkey have rather advocated for greater self-determination within the host states. Consequently, the scholarly debate has turned towards analyzing the Kurdish case in the light of other possible arrangements for self-determination, rather focusing exclusively on secession.

The third chapter aimed at offering a thorough understanding of the Kurdish socio-political situation, and situated this within the historical context in Iran and Turkey since the fall of the Ottoman Empire. The chapter started by presenting a general overview of the Kurdish minorities in Iran and Turkey with the aim of explaining the

demands of the Kurds for self-determination within the Iranian and Turkish contexts. In addition, the public policies of these two states towards the Kurds from the end of the Ottoman Empire until recently were highlighted. In order to further understand the Kurdish quest for self-determination, a concise overview of the Kurdish nationalist movement was included, and selected Kurdish political parties were highlighted. Thus, this chapter dealt with, and presented answers to, sub-questions one and two.

Chapter Four applied characteristics of a federal model presented in Chapter Two to each of the case studies presented in Chapter Three, and assessed the prospects for a federal solution in Iran and Turkey as a way of addressing the Kurdish claims to self-determination. It was found that the successful implementation of a federal system is not possible in Iran and Turkey due to the political climate in both countries. Furthermore, four recommendations were made; the aim was to assist each country to move towards a federal solution.

### **5.3 Evaluation of the research study**

The main finding of this thesis is that the successful implementation of a federal system in Iran and Turkey, with the aim of addressing the Kurdish claims of self-determination, is not likely in the near future. As far as Iran is concerned, the controlled nature of the Iranian system does not provide any accommodation for their ethnic minorities. The union of politics and religion is seen as the biggest challenge to any transformation of a federal model. While the current Iranian system uses religion as the basis for identification with the state, at the expense of human rights and personal liberty, the federal theory demands a society with a division of powers in which social groups are trusted to exercise some degree of self-determination. The Iranian government has furthermore not shown any willingness to give up centralised power. This means that a federal system will not provide a way of addressing the Kurdish claims of self-determination now or in the near future. However, this study recommends four steps that are needed for the federal model to be successfully implemented in Iran, and subsequently meet the Kurdish demands. There are: a political transformation towards

secularism; constitutional changes; close cooperation between Kurdish political parties; and international pressure on Iran to negotiate a peaceful solution with the Kurds.

When it comes to Turkey, this research study finds that a successful implementation of the federalist model in Turkey, which will address the Kurdish demands for self-determination, is unlikely in the nearest future. While Turkey is different from Iran in terms of its political system, it is not believed that a possible introduction of a Presidential system will remove the government's fears of separatism or alter the constitutional constraints on political activity. In addition, the lack of commitment towards democratic reforms must also be taken into account. While the political atmosphere does not support a move towards a federal model, this thesis recommends four steps that may assist a political transition. These are: a redrafting of the constitution; lowering the electoral threshold; introduction of a decentralized government structure; and removing the PKK from the list of terrorist organizations.

Sub-question one was: *What has the response by the Iranian and Turkish governments been towards the demands for greater recognition of their Kurdish population?* This question was addressed in Chapter Three where the case studies were contextualized. This study has established that the Iranian and Turkish governments have, during the last century, paid little attention to demands for greater recognition of the Kurds. In Iran, the short-lived Mahabad Republic was set up with Russian help in 1946, but it lasted less than a year, and was soon removed by the Iranian government. Since then, the government has refused negotiations with the Kurds and with Kurdish political parties because they equate the Kurdish claims of self-determination with secession. The Turkish government's assimilation policies have been at the core of the state's response to the Kurds. An extensive armed struggle between the Turkish state and the Kurdish political party PKK, has also characterized the Kurdish issue since the mid-1980s. However, in the last decade the Turkish state has showed a willingness to reach a peaceful settlement of the Kurdish issue.

As for sub-question two, *To what extent have the Kurdish political parties in Iran and Turkey furthered the Kurdish case?* Chapter Three found that within the Kurdish nationalist movement in Iran, there are no major programmatic differences between the party ideologies: KDPI, Komala and PJAK all seek to promote democracy and equal

rights for all the ethnicities in Iran. Thus, they are in a struggle for a regime change so that the Kurds can enjoy greater liberties within a federal structure. The main difference between them is PJAK, which operates with an armed wing, and has clashed with the Iranian government since its establishment in 2004. As a result, PJAK has been condemned as a terrorist organization and banned in Iran. While the Kurdish nationalist movement has shown a convincing will to resolve the Kurdish issue in Iran, this research study concludes that the nationalist movement as a whole has been hampered by a lack of unity amongst the Kurdish political parties in Iran, as well as by the constitutional restraints, in which the law criminalizes most Kurdish political parties. When it comes to Turkish political parties, this research study has established similarities with the political parties in Iran. They have been greatly hampered by the Turkish constitution and by a lack of unity, as well as by the classification of the PKK as a terrorist organization; these factors have prevented the realisation of their political aims.

The evaluation of this thesis would be incomplete without addressing the main limitations of this study. While the evaluation of self-determination within the Kurdish issue is not new, the choice of Iran and Turkey for a comparative case study is unique. Most scholarly debate has either been examining all the four countries with a Kurdish population, or most commonly, provided a comparative analysis of Turkey and Iraq. This is mainly because of the close relationship between the KRG and Turkey in terms of cooperation over oil. This research recognized early on that the closed nature of the Iranian regime made collecting data from that side difficult. An additional challenge lay in the fact that while the researcher was based in South Africa, most scholarly literature is located elsewhere, either in the Middle East, Europe or America. Often, the university library could not obtain the requested material. Thus, this prevented the inclusion of a wider list of secondary sources. This researcher also conducted two key informant interviews with the Kurdish Human Rights Action Group (KHRAG), located in Cape Town. These two interviews were of immense assistance. However, if the key-informant sample had been larger, this would have provided more varied and nuanced material to work with. Consequently, this study used a wide variety of electronically available sources on the public domain.

As far as the comparative research design is concerned, this research study used two similar, but also very different, cases and applied a federal model to both in order to answer the research question. While a starting point as such presents challenges in terms of dealing with two different cases, the similarities between the cases made comparison possible. Both Iran and Turkey are Islamic societies in the Middle East, with roughly the same size of population, and both host significant Kurdish minorities. Although neither country was colonized, both lagged far behind the developments in the West. Consequently, they both looked to the West in an attempt to adopt the advances that had taken place there. According to Gürakar (n.d.:3), Iran and Turkey were originally ruled by monarchs, but both made the transition to constitutionalism, Turkey at the end of the 19<sup>th</sup> century and Iran at the beginning of the 20<sup>th</sup> century. While Iran and Turkey share some common features, their political structures are very different. Even though they both operate within a constitution, Iran is ruled by conservative clerics, while Turkey functions with a parliamentary system. There were recently held direct Presidential elections in Turkey, which are believed to be the first step towards the implementation of a full Presidential system. Gürakar (n.d.:4) highlights that changes in the political structure for these two countries are centred on differences in religion and ideology. Whilst Iran consists of mainly Shia Muslims, Turkey's population is mainly Sunni. While Iran's state religion is Islam, and all political institutions are run on the basis of Islamic law, Turkey is a secular state which has no official state religion. In other words, while the case studies have much in common, the political structures are rather different. However dissimilar these two cases are, their lack of democratic culture, combined with constitutional constraints, provides a basis for the findings of this research study.

While it is challenging to draw generalizations on basis of these two case studies, the broad findings of this research study can nevertheless apply to other cases in which ethnic minorities are demanding greater self-determination. As established in this research, it can be concluded that some degree of democracy, together with some willingness to compromise from the government's side, are essential for a federal system to function. In addition, the nationalist movements' struggle would benefit from a strong, united movement, which could challenge entrenched states-structures.

## 5.4 Recommendations for further research

Due to restrictions on time, finances and space, it was not possible to undertake primary research in the Kurdish inhabited areas in Iran and Turkey. The emergence of the Islamic State of Iraq and Syria (ISIL)<sup>17</sup> in the Middle East posed further problems in terms of security. Consequently, this thesis had to be based on existing sources.

A future study of a comparative nature could be conducted; this could examine the current Kurdish behaviour and assess opinions from the general community in the four countries in the Middle East. These sources should include students, workers in government, political party representatives, scholars and the like. A study of this kind would throw light on contemporary perceptions of Kurdish self-determination within a real-life context. Furthermore, it would allow the Kurds as well as government officials to openly and freely articulate their hopes and aspirations, and in so doing, to clarify their objectives. In a comparative study of this kind, a large representative sample is crucial for conducting interviews and questionnaires, in addition to non-participant observation; this would provide a detailed and nuanced picture of the situation.

Secondly, it is well established that the Kurdish claims for self-determination are not historically unique. If one takes into consideration the “surprising ties between Israel and the Kurds” (Bengio, 2014:1), a comparative case study of the Kurdish demands with, for instance, the Palestinian claims for recognition could provide an interesting angle on the conflicts that both sides are experiencing.

## 5.5 Conclusion

The Kurdish struggle for self-determination will not end in the near future. This study has made a contribution towards an understanding of federalism in the context of the Kurdish claims to self-determination in Iran and Turkey. As this thesis has demonstrated, the Kurdish issue is complex, and reaching a viable solution is even more complicated. However, if the recommendations are tackled in an effective manner, it could be the beginning of establishing greater self-determination for the Kurds. It is possible that

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<sup>17</sup> Also referred to as the Islamic State of Iraq and Syria (ISIS) or the Islamic State of Iraq and al-Sham. Recently they have changed their name to Islamic State (IS).

greater Kurdish self-determination would strengthen the bonds between the respective governments and the Kurds, and hopefully enable the reaching of a peaceful solution to the centuries-long Kurdish issue.

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## Appendix 1

### Timeline of Kurdish history<sup>18</sup>

- 1920:** Treaty of Sèvres. Signed with the ambitions of Kurdish autonomy
- 1920s:** Red Kurdistan (Lachin) Republic is established in the Soviet Union
- 1925:** Turkey crushes Sheikh Said's rebellion, Kurds are being repressed
- 1930:** Turkey crushes Kurdish rebellion in Ararat area
- Mustafa Barzani (1903-1979) emerges in Iraq as a Kurdish leader
- The Kurdish leader Ismail Agha Simko is assassinated by Iranian officials
- 1936-1938:** Turkey crushes Kurdish rebellion in Dersim (Tunceli)
- 1946:** Mahabad Republic of Kurdistan is established
- 1947:** The KDP-leader Qazi Mohammad is assassinated by Iranian officials
- 1947-1958:** Mustafa Barzani is exiled in the Soviet Union
- 1961:** Fighting begins between Barzani-led Kurds and the Iraqi government
- 1970:** March Manifesto in Iraq theoretically promises Kurdish autonomy
- 1974:** Renewed fighting occurs between Iraqi government and Iraqi Kurds
- 1975:** Algiers Agreement between Iraq and Iran ends Iranian support for Iraqi Kurds. Final defeat on Mustafa Barzani occurs. His son, Massoud Barzani emerges as his successor
- 1978:** PKK is formed in Turkey with Abdullah Öcalan as the party's leader
- 1979:** Iranian Revolution. The Shah is removed from power through a coup Ayatollah Ruhollah Khomeini becomes the new leader of the country
- 1980:** Turkish military coup occurs, followed by crackdown on Kurds in the country
- 1980-1988:** Iran – Iraq War. Kurds in both states are greatly affected
- 1982:** A new Turkish Constitution is set up, contains many provisions repressing the Kurds
- 1984:** PKK insurgency begins in Turkey
- 1987-1988:** Saddam Hussein's genocidal *Anfal* campaigns against Iraqi Kurds

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<sup>18</sup> Compiled from Gunter (2011) and Timelines of history (2014).

**1989:** The KDPI-leader Abdul Rahmad Ghassemlou assassinated by Iranian agents in Vienna

**1991:** Gulf War. A *de facto* Kurdish state in northern Iraq becomes a reality.

**1992:** Kurdistan Regional Government (KRG) is established. The Kurds in Iraq has been granted self-rule

**1999:** Abdullah Öcalan is arrested in Kenya. Was on his way to seek political asylum in South Africa

**2000:** Abdullah Öcalan sentenced to death. This sentence was later revoked to life imprisonment

**2003:** US invasion of Iraq. Saddam Hussein overthrown, and captured a few months later

**2005:** Iraqi constitution declaring a federalist political arrangement approved

Turkey begins EU accession talks

**2010-2012:** Peace talks have taken place between the Turkish government and the PKK at a few occasions, in Norway and in Turkey

**2014:** Presidential election in Turkey