# Kurdish Studies Archive

Vol. 10 No. 1 2022

BRILL

# Kurdish Studies Archive

# Kurdish Studies Archive

VOLUME 10-1 (2022)

BRILL

LEIDEN | BOSTON

Typeface for the Latin, Greek, and Cyrillic scripts: "Brill". See and download: brill.com/brill-typeface.

ISBN 978-90-04-72622-2 (paperback)
ISBN 978-90-04-72623-9 (e-book)
DOI 10.1163/9789004726239

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 1–3

Kurdish Studies Archive

brill.com/ksa

# Editorial

*Martin van Bruinessen* | ORCID: 0009-0009-4965-6485
University of Utrecht, Netherlands
*m.vanbruinessen@uu.nl*

## Introduction

As this journal enters its tenth year, some major changes are taking place in the editorial team. Welat Zeydanlıoğlu, who had first founded the Kurdish Studies Network and moderated its helpful mailing list and then took the initiative to establish this journal in collaboration with our publisher Ibrahim Sirkeci, has announced that he wishes to retire from the position of managing editor. For the past nine years, Welat has given much of his time and energy to the journal, and it is understandable that he wishes to move on now to something else, but we shall certainly miss him. It has been largely due to Welat's efforts (and his confidence that he could persuade scholars to publish their work in this journal) that *Kurdish Studies* has managed to stick to a strict schedule of publication, with new issues coming out each spring and autumn, as well as maintaining standards of academic quality. An interview with Welat in this issue (by Marlene Schäfers) documents the role the network and journal have played in the development of Kurdish studies as a coherent field of studies and in stimulating communication between scholars of many different backgrounds.

Another founding editor, Joost Jongerden, has also had to retire from active participation due to other obligations, as had one of the earliest collaborators on the network and journal, Ethem Çoban. Ethem had been in charge of the online Kurdish studies bibliography and the book reviews section of the journal. We shall remember their crucial contributions to the editorial work in the journal's first years. Meanwhile, the editorial team has over the past years expanded to include young scholars working in a wide range of disciplines, who take an active part in the editorial process, corresponding with authors and peer reviewers in their area of expertise, deliberating on editorial policies and preparing future thematic issues. Starting with the current issue, Marlene Schäfers steps in as the managing editor and Sacha Alsancaklı as the book review editor. (Sacha will also be updating the online bibliography on the KSN website.)

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_002

The past decade has seen an unprecedented flourishing of scholarly activity in our field, resulting in numerous PhD dissertations, published books, articles in respected academic journals, conferences, seminars and specialised courses. Several established publishing houses started new book series dedicated to Kurdish studies, and various new journals and magazines publish research-based content in English, Kurdish, Turkish and other languages. *Kurdish Studies* prides itself in now being the leading English-language journal in our field, with the longest regular publication record, but we welcome the diversification of periodical publishing.

We intend our journal to continue representing the diverse approaches and disciplines in Kurdish studies, with writing by established as well as young emerging scholars, and we are especially eager to involve more scholars working in Kurdistan itself. We wish to keep an open eye for new developments in the field, new conceptual and theoretical debates, and subjects that have received insufficient attention before. We welcome contributions from various disciplines in the social sciences and humanities and remain open to suggestions for special issues on new themes or understudied aspects of Kurdish history, culture and society.

One major problem most of us face is that of access to the growing literature in our field. Most of the books published are too expensive for individual researchers to buy, and most journal articles, including those in *Kurdish Studies*, are behind a pay wall. Scholars who do not have access to a major university library are at a significant disadvantage. It is equally frustrating for authors to see that the fruit of their labours does not reach a large proportion of their potential readers due to the market forces in control of academic publishing. We are strongly in favour of open access publishing, and but Kurdish Studies is an independent journal, and the production costs do not allow us to make all our content freely available. Many universities in the European Union, however, offer financial support to affiliated scholars that allows them to make their articles open access, and we strongly encourage authors to explore that possibility. We should also wish the journal to become more widely available in Kurdistan and its neighbouring countries, for instance in the form of campus licences for local universities. The costs will be quite modest, but we shall need disinterested sponsors to make this possible. If readers have concrete suggestions of how to make this happen we shall be most grateful.

The present issue illustrates the range of our interests. The somewhat technical article by Rdhwan Shareef Salih on some aspects of production-sharing contracts contains rich information about oil and gas production in the Kurdistan Region of Iraq and the role of international companies in production

and sale. This has gained a sudden political importance with Russia's invasion of Ukraine and the calls for the boycott of all Russian oil and gas, which has raised the profile of the KRG as a potential alternative supplier. Ceren Şengül writes on phenomenon that has received little attention in sociolinguistics, focusing on how passive exposure to spoken Kurdish has contributed to the construction of Kurdish identity. Anu Leinonen takes a look at the more proactive practices of Kurdish language activism in Turkey in the past decades and discusses the wide range of efforts to teach Kurdish at various levels of education. These two articles complement one another in interesting ways. The interview with Welat Zeydanlıoğlu, mentioned above, is not just a record of the history of this journal but a contribution to the sociology of knowledge, with its reflections on how, by whom and for whom knowledge of the Kurds is produced. As usual, the abstracts of all articles are translated in the three major Kurdish dialects. We thank Kubra Sağır, Aram Rafaat and Mahir Doğan for their translations into Kurmanji, Sorani and Zazaki, respectively.

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 4–25

Kurdish Studies Archive

brill.com/ksa

# Constructing Kurdishness in Turkey: Passive Exposure as a Boundary Marker

*Ceren Şengül* | ORCID: 0000-0002-8761-9580
Affiliated Researcher, Centre Maurice Halbwachs (École Normale Supérieure), 48, boulevard Jourdan, 75014 Paris, France
*ceren.sengul@ens.psl.eu*

**Abstract**

This article discusses the under-researched sonic aspect of belonging to Kurdishness in Turkey: listening to or hearing the language, so-called passive exposure, without necessarily speaking it. Drawing on ethnographic, in-depth interviews and participant observation across five different field sites in Turkey, this article illustrates that in Turkey, where the public space for Kurdish soundscape is limited, passive exposure to the Kurdish language within family environments acts as major means of transmission of belonging. This discussion contributes to the literature on boundary-making by illustrating that the absence of passive exposure hinders some of the means of boundary-making such as self-ascription.

**Keywords**

Kurdish – belonging – language – family environments – sound

# Avakirina Kurdîniyê li Tirkiyeyê: Merûziya pasîf wekî nîşaneke sînorê

Ev gotar hêla dengî ya aîdiyeta Kurdîniyê li Tirkiyeyê, ya kêm-lêkolînkirî nîqaş dike: guhdarîkirin an bihîstina zimên, ango merûziya pasîf, bêyî şertê axaftina bi wî zimanî.

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_003

Li gor hevdîtinên kûr ên etnografîk û çavdêrîkirina beşdarî ya li 5 qadên cuda yên li Tirkiyeyê, ev gotar nîşan dide ku dema qadên giştî ji bo derdora dengî ya kurdî bisînor bin, merûziya pasîf a zimanê kurdî di nav derdorên malbatî de dibe rêya sereke ya raguhastina aîdiyetê. Ev nîqaş tevkariya edebiyata li ser çêkirina-sînoran dike bi nîşandana wê yekê ku nebûna merûziya pasîf dibe asteng ji bo hin rêyên çêkirina-sînoran; bo nimûne, ji bo xwe-lêbarkirinê.

## بونیادنانی کورد بوون لە تورکیا: ئاشکرای پاسیڤ وەك نیشانەی سنوور

ئەم وتارە گەنگەشەی بوارە کەم-توێژینەوە بۆکراوی دەنگی دەکات لە پرسی ئینتیمایی کوردبوون لە تورکیا: گوێگرتن یان بیستنی زمان، ئەوەی پێی دەگوترێت ئاشکرایی پاسیڤ، بێئەوەی بە ناچاری قسەی پێبکرێت. لەسەر بنەمای ئەتنۆگرافیک، دیداری قوڵ وە چاودێری بەشداربووان لە پێنج بواری مەیدانی دا لە تورکیا، ئەم وتارە ئەوە روونددەکاتەوە لە تورکیا کە فەزای گشتی بۆ دیمەنی-دەنگی کوردی سنووردارە، ئاشکرای پاسیڤ بۆ زمانی کوردی لە ناو ژینگە خێزانییەکان دا کاری ئامرازە سەرەکییەکانی بڵاوکردنەوەی ئینتیما دەکات. بە رووونکردنەوەی ئەوەی کە غیابی ئاشکرای پاسیڤ رێگیری لە هەندێک لە ئامرازەکانی سنوور-دروستکەر، لەوانەش خۆ-دانەپاڵ، دەکات، ئەم گەنگەشەکردنە بەشدار دەبێت لە ئەدەبیاتی سنوور-دروستکەردا.

## Tirkîya de Awankerdişê Kurdbîyayîşî: Marûzîya Pasîfe Sey Nîşanê Sînoran

No nuşte cîhetê vengî yê Tirkîya de kurdbîyayîşî yo ke bes cigêrayîş nêdîyo, ey ser o vindeno: marûzîya pasîfe, yanî bê ke merdim yew ziwan qisey bikero, la ê ziwanî biheşno yan goşdarî bikero. Bi roportajanê xorînanê etnografîkan û panc waranê Tirkîya yê cîya-cîyayan de nîyadarîya beşdaran ra, na meqale musnena ke rayapêroyîya Tirkîya de ke tede manzaraya vengî ya kurdkî sînorkerdî ya, uca dorûverê keyeyan de ziwanê kurdkî rê bi hewayêko pasîf marûzbîyayîş beno wasitaya weşanê endamîya komelî ya bingeyêne. Na munaqeşeya ke kemerêk nana ro lîteraturê sînorronayîşî ser, nawnena ke eke marûzîya pasîfe çin bo, tayê îmkanê sînorronayîşî, sey xotedehesibnayîşî, asteng benê.

## Introduction

On May 31, 2020, Barış Çakan, a twenty-year-old Kurdish man living in Ankara, Turkey, was stabbed in the heart and killed in a public park. Whilst his father denied the initial allegations that his son was attacked because he was listening to Kurdish music, some family members stated that the family was pressured to cover up the reason for the murder, with the official narrative now being that Barış Çakan was murdered because he asked three men to turn down the volume during the evening call to prayer. Thus, the murder was framed as both an anti-Islamic and a non-ethnic one. This is not an isolated incident in the history of Turkey. The Kurdish language,[1] even though its official ban in Turkey was lifted in 1991, has continued to be a controversial topic. Many Kurds have been victimised, throughout the years, for speaking and singing in the Kurdish language or listening to Kurdish music. The Kurdish language has been frowned upon due to it supposedly not being a "real" language but merely a "dialect" of the Turkish language, even though linguistically, Kurdish and Turkish are from different language families; and Kurds, within the official narrative, were long considered those who had forgotten their native language of Turkish. For a long period, this narrative was justified by Turkish elites through their desire to build a mono-national and mono-lingual nation-state.

This article focuses on the role that language plays in the construction of Kurdishness in Turkey. In Turkey, the Kurdish language remains the one factor that is most recognised, discussed, and contested when it comes to what marks Kurdishness. The historical roots of this lie in the early Republican period of Turkey (1923–1938). Seeing themselves as the bearers of Western ideals and Western modernisation, the Kemalist[2] elites during the early Republican period constructed a "linguistic engineering" (Çolak, 2004: 68) plan that aimed to completely break with the Ottoman past and heritage. Kurds, many of whom adhered to local authority figures like tribal and religious leaders and who spoke Kurdish, were one of the targets of the Kemalist nation-state building process. The paternalistic Kemalist state took on a "White Turkish Man's Burden in order to carry out a civilising mission on a supposedly backward

1 There are two major variants of the Kurdish language in Turkey that are widely spoken: Kurmanji and Zazaki. Haig and Öpengin (2014) note that speakers of Zazaki and Kurmanji both see their languages as belonging to the larger-order entity "Kurdish", and that native speakers see Zazaki speakers as Kurds. Since the data in this article comes from Kurmanji-speaking respondents, however, "Kurdish language", throughout this article, refers to Kurmanji.

2 Kemalism is the ideology that is built upon the main principles of Mustafa Kemal Atatürk, the founder of the Republic of Turkey.

and traditional Anatolian society" (Zeydanlıoğlu, 2008: 4), of which Kurds were a constitutive part.[3] For decades, the Kurdish language was made invisible and/or inaudible within the official discourse in Turkey. Policies of "invisibilisation" of Kurdish have taken different forms, such as physical assimilation, virtual assimilation, and denigration (Haig, 2003). While the lift of the ban on the Kurdish language in 1991 is important, in practice Kurdish still remains a site of contestation and discrimination. In fact, incidents such as the one that opened this article, Kurdish being declared "an unknown and incomprehensible tongue" by judges to forbid the use of Kurdish by defendants (cited in Jamison, 2016: 32) in 2010, or the Kurdish language being documented as "X" on the minutes of the National Assembly as recently as 2020 suggest that the public recognition of the Kurdish language is still limited.

While language has been recognised as a key marker of Kurdishness in Turkey both by academics and in much public discourse in Turkey, the focus of most existing literature has been on *speaking* Kurdish as a marker of Kurdishness. This article, by contrast, argues that *hearing and listening* to the language are equally if not more important elements in the making of Kurdishness in contemporary Turkey. Kelda Jamison (2016) argues that a Kurdish language community emerges in Turkey through engagement with Kurdish-language texts. But because literacy in Kurdish is very low, this community emerges not by reading Kurdish texts but by engaging with texts as material objects in the form of books, brochures, and banners. While Jamison highlights the role of Kurdish "non-readers" in the making of Kurdishness, this article focuses on the role of "non-speakers." Being a speaker of the Kurdish language not being the *sine qua non* for cultivation of belonging to Kurdishness in Turkey has already been discussed within the literature (Şengül, 2018). Şengül (2018) illustrates the construction of Kurdishness amongst both speakers and non-speakers of Kurdish in Turkey albeit in different forms. This article illustrates that Kurdishness is mediated by Kurdish sounds even if people do not actually speak Kurdish, and it discusses listening to and hearing the language (passive exposure to the language) within micro-contexts such as family environments as one of the boundary markers of Kurdishness in Turkey.

It is important to note that language is of course not the only factor in the making of Kurdishness in Turkey. Aras, in his anthropological research, discusses how "political violence, fear of the state and lived experiences of pain have operated profoundly" (2014: 189) in the formation of Kurdishness in Turkey. Ünlü, in his discussion of the "Turkishness Contract", defines

3 Şengül (2018) and Zeydanlıoğlu (2008) discuss the Kemalist ideology and its obsession with Kurds in more detail.

Turkishness as "ways of seeing, hearing, feeling and knowing – as well as *not* seeing, *not* hearing, *not* feeling and *not* knowing" (2016: 2), inspired by definitions of whiteness within Whiteness Studies. Kurdishness and the Kurdish movement in Turkey, this suggests, have been constructed by challenging the fundamentals of this contract and resisting it. In addition, Güvenç illustrates that everyday experiences of urban space in Diyarbakır contribute to a feeling of Kurdishness (2011: 38). Notably, the Kurdish language and its sounds are in many ways central to these various experiences, conditioning urban environments, shaping Kurdishness in opposition to Turkishness, and acting as one element that has exposed Kurds to violence and fear.

This article is based on fieldwork conducted in 2013–2014 in five different field sites in Turkey (Istanbul, Diyarbakır, Mardin, Derik, and Ayvalık), as will be detailed below. It draws on interview material and participant observation. In what follows I will first outline the theoretical grounds that establish passive exposure to linguistic sounds as an important aspect of identity formation and the making of ethnic boundaries. Next I discuss how diasporic and non-diasporic Kurds in Turkey both experience linguistic discrimination within the public space, which amplifies the importance of family environments for the Kurdish language. This is followed by a section that focuses on how family environments act as places of constructing belonging even where all-Kurdish-speaking parents have non-speaker children. At the end, this article also questions if this discussion can be applicable to the Kurdish diaspora outside Turkey.

## Constructing Belonging through Passive Exposure

Barth's work on boundaries (1969) introduced the idea that boundaries between ethnic groups could be maintained regardless of absolute cultural characteristics. Instead of objective cultural similarities or differences, Barth argued, membership to an ethnic group is determined through self-ascription; that is, if members, regardless of their overt behaviours, say that they are As instead of Bs, then they are willing to be treated as As instead of Bs (1969: 15). As Wimmer suggests, the literature on ethnic boundaries has recently shifted from the Barthian focus on maintaining boundaries towards the making of boundaries in the first place (2013: 45). Building on this Barthian framework, this article illustrates how passive exposure (or the lack thereof) to the Kurdish language plays a crucial role in ethnic boundary-making in Turkey. It focuses both on Kurds living in the eastern and southeastern parts of Turkey – a geography known as Kurdistan – and on Kurds living in the western part of Turkey who thus form part of the "internal diaspora" (Ahmetbeyzade, 2007; Houston,

2005; O'Connor, 2015). However, following Yuval-Davis's understanding of belonging as an "emotional (or even ontological) attachment" (2011: 7), this article is cautious in making group generalisations. Instead, it shifts the focus from group understandings about diasporas to individual experiences and emphasises forms of language exposure within family environments that are unique to each individual.

Within the literature on the sociology of language (Fishman, 2004; Pauwels, 2005; Sofu, 2009), the family has been identified as one crucial determinant in language maintenance, bearing in mind the simultaneous influence of broader social forces and institutions (Spolsky, 2004; Canagarajah, 2008) and interventions (Hornberger and King, 2001). Drawing on this literature, this article takes family environments as the unit of analysis, yet it focuses on the role of family environments not in maintaining the language but in cultivating belonging to Kurdishness. Discussions within the literature on the sociology of language mostly focus on the feature of speaking the language in the construction of feelings of belonging. Bloch and Hirsch (2016) discuss how the adult children of refugee parents growing up in London who do not speak their heritage languages feel disconnected from their parents and alienated from the community. Graf (2018) discusses the importance of generational transmission for the formation of identity and belonging amongst second-generation Eritreans in Switzerland. Toivanen, in her study on the role of language in identity constructions among young Kurdish adults in Finland, illustrates that knowing the Kurdish language amongst this community was linked to "ensuring the transmittance of Kurdish culture to future generations living in diaspora" (2013: 30). The sociolinguistic literature on Kurdish in Turkey has similarly highlighted the importance of domestic and private spheres as a prime site where Kurdish is maintained and transmitted. As Öpengin observes, because Turkish functions as "the language of out-of-house socialization" in Turkey (2012: 167), Kurdish is increasingly confined to use in family contexts only. This has reinforced a generational language shift, with the usage of Kurdish being the least frequent among speakers below twenty years and most frequent among speakers over forty years (2012: 173–74). Çağlayan's study similarly investigates "the place and role of Kurdish language in daily life as well as the changing tendencies of its use among different generations" (2014: 147). Her research illustrates that even within the same home, different languages (Turkish and Kurdish) are used to communicate across three generations.

Most of this literature maintains a focus on those who speak a language. Questioning the essentialist relation between speaking a language and feelings of belonging that this focus implies, this article illustrates that Kurdishness is constructed through family environments independent of speaking Kurdish. It shows that it is not necessarily speaking the Kurdish language but being

exposed to its sounds within the family – what Chrisp calls "passive exposure" (2005: 162) – that makes boundary-making effective. Thus, this article shifts the attention to the under-researched relation between passive exposure and feelings of belonging.

## Methodology

The data for this research were collected during fieldwork I conducted between January and June 2013 and in June 2014. In accordance with the grounded theory approach that assumes the "interrelatedness of data collection and analysis" (Corbin and Strauss, 1990: 6), my data collection and analysis "proceeded in tandem" (Bryman, 2008: 541). After an initial analysis through coding, I went back to the field for an additional month in 2014. My fieldwork took place in five different field sites in Turkey: Mardin, Diyarbakır and Derik (Turkish Kurdistan), and Istanbul and Ayvalık (Western Turkey). Through these five different field sites with different demographics, I was able to collect different experiences in terms of linguistic transmission. The research methods consisted of ethnographic, in-depth interviews and participant observation. The respondents were chosen through a combination of methods: once I made initial contacts in the field sites, I then asked the respondents to "spread the word around" and let me know if others were willing to share their experiences. This approach, also known as "snowball sampling" (Bryman, 2008), proved to be more practical in smaller places such as Ayvalık and Derik, where I undertook participant observation. In Istanbul, Diyarbakır, and Mardin, I arranged interviews with people from various backgrounds, such as activists, students, teachers, and journalists.

The age of the respondents varied between fifteen and sixty, and the respondents consisted both of native and non-native speakers of Kurdish even though all the respondents had at least one parent they defined as Kurdish. All the interviews were conducted and all the conversations were carried out in Turkish. This was due to my lack of fluency in Kurdish and my (and the respondents') reluctance to work with a translator, whose presence would easily have created an atmosphere of formality and prevented the emergence of intimate conversations. Even though Turkish was not the mother tongue for many of the respondents, all were fluent and comfortable expressing themselves in that language, mirroring the extent to which Turkish exerts hegemony in public and even private spaces in Turkey. This is not to underestimate the importance of language, and it is vital to acknowledge that the language of the conversations and the interviews does have an impact on the narratives told.

It is plausible to assume that I might have received different responses had I spoken Kurdish to the respondents.

Verbal consent was given by all the respondents before all interactions, and each respondent is given a different pseudonym here not to reveal their identity. In total, ethnographic interviews with thirty-three different respondents were conducted (three in Istanbul; nine in Ayvalık; five in Mardin; four in Diyarbakır, and twelve in Derik). In addition, data also included notes that were taken during participant observation. The coding of this data was done manually by categorising the narratives in Turkish. All the narratives and quotes from the respondents here were translated into English by me. Out of thirty-three respondents, twenty-four were male and nine were female. This gender disparity amongst the respondents, an unintentional by-product of the snowball sampling, is certainly an important aspect of the data that was collected. However, gender was not a trope that came up with frequency during the interviews and participant observation that I conducted. Since I decided to follow my interlocutors in the topics they brought up when asked about Kurdishness and not to interrupt the flow of conversations, I have decided to not include gender in my analysis here. One last point should be raised about the temporal dimension of this study, and how it might have affected the data collected. The period in which I conducted the fieldwork coincided with the initial stages of the "Peace Process",[4] a period of political relaxations and a partial ceasefire between the Turkish state and the PKK, which probably contributed to the feelings of "ease" some respondents experienced.

## Limits to Kurdish Soundscapes in Turkey

In Turkey, the availability of Kurdish sounds in public space is complexly linked to forms of discrimination, and to how people understand and experience themselves as Kurdish. In what follows, I will outline how Kurdish sounds become differently available and carry different meanings in the field sites where I carried out research for this article. Even where the sonic presence of Kurdish in public space is more established, Kurdish sounds remain a key site where Kurdishness is established and negotiated. The specific positioning of Kurdish sounds in public space also throws into sharp relief private family

4 On 21 March 2013, a ceasefire was declared between the Turkish government and the Kurdistan Workers' Party (*Partiya Karkerên Kurdistan*, or PKK), the militia of the Kurdish movement in Turkey.

environments as complementary sites where Kurdishness is established, as I will explore in the following section.

In Ayvalık, public space, including its soundscape, is heavily dominated by Kemalist principles. For instance, every Friday and Sunday at 4:50 PM, the national anthem is played through the speakers on the streets. This tradition of "banal nationalism" (Billig, 1995), which started in 1955, occasionally results in confrontations between those less devoted to Kemalism (including Kurdish subjects) and the Kemalist locals. Mustafa, a Kurdish teacher who was born and grew up in Viranşehir, Kurdistan, and now lives in Ayvalık, narrated a story of how he, with a couple of friends, was once outside when the anthem was being played, and they continued with their businesses as usual, whereas the others around them all stopped with what they were doing and stood up during the anthem as a gesture of respect. This caused an argument, and since then, Mustafa said, he has been careful to not be outside during the hours of the anthem. The quotation from Mustafa below illustrates how becoming audible as a Kurdish speaker in Ayvalık's public space was a key experience in the establishment of a sense of belonging to Kurdishness:

> I am sure you have witnessed this [in Ayvalık] as well. If some people speak English in the bazaar, they are always envied, and people would say, "oh, how nice that they speak English". But when *we* speak Kurdish, *they* immediately become grumpy. (Italics added for emphasis, interview, 28 February, 2013)

By using pronouns such as "we" and "they", Mustafa established boundaries around Kurdish speakers as a distinct group (of which he felt a member) vis-à-vis Turkish speakers. Notice the same usage of pronouns by Recep, another respondent from Ayvalık, when he asked rhetorically: "*we* automatically become separatists when *we* speak Kurdish, don't *we*? … Whatever *we* do, *we* cannot be good because of *our* language, because of *our* accent, can *we*?" (italics for emphasis, interview, 26 February, 2013). By referring to the accent, he included those who are native Kurdish speakers and also those who speak Turkish with a Kurdish accent even though they might not be fluent in Kurdish.[5] Recep's everyday experiences consisted of people bothering him about his accent and about the fact that he speaks Kurdish. He mentioned incidents where his Kurdish friends would be told to not speak Kurdish and to "go back to where [they] came from". Through these experiences of discrimination

5 Some non-speakers of Kurdish might still have a "Kurdish" accent when they speak Turkish due to the environments in which they grew up, emphasising again the importance of micro-contexts.

that Recep encountered in his everyday life, he constructed Kurdishness by including Kurdish speakers and those with a Kurdish accent within the boundaries of ethnic belonging.

Even the neighbourhood within Ayvalık which locals call "the Kurds' neighbourhood" due to the large number of Kurdish immigrants from Kurdistan settling there offers a limited public availability for Kurdish sounds. Although it provides somewhat of a "safe space" for the Peoples' Democratic Party (*Halkların Demokratik Partisi*, HDP, the leftist pro-Kurdish party within the National Assembly), most of the party's activities here, including their demonstrations or election campaigns, still take place in Turkish. This is not least due to the small number of locals (especially from the younger generation) who are fluent in Kurdish, as also illustrated by Öpengin (2012). For instance, all the demonstrations during the campaign for the municipality elections in 2014 were held in this neighbourhood. It is also where *Newroz*[6] celebrations in Ayvalık take place. Even traditions that are not specific to Kurds such as International Women's Day are celebrated separately in this neighbourhood. Emel narrated her experience of organising an event for the International Women's Day in Ayvalık:

> Because it was International Women's Day, we [HDP] wanted to celebrate it without excluding any woman or any organisation; despite everything, we still wanted to celebrate it all together. We had a meeting together with the *ulusalcı*[7] group that was in charge of organising the celebrations, and they had one condition: they did not want any slogan in Kurdish language. In fact, we invited people from all ethnicities: Greeks, Armenians, Bosnians … and we had slogans and banners in all of those languages. But the *ulusalcı* group allowed all those other languages except the Kurdish one. So, we had to celebrate separately from them as was the case in the last years. (Interview, 5 June, 2014)

What these experiences in Ayvalık's public space and the absence of a Kurdish soundscape in public underline is the fact that family environments become

6 *Newroz* (21 March) is the biggest holiday of the year for Kurds. Its celebration has always been contested in Turkey, like many other Kurdish traditions, and until 2000, celebrating *Newroz* was illegal. After the legalisation of *Newroz*, the Kurdish spelling was forbidden, changing it to its Turkish spelling *Nevruz* instead.

7 *Ulusalcı* is the name given to the neo-nationalist group that has emerged in Turkish politics in recent years, which is based on three basic ideas: anti-Westernism, externalisation of Islam from Turkish nationalism, and ethnic exclusionism (Uslu, 2008). Arisen from within Kemalist ideology, the neo-Kemalist *ulusalcı* ideology constantly feeds itself by othering all non-Turkish ethnic groups, specifically Kurds.

of crucial importance not only as spaces where Kurdish is *spoken* – as emphasised by Öpengin (2012) and Çağlayan (2014) – but also as spaces where Kurdish sounds are *heard* in this context. Recep and Mustafa showed their awareness of this in their narratives. Recep said that he insisted on speaking Kurdish to his three children (a thirteen-year-old, a twelve-year-old, and a ten-year-old), all of whom were born and grew up in Ayvalık, even though his wife speaks Turkish to them. Mustafa is married to a Turkish woman who does not speak any Kurdish. Hence, it was difficult, he said, for him to speak Kurdish at home. Both Recep and Mustafa, however, actively contribute to their children's hearing Kurdish sounds by sending them to their hometowns (both towns predominated by Kurds in Turkish Kurdistan) during the summers.

Istanbul, on the other hand, provides a more complicated case compared to Ayvalık due to its size and being more multicultural. The size of Istanbul that allows for different "subcultures" to emerge makes a difference in generating Kurdish sounds in the public space. Halil, for instance, a journalist who has been living in Istanbul since 1993, insisted that he had never received negative attention in Istanbul when he talked in Kurdish outside with his group of friends, and in fact, stated that he interacted in Kurdish more in Istanbul than he did in Diyarbakır, Turkey's major Kurdish city in the Kurdish-inhabited regions. Mahsun was born and grew up in Hakkari (part of Turkish Kurdistan), and was surrounded by Kurdish language and Kurdish sounds within his family until he was eighteen years old. At the time of the interview, he lived in an upper-class neighbourhood of Istanbul (one of the few Kurds in this neighbourhood) with his wife and children (a six-year-old daughter and a two-year-old son), and he felt comfortable speaking Kurdish and declaring himself a Kurd in this neighbourhood. The comfort and the ease he felt while speaking Kurdish was evident during the interview (at his wish, we conducted the interview at the Starbucks "just around the corner from his house") when his phone rang and he started speaking Kurdish with an audible voice on the phone. Outside his own neighbourhood, however, he was more concerned as he feared negative reactions if his daughter were to speak in Kurdish in public. Kurdish was the language spoken at home within his current family. This was a conscious decision by Mahsun and his wife as they wanted their children to learn Turkish at kindergarten from native Turkish speakers. This way, Mahsun said, they would learn Turkish "without an accent" (interview, February 20, 2013). This way, the children would be bilingual, with both Kurdish and Turkish to be learnt from native speakers.

Other respondents had different experiences with regards to speaking Kurdish in Istanbul. Hasan, for instance, lived in Mardin, yet his brother lived in Istanbul. He said that when he talked to his brother on the phone, he could guess where his brother was at that moment depending on the language he

spoke to him: if his brother was speaking in Kurdish, he was at home but if he was speaking in Turkish, he had to be outside or at his workplace. Murat was a primary school teacher who was born and grew up in Derik until he migrated to Istanbul with his family when he was thirteen. His experience in Istanbul was that he "felt that people were looking at him with a judgmental look if he spoke Kurdish on a train, on a bus etc." (interview, May 12, 2013).

When it comes to Turkey's Kurdish regions, speaking and hearing Kurdish in urban spaces is much more common. Nevertheless, there were still limits to Kurdish soundscapes. This was particularly evident for the respondents in Derik, a small town in the province of Mardin in southeast Turkey with majority Kurdish population. Amongst the field sites of this research, Derik was the site where speaking Kurdish was most common. In Derik, Kurdish is commonly spoken amongst lay people on the streets and at coffee shops. Nonetheless here, too, being identified as Kurdish through one's language could have negative consequences. Bahar's narrative below is an example of how native Kurdish speakers who speak Turkish with a particular accent can be hindered. Bahar was born and grew up in Derik, and is a native speaker of Kurdish. When she looked for a job to work in a bank in the Kurdish region, she experienced these difficulties:

> *We* all speak Kurdish until *we* go to primary school, and *we* learn Turkish at school. And of course, this is a disadvantage for *us* because *we* are competing with people from the West [Western Turkey] in this sense. Compared to *them*, *our* accent is not good; in fact, it is terrible for most of *us*. Then of course, the banks would not hire *us* since *we* are so behind *them*. For instance, if I get 90 [points] in the written exam and the person from the West gets 75, they would still be more convincing in the interview, and the bank would be more likely to hire them instead of me. (Italics added for emphasis, interview, 5 May, 2013)

Similar to Recep and Mustafa mentioned earlier, Bahar also constructed the boundaries of Kurdishness by including native speakers of Kurdish as well as those who speak Turkish with a "Kurdish accent".

Diyarbakır has been declared the capital of Kurdistan by several leaders.[8] With a population close to 1.5 million, it is "the metropolitan heart of Kurdish Turkey" (Jamison, 2016: 36). Over the last two decades, Kurdish has become

8 Osman Baydemir, the then-mayor of Diyarbakır, stated in 2012 that "the capital city of the independent Kurdistan is Diyarbakır" (Milliyet, 2012), and Orhan Öztürk, the then-governor of Bitlis, stated in 2015 that "Diyarbakır is known for being the capital of Kurdistan" (Milliyet, 2015).

more widely audible and visible in metropolitan spaces like Diyarbakır. Under the BDP[9]/HDP, the municipality started offering bilingual services, and it was possible to observe placards only in Kurdish within the city centre of Diyarbakır (Figures 1 and 2).[10] Güvenç (2011) argues that in the absence of a Kurdish nation-state, this kind of public presence of the Kurdish language in urban space contributes to a sense of Kurdishness. During the short-lived Peace Process, there were also some state-wide reforms by the AKP government such as introducing Kurdish language courses at primary schools and the establishment of a state-funded Kurdish-language TV channel (TRT 6). Nevertheless, the usage of Kurdish language in everyday life was still not common at the time of my fieldwork in 2013–14. Abdullah, who was born and grew up in Derik, told me that "Kurdish is not spoken in Diyarbakır. As much as we say it is, it is not spoken. It is spoken at homes but outside, it has just started to be spoken" (interview, 26 April, 2013). In public places such as patisseries, shops, and restaurants, Turkish is still the default language, even when Kurdish fluency is apparent through other means. For example, during my fieldwork I once stopped at a patisserie with Ayşe, who worked at Diyarbakır's municipality. While she was ordering our desserts, she interacted with the cashier in Turkish, and the cashier was taking notes on a sheet of paper in Turkish yet with the Kurdish letters, W, X, and Q that do not exist in the Turkish alphabet. Words and names that contain any of these letters have long been criminalised in Turkey, and the mere presence of these letters in the written language has "taken on heightened political significance" (Jamison, 2016: 47). Hence, the fact that the cashier was using these letters in writing suggests their familiarity with Kurdish writing practices. This suggests that even those who are fluent in Kurdish still feel limited to generate Kurdish sounds in the public spaces of Kurdistan.

Mardin, in comparison, has a slightly smaller population with close to 700,000, and its demographic characteristics are also different. It is more multicultural than Diyarbakır in the sense that there is a significant Arab and Syriac

9 *Barış ve Demokrasi Partisi*, BDP, or Peace and Democracy Party, was the predecessor of HDP until 2014, when the entire organisation joined HDP.

10 At the time of revising this article (April 2022), most of the mayors of HDP that were democratically elected in the last local elections in 2019 have been forcibly removed and replaced with the governors of AKP (Justice and Development Party, *Adalet ve Kalkınma Partisi*), including Derik's, Diyarbakır's, and Mardin's, so it should be noted that these changes have now mostly been removed, and the availability of Kurdish within the public space is in total control of the government. As the data of this research was generated in 2013, however, the fieldwork data reflects the experiences of the respondents from that period.


FIGURE 1 The bilingual placard of the municipality in Diyarbakır
SOURCE: HÜRRIYET 2013

population living there apart from Kurds and Turks, and during my stay in Mardin, I observed that it was more common to hear people speaking Arabic on the streets than Kurdish. In this sense, Mardin can be considered the south-eastern counterpart of Istanbul: multicultural, multilingual, and cosmopolitan. The fact that it is located on the border with Syria also changes the dynamics of the city as there has been an influx of Syrian immigrants into Mardin, even back in 2013, when other parts of Turkey were still new to the idea of Syrian immigrants. In the historical old town on the hills of Mardin, where I stayed during my fieldwork, it was possible to hear Arabic frequently due to both incoming Syrian immigrants and the local Syriac population. After Turkish and Arabic, Kurdish was not as frequently heard in coffeeshops or restaurants.

The discussion in this section so far has illustrated two points: firstly, "everyday discrimination" (Wimmer, 2013) and self-ascription, two means of boundary-making widely discussed within the literature, act as means of boundary-making regardless of field sites, yet they are also contextual, influenced by the specific characteristics of the field sites. In a place such as Ayvalık, for instance, "everyday discrimination" as a means of boundary-making is meaningful in situations where individuals speak Kurdish or where their accents in Turkish are different. In Derik, on the other hand, "everyday discrimination" is effective in encounters at public institutions such as banks. As illustrated, however, the respondents, whether they are from Ayvalık or Derik, shape the boundaries of Kurdishness through the use of pronouns such as "we" and

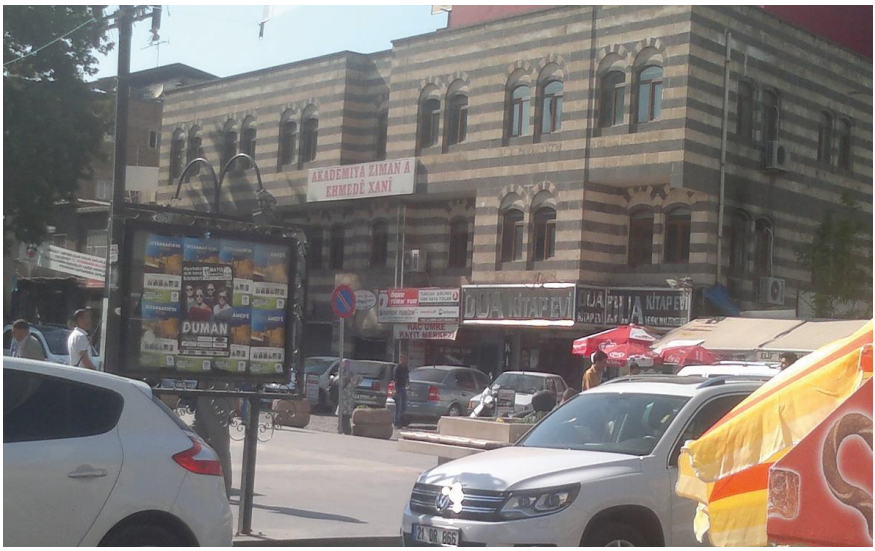


FIGURE 2 City centre of Diyarbakır
PHOTO BY AUTHOR

"they" by including native speakers and those speaking Turkish with a "Kurdish accent", re-affirming the relation between the language and Kurdishness irrespective of location. In other words, "sounding" Kurdish (whether by speaking in Kurdish or with a certain accent associated with Kurdish) is a fundamental aspect of what is understood as Kurdishness in Turkey irrespective of location inside the country. The Kurdish language is identified as a key cultural marker by respondents, with ten different respondents expressing the relationship between language and culture by mentioning the words "culture" [*kültür*] and "language" [*dil*] consecutively or using them interchangeably. The respondents who were not fluent in the Kurdish language were also openly teased or made fun of by native or more fluent speakers, suggesting the centrality of the Kurdish language to the discussions surrounding Kurdishness in Turkey. Such interactions reflect the "growing importance of Kurdish as the principal index of identity and its emergence in domains and communicative settings usually ascribed to the use of Turkish" (Öpengin, 2012: 176–77). Amongst the respondents of this research, Emel, for example, was born to Kurdish-speaking parents (in fact, her parents did not speak any Turkish), yet she was not fluent in Kurdish, and in fact, had just started learning Kurdish by the time I interviewed her. In one of my visits constituting my participant observation, I witnessed her being called a "half Kurd" [*yarım Kürt*] by native Kurdish speakers because she was unable to count the days of the week in Kurdish.

Secondly, the fact that the presence of Kurdish sounds and the Kurdish language in public remains limited across my different field sites – including where Kurds form the majority of the population – enhances the importance of private, domestic, and other non-public contexts, including family environments, in cultivating belonging to Kurdishness. For "non-speakers" of Kurdish, the limited audibility of Kurdish in public also means that non-public contexts become major arenas for the transmission of Kurdishness. The following section discusses how being passively exposed to Kurdish sounds therefore takes on crucial importance as a boundary marker of Kurdishness in Turkey.

### Passive Exposure within Private Spaces as a Key Boundary-Marking Mechanism

In Turkey, where for both diasporic and non-diasporic Kurds the Kurdish language is still mainly transmitted in private networks and through oral use, family environments become one of the most significant sites for cultivating belonging to Kurdishness. Inversely, this means that in the absence of a regular usage of the Kurdish language within private spaces and family environments (i.e. where individuals are not regularly exposed to the Kurdish language), self-ascription in terms of Kurdishness is hindered.

Out of the thirty-three respondents, Arzu was the only one who, despite having both self-ascribed Kurdish parents, was not a self-ascribed Kurd. Both Arzu's maternal and paternal grandparents were forced into exile from Dersim during the 1937–38 military operations of the Turkish state.[11] They first came to Konya,[12] where they re-met and married, and then moved to Izmir, where Arzu was born and grew up. Arzu explained that her whole family environment was so heavily influenced by Kemalism that all of them support the Republic People's Party (*Cumhuriyet Halk Partisi*, CHP)[13] and are loyal to the Kemalist

11 Described as "genocide" (Beşikçi, 1990; van Bruinessen, 2000), the operations in Dersim in 1937 took place because Dersim was the last place in Turkey that had not been effectively controlled by the young Kemalist state (van Bruinessen, 2000: 71). The Kemalist leaders justified their acts by resorting to an "Orientalist" rhetoric that argued that the people of Dersim were ignorant, backwards, tribal, and anti-central, which was against the ideals that the young Republic was trying to impose.

12 Konya is a city in Central Anatolia near Ankara.

13 The Republican People's Party (*Cumhuriyet Halk Partisi*, CHP) was established by Mustafa Kemal Atatürk in 1923 and was the sole political party in the country until the 1940s. As the founding party of the Turkish Republic, the CHP is loyal to the Kemalist principles of the Republic.

principles of the state. As a result, Turkish was spoken in her family at all times, and she grew up as a Turkish speaker. She told me that she did not feel Kurdish.

Contrasting this to Rezine's experience illustrates the importance of passive exposure to the language in order to cultivate belonging to Kurdishness. Rezine was born to a Kurdish-speaking father and a Turkish-speaking mother. She had exposure to the Kurdish language through her father's side of the family. Despite her mother's lack of fluency in Kurdish, Kurdish was the language of story-telling and pleasurable sociality in the family:

> Sometimes, we would sit at home with all the family and my [paternal] uncles would tell a funny story. We would all laugh but my mum would say, "tell it in Turkish so I could understand it as well". We would translate it to Turkish but then, all the humour in the story would be lost. (Interview, 19 June, 2014)

Rezine is a self-ascribed Kurd. She *heard* and *listened to* the language within her micro-context in contrast to Arzu, who did not have any type of exposure to the language. This also applies to the cases of Emel and Reyhan. In her own words, a "linguistically assimilated" Reyhan was born to parents who were both Kurdish-speaking, and Kurdish was the dominant language in her family environment. Reyhan, however, is not fluent in Kurdish. For her, the language that was spoken at school and outside became the language she is most comfortable in. Nevertheless, she considers herself to be Kurdish. Emel was similarly not fluent in the Kurdish language but she self-ascribed as Kurdish nonetheless. For Emel, her childhood experiences in Sivas,[14] where most of the population were Turks, meant that she rejected her own language to not feel excluded. Even though this, in her own words, "hurts", she "do[es] not feel less Kurdish just because [she] does not speak Kurdish" (interview, 5 June, 2014). These cases suggest that a sense of Kurdishness is transmitted even to those who do not speak it through passive exposure, that is, hearing and listening to the Kurdish language within family environments.

Here, I return to the relation between the exposure to the Kurdish language through *hearing* and *listening* and boundary-making processes. By now well-discussed in the scholarly literature (Barth, 1969; Loveman and Muniz, 2007; Schwartzman, 2007; Wimmer, 2013; Zolberg and Woon, 1999; and Serdar, 2017 for a discussion within the Turkish context), the means of boundary-making have been of enormous use in extending our understanding of how it is

14 Sivas is a city in Central Anatolia near Ankara.

possible for individuals to negotiate their feelings of belonging across different contexts. This article contributes to this literature by illustrating one of the contexts in which these means are *not* effective. Without passive exposure to the language within the family, such as in Arzu's case, self-ascription and everyday discrimination, some of the means of boundary-making, are hindered. Exposure within the family acts as a boundary marker for Kurdishness even where only one side of the family is a Kurdish speaker, such as Rezine.

This results from the Kurdish soundscape being confined to private spaces across Turkey given its limited availability in public space. As the Kurdish soundscape is limited in public space for both diasporic and non-diasporic Kurds of Turkey, private spaces and micro-contexts such as the family act as major means of transmission. This transmission does not always ensure the ability to speak in Kurdish (as is the case for Emel and Reyhan). However, it acts as a boundary marker and the cultivation of belonging across generations through passive exposure to the language (hearing and listening to the sounds). Due to the existence of multiple variables and the complexity of the Kurdish society in Turkey, the discussion in this article encourages us to focus on personal, customised (Şengül, 2018), and individual experiences with regards to belonging instead of taking groups as the unit of analysis. Arzu's case, for instance, suggests that the intersection of different vectors is at play here. The contribution of the lack of exposure to Kurdish sounds within her family is intermingled with other vectors, so it would be misleading to single out Arzu's lack of passive exposure to Kurdish sounds as the single factor for her not describing herself as Kurdish. Her being a *Dersimli*[15] and *İzmirli*[16] and her family's attachment to Kemalist and CHP values should also be taken into account when discussing her feelings of belonging. While recognising that belonging is the result of unique, personal, and customised experiences of individuals within their micro-contexts, I nonetheless suggest that passive exposure to the Kurdish language within micro contexts is one crucial factor that needs to be taken into account while discussing belonging to Kurdishness in Turkey.

What does this discussion suggest for the Kurdish diaspora outside Turkey and diaspora studies in general? Considering that the limited public space for a Kurdish soundscape in Turkey is key for elevating private contexts to major significance in cultivating belonging to Kurdishness, this would suggest that where Kurdish benefits from a stronger public presence, we may expect different results. Sweden, for example, where there is a significant amount of Kurdish diaspora, is considered an "extended Kurdistan" (Hjertén, 1994). Here,

15 *Dersimli* refers to people from the Dersim region.
16 *İzmirli* refers to people from Izmir.

the possibility of regularly hearing Kurdish being spoken at events organised by the numerous Kurdish associations and organisations in Sweden or during Kurdish language classes suggests that in this particular context, the private sphere of the family might not be the major means of transmission for cultivating belonging. Thus, the discussion in this article suggests the need to be cautious in generalising the effectiveness of family environments for the cultivation of ethnic belonging across different contexts.

## Conclusion

This article discussed passive exposure to Kurdish sounds as one of the boundary markers of Kurdishness in Turkey. In Turkey, where the public space for Kurdish soundscapes is limited, private spaces such as family environments emerge as the major means of language transmission. Linguistic transmission, however, does not necessarily translate into speaking fluency as some of the cases in this article illustrated. But even when the Kurdish language is not maintained across generations, the fact of "passive exposure" to the Kurdish language (listening to and hearing Kurdish sounds) within family environments acts as a boundary marker by cultivating belonging to Kurdishness. Kurdishness, in other words, becomes co-constructed through the experience of linguistic *sound*. While much attention has been paid to the ability of individuals to actively speak Kurdish, the sonic aspect of belonging deserves further attention. The complexity and existence of different vectors at play when it comes to Kurdishness in Turkey suggests that it would be misleading to single out one factor when constructing Kurdishness. While recognising the importance of unique, individual, and customised experiences, this article nonetheless suggests that discussions on belonging to Kurdishness in Turkey should take into account "passive exposure" to Kurdish soundscapes as one crucial factor that fosters ethnic belonging.

This discussion contributes to the literature on boundary-making by illustrating one of the cases where some of the means of boundary-making such as "self-ascription" (Barth, 1969) and "everyday discrimination" (Wimmer, 2013) are not effective: the absence of "passive exposure" to Kurdish sounds likely hinders these means of boundary-making. By focusing on the specific context in Turkey, where there is limited public space for Kurdish soundscapes, this article also suggests the need to be cautious in making generalisations about Kurdish diaspora communities in other countries, where family environments as means of transmission would not necessarily be as significant as they are in Turkey.

## References


Ahmetbeyzade, C. (2007). Negotiating silences in the so-called low-intensity war: the making of the Kurdish diaspora in Istanbul. *Signs*, 33(1), 159–82.

Aras, R. (2014). *The Formation of Kurdishness in Turkey: Political Violence, Fear and Pain*. Oxon: Routledge.

Barth, F. (ed.) (1969). *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. London: George Allen & Unwin.

Beşikçi, İ. (1990). *Tunceli Kanunu (1935) ve Dersim Jenosidi*. Istanbul: Belge Yayınları.

Billig, M. (1995). *Banal Nationalism*. London: SAGE.

Bloch, A. & Hirsch, S. (2016). "Second generation" refugees and multilingualism: identity, race and language transmission. *Ethnic and Racial Studies*, 40(14), 2444–62.

Bryman, A. (2008). *Social Research Methods*. 3rd edition. New York: Oxford University Press.

Canagarajah, A. S. (2008). Language shift and the family: questions from the Sri Lankan Tamil diaspora. *Journal of Sociolinguistics*, 12(2), 143–76.

Corbin, J., & Strauss, A. (1990). Grounded theory research: procedures, canons, and evaluative criteria. *Qualitative Sociology*, 13(1), 3–21.

Chrisp, S. (2005). Māori intergenerational language transmission. *International Journal of the Sociology of Language*, 172, 149–81.

Çağlayan, H. (2014). *Same Home, Different Languages: Intergenerational Language Shift Tendencies, Limitations, Opportunities – The Case of Diyarbakır*. Diyarbakır: DİSA.

Çolak, Y. (2004). Language policy and official ideology in early Republican Turkey. *Middle Eastern Studies*, 40(6), 67–91.

Fishman, J. (2004). Language maintenance, language shift, and reversing. In T. K. Bhatia & W. C. Ritchie (Eds.). *The Handbook of Bilingualism*, (406–436). Oxford: Blackwell.

Graf, S. (2018). Politics of belonging and the Eritrean diaspora youth: generational transmission of the decisive past. *Geoforum*, 92, 117–24.

Güvenç, M. (2011). Constructing narratives of Kurdish nationalism in the urban space of Diyarbakır, Turkey. *TDSR*, 23(1), 25–40.

Haig, G. (2003). The invisibilisation of Kurdish: the other side of language planning in Turkey. In S. Conermann & G. Haig (Eds.). *Die Kurden: Studien zu Ihrer Sprache, Geschichte und Kultur*, (121–50). Hamburg: EB-Verlag.

Haig, G. & Öpengin, E. (2014). Kurdish: a critical research overview. *Kurdish Studies*, 2(2), 99–122.

Hjertén, S. (1994). *Kurderna*. Stockholm: Rubicon.

Hornberger, N. H. & King, K. A. (2001). Reversing Quechua language shift in South America. In J. Fishman (Ed.). *Can Threatened Languages Be Saved?*, (166–94). Clevedon, UK: Multilingual Matters.

Houston, C. (2005). Creating a diaspora within a country: Kurds in Turkey. In M. Ember, C. G. Ember & I. Skoggard (Eds.). *Encyclopedia of Diasporas: Immigrant and Refugee Cultures around the World. Volume I: Overviews and Topics; Volume II: Diaspora Communities*, (403–415). New York: Springer Science & Business Media.

Hürriyet. (2013, 18 December). Diyarbakır tabelası. Retrieved from http://www.hurriyet.com.tr/diyarbakir-tabelasi-25386447 (last accessed 08 October 2020).

Jamison, K. (2016). Hefty dictionaries in incomprehensible tongues: commensurating code and language community in Turkey. *Anthropological Quarterly*, 89(1), 31–62.

Loveman, M. & Muniz, J. O. (2007). How Puerto Rico became white: boundary dynamics and intercensus racial reclassification. *American Sociological Review*, 72(6), 915–39.

Milliyet. (2012, 28 July). Baydemir: Türkiye'de Özerk Kürdistan Olacak. Retrieved from http://www.milliyet.com.tr/baydemir-turkiye-de-ozerk-kurdistan-olacak-siyaset-1572884/ (last accessed 4 April 2019).

Milliyet. (2015, 6 May). Diyarbakır Kürdistan'ın Başkenti Tanınır. Retrieved from http://www.milliyet.com.tr/diyarbakir-kurdistan-in-baskenti--gundem-2054656/ (last accessed 4 April 2019).

O'Connor, F. (2015). Radical political participation and the internal Kurdish diaspora in Turkey. *Kurdish Studies*, 3(2), 151–71.

Öpengin, E. (2012). Sociolinguistic situation of Kurdish in Turkey: socio-political factors and language use patterns. *International Journal of the Sociology of Language*, 217, 151–80.

Pauwels, A. (2005). Maintaining the community language in Australia: challenges and roles for families. *International Journal of Bilingual Education and Bilingualism*, 8(2–3), 124–31.

Schwartzman, L. F. (2007). Does money whiten? Intergenerational changes in racial classification in Brazil. *American Sociological Review*, 72(6), 940–63.

Serdar, A. (2017). Strategies of making and unmaking ethnic boundaries: evidence on the Laz of Turkey. *Ethnicities*, 19(2), 335–369.

Sofu, H. (2009). Language shift or maintenance within three generations: examples from three Turkish-Arabic-speaking families. *International Journal of Multilingualism*, 6(3), 246–57.

Spolsky, B. (2004). *Language Policy*. Cambridge: Cambridge University Press.

Şengül, C. (2018). *Customized Forms of Kurdishness in Turkey: State Rhetoric, Locality, and Language Use*. London: Lexington Books.

Toivanen, M. (2013). Language and negotiation of identities among young Kurds in Finland. *Nordic Journal of Migration Research*, 3(1), 27–35.

Uslu, E. (2008). *Ulusalcılık*: the neo-nationalist resurgence in Turkey. *Turkish Studies*, 9(1), 73–97.

Ünlü, B. (2016). The Kurdish struggle and the crisis of the Turkishness Contract. *Philosophy & Social Criticism*, 42(4–5), 1–9.

Van Bruinessen, M. (2000). *Kurdish Ethno-Nationalism versus Nation-Building States: Collected Articles*. Istanbul: ISIS Press.

Wimmer, A. (2013). *Ethnic Boundary Making: Institutions, Power, Networks*. New York: Oxford University Press.

Yuval-Davis, N. (2011). *The Politics of Belonging: Intersectional Contestations*. London: SAGE.

Zeydanlıoğlu, W. (2008). "The white Turkish man's burden": orientalism, Kemalism and the Kurds in Turkey. In G. Rings & A. Ife (Eds.). *Neo-Colonial Mentalities in Contemporary Europe? Language and Discourse in the Construction of Identities*, (155–74). Newcastle upon Tyne: Cambridge Scholars Publishing.

Zolberg, A. R. & Woon, L. L. (1999). Why Islam is like Spanish: cultural incorporation in Europe and the United States. *Politics & Society*, 27(1), 5–38.

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 26–51

Kurdish Studies Archive

brill.com/ksa

# Struggling against Language Shift: Kurdish Language Education in Turkey

*Anu Leinonen*
Foundation of the Finnish Institute in the Middle East, Kalliolinnantie 4, 00140 Helsinki, Finland
*anu.leinonen@fime.fi*

**Abstract**

This article, largely based on interviews with language activists, investigates Kurdish language-in-education policy in Turkey since the early 2000s. It attempts to answer the following questions: How has Kurdish language education developed in Turkey from 2004 to 2020? What has been the impact of the educational activities on reversing the language shift from Kurdish to Turkish? I argue that the most important contribution has been on the elite or academic level with a widening of the Kurdish-reading and writing elite. Yet, the language shift from Kurdish to Turkish continues.

**Keywords**

language policy – language-in-education – Kurdish – civil society – reversing language shift

# Têkoşîna li hember guhastina ziman: Perwerdehiya zimanê kurdî li Tirkiyeyê

Ev gotar, ya ku bi giranî xwe dispêre hevpeyvînên ligel aktîvîstên ziman, ji destpêka salên 2000î û vir ve li Tirkiyeyê li polîtîkaya perwerdehiya zimanê kurdî an jî di nav polîtîkayên perwerdehiyê de li cihê zimanê kurdî vedikole. Gotar, hewl dide bersiv bide van pirsan: Ji sala 2004an heta 2020an li Tirkiyeyê perwerdeya zimanê Kurdî çawa

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_004

bi pêş ketiye? Bandora çalakiyên perwerdehî yên li ser berovajîkirina guhastina ziman ya ji kurdî bo tirkî çi bûye? Ez nîqaş dikim ku tevkariya herî girîng li ser elîtan an jî asta akademîk bûye bi berfirehbûna elîtên xwîner û nûserên kurdî. Lê guhastina zimên a ji kurdî bo tirkî berdewam e.

## تێکۆشان لە دژی زمان گۆڕین: پەروەردەی زمانی کوردی لە تورکیا

ئەم بابەتە بە زۆری لەسەر بنەمانی چاوپێکەتن لەگەڵ چالاکوانانی زمان، لێکۆڵینەوە لە سیاسەتی پەروەردەیی دەرهەق بە زمانی کوردی لە تورکیا لە ٢٠٠٠-کانەوە دەکات. بابەتەکە هەوڵ دەدات وەڵامی ئەم پرسیارانە بداتەوە: چۆن پەروەردەی زمانی کوردی لە ٢٠٠٤ تا ٢٠٢٠ گەشەی کردووە؟ کاریگەری چالاکی پەروەردەیی لەسەر پێچەوانە کردنەوەی زمان لە کوردییەوە بۆ تورکی چی بووە؟ من ئارگومێنتی ئەوە دەکەم کە بەشداریی هەرە گرنگەکەی لەسەر نوخبە یان ئاستی ئەکادیمی دا بووە لەگەڵ فراوانبوونی نوخبەی خوێندەر و نووسەری کوردی. بەڵام، هێشتا زمان گۆڕین لە کوردییەوە بۆ تورکی بەردەوامە.

## Duştê ravurîyayîşê ziwanî de lebitîyayîş: Tirkîya de perwerdeyê kurdkî

Bi roportajanê çalakîkeranê ziwanî ra, nê nuşteyî de serê 2000an ra nat polîtîkaya Tirkîya ya perwerdeyê kurdkî ser o cigêrayîş yeno kerdene. Na xebate kena ke cewabê nê persan bido: 2004 ra heta 2020 perwerdeyê bi ziwanê kurdkî Tirkîya de senî aver şîyo? Tesîrê çalakîyanê perwerdeyî yê ke ravurîyayîşê ziwanê kurdkî bi tirkî bêro apeygirewtene, çi bî? Ez ana ver ke tesîro tewr muhîm beşdarîya elîtan yan zî sewîyeya elîtan a akademîk a ke wendoxî û nuştoxîya kurdkî kena hîraye. Ancî, ravurîyayîşê ziwanî yê kurdkî ver bi tirkî hîna dewam keno.

### Introduction

According to a widely used definition by Bernard Spolsky (2004, 5), language policy consists of three components: (1) the language practices of the speech community, i.e. what language codes are used in what kinds of situations, (2) the beliefs about language and language use (ideologies), and (3) any specific efforts to modify or influence that practice by any kind of language

intervention, planning, or management. Following Spolsky's division, this article aims to map Kurdish[1] language education-related efforts that aim to change the practices and related language beliefs of Turkey's Kurds during the past 15 years or so.

Initially, studies on language policy and planning (LPP) focused on the national language planning level and the work of official agencies, such as the Turkish Language Society (Türk Dil Kurumu, TDK) with explicitly stated aims and official policy documents. Turkey's ambitious language reform starting in the 1920s can in many ways be considered a typical example of a nationalist, modernist, and developmentalist LPP effort, where the aim was a homogeneous monolingual society.

By the early 2000s, the relationship between nationalism and languages, "minoritized" languages, minority language rights and language shift (May 2006), as well as multilingualism and language revitalization in different contexts (McCarty 2018; Fishman 1991, 2001) had become important topics in LPP studies. There was an increasing recognition of the alarming rate of language loss among minority language speakers around the world (May 2006). Part of the modernist nation-state building projects tended to be the institution of national, official languages to be used in the public sphere or high domains, and minoritized languages were banished to the private sphere (Kamusella 2018) or low domains. This hierarchization tends to gradually lead to language shift when speakers of minoritized languages learn the national language instead of their own (May 2006).

In Turkey, the state's repressive policies towards minority[2] languages such as Kurdish have also been investigated as a part of the state's language policies (Haig 2004; Coşkun et al. 2011; Zeydanlıoğlu 2012), but have been trickier to investigate as their motivation or the measures employed were not explicitly formulated in state directives since the state denied the existence of the Kurdish people and language (Haig 2004). The investigation of current Kurdish LPP is also complicated in light of all the different actors who undertake deliberate efforts to influence the language behaviour of others.

There is no central official agency coordinating Kurdish LPP, as the TDK is only responsible for Turkish. Some of the actors involved are public bodies such as the Ministry of National Education (Milli Eğitim Bakanlığı, MEB), which coordinates Kurdish elective courses at schools, appoints teachers, and

1 By Kurdish I refer to Kurmanji (Kurmanci) and Zazaki (Zaza, Kirmanckî), though more attention is given to Kurmanji.

2 The word minority is shunned in Turkey, but I have chosen to use it since Kurdish-speakers constitute a numeric minority and are in some ways in a subordinate position *vis-à-vis* the majority.

produces primers. Micro-level acquisition planning is undertaken by individual schools and teachers, employees of the MEB. There are also public universities with Kurdish language programs, overseen by the Council of Higher Education (Yükseköğretim Kurulu, YÖK).

The municipalities ruled by the pro-Kurdish political parties[3] have worked on status, acquisition, and prestige planning[4] by providing municipal services in Kurdish, initiating private Kurdish-language schools, founding multilingual pre-schools, and promoting and organizing Kurdish cultural activities. On the national level pro-Kurdish political parties have worked on improving the status and prestige of Kurdish through political and discursive mechanisms. And finally, there are numerous civil society organizations (CSO), private publishing and media companies, as well as individual intellectuals involved in a wide range of activities that aim for the revitalization of Kurdish.

By revitalization I refer to activities that attempt to halt or reverse the decline of the uses and users of Kurdish.[5] These activities aim to encourage Kurdish speakers to use Kurdish more, or to cultivate new speakers in a situation where intergenerational transmission of the language has been partially disrupted (see McCarty 2018, 358), i.e., not all Kurds learn it as the first language at home.

Much of this article is based on either informal discussions or semi-structured interviews with Kurdish language activists or language authorities, who have recently been or are currently involved in activities such as organizing courses of Kurdish or in Kurdish, compiling dictionaries, or publishing books. The interviews were carried out in 2019 and 2020. My questions centered on what kinds of language-related activities the organizations have been engaged in, what is not being done and why, what the intellectuals think should and can be done to reverse the language shift, and how they view the current situation of the Kurdish language in Turkey.[6]

---

3 A series of pro-Kurdish political parties has ruled many of the Kurdish majority cities. In the local elections of 2009, the pro-Kurdish party of the time, the DTP (*Democratic Society Party – Demokratik Toplum Partisi, 2005–2009*) won the mayorship of 96 municipalities but was closed by the Constitutional Court the same year. In the local elections of 2014, its follower, the BDP (*Peace and Democracy Party – Barış ve Demokrasi Partisi, 2008–2014*) won 97, and in 2019, the latest incarnation, the HDP (*People's Democratic Party – Halkların Demokratik Partisi, 2012*) won 65 municipalities. Most of these were replaced by state appointed trustees (*kayyum*) following the 2016 coup attempt.

4 The standard classification of LPP activities is into status, corpus, and acquisition planning, with prestige planning sometimes added (from Kaplan & Baldauf 1997).

5 Alternative labels include language maintenance or reversing the language shift (RSL, Fishman 1991, 2001, 2012).

6 For a more detailed discussion of the work on reversing the language shift from Kurdish to Turkish from the perspective of Fishman's 8-stage model see Leinonen (2021).

Formal, recorded interviews were made with the linguist Sami Tan (currently at the Mesopotamian Foundation, Diyarbakır), Eyüp Subaşı (the Kurdish Research Association), Mükrime Avcı (the İsmail Beşikçi Foundation), and Süleyman Çevik (Nûbihar publishing). Non-taped formal interviews were made with the author and teacher Merdan Newayi and teacher of MEB Ahmet Seyari (Batman), who is involved in making Kurmanji primers, and with two lecturers at the Artuklu University in Mardin, who wished to remain anonymous. In addition, I had one-on-one background discussions or shorter interviews with seven relevant individuals in Diyarbakır (Amed in Kurdish)[7] and three in Istanbul. I also met with members of the secretariat of the newly founded Kurdish Language and Culture Network (Kürt Dili ve Kültürü Ağı/Tora Ziman û Çanda Kurdî) and representatives of Eğitim Sen (the Educators and Science Workers Union) Diyarbakır branch. I had informal coffee talks with several other activists as well as students of MED-DER in Diyarbakır and the Institute of Living Languages of Artuklu University.[8]

The next sections give a short overview of what little we know of the ongoing language shift from Kurdish to Turkish and an outline of the development of Kurdish-language activism in the 2000s. In the subsequent sections I look at Kurdish-language classes in adult education, Kurdish studies at universities, elective language courses in public education, and the brief experience of Kurdish-language private schools.

In the subsequent section, I evaluate the impact of these activities. The doyens of LPP studies have pointed out the difficulty of managing language (Spolsky 2004) and especially reversing language shift (RLS), which rarely succeeds quickly or sufficiently (Fishman 2001, 12). There are comparatively few cases where language management has produced its intended results, at least when not supported by a powerful state (Spolsky 2004, 223). Based on my research and the views of the activists themselves, I argue that the main contribution of the Kurdish language education activities has been on the elite and academic levels. As a result of these activities, there exists a wider Kurdish-reading and writing elite and a committed community of language activists. Yet, the efforts have not managed to change the daily language practices of the masses, and the language shift continues. The final section ponders the future of Kurdish in Turkey and points out that reversing the language shift is quite unlikely without state support, affirmative action, and strong language policy.

7 The largest city of the Kurdish region.

8 Except for one informal background discussion, all were conducted in Turkish.

## Language Shift: "I Cannot Speak, but I Understand"[9]

Kurdish is a Western Iranian language, traditionally spoken in Kurdistan (Turkey, Iraq, Syria, and Iran). Kurmanji and Zazaki variants of Kurdish are the two largest minority languages in Turkey. The Turkish state's consistent nationalist and assimilationist language policies *vis-à-vis* non-Turkish speaking minorities led to the invisibilization of Kurdish (Haig 2004). Since the founding of the republic, the spheres within which Kurdish could be used have been severely limited. Not acknowledged as a (minority) language, Kurdish could still be used in the low domains of family and neighborhood and had limited use in the market, but could not be used in the high domains of administration, education, academia, business, and media. This hampered the development of Kurdish as a modern urban language, and the standardization of orthography, vocabulary, and grammar. Thus, despite an important literary tradition, Kurdish in Turkey remained mainly an oral language until the 1990s.

Furthermore, Kurdish has hardly any social capital value as Turkish is the sole linguistic medium for economic and social success (Öpengin 2012, 158–160). Already this hierarchical relationship constructed between the languages would likely have led to gradual language shift (on majority-minority language relations, see May 2006), but in addition, using Kurdish was actively discouraged, and a derogatory image of Kurdish as not suitable for use in the high domains was propagated by the state (Haig 2004).

According to the 1965 census, the most recent one from which we can obtain information on mother tongue, almost 8 per cent of people chose Kurdish as their mother tongue and another 6 per cent chose it as a second language (Sirkeci 2000, 154). The numeric data on Kurdish speakers after 1965 is more limited. In a study based on the data from the Turkish Demographic Health Survey of 1993, it was found out that 15.2 per cent of the (ever married female 15–49 years old) respondents gave Kurdish as their mother tongue and 17.8 per cent of respondents gave it as the mother-tongue of at least one family member (Sirkeci 2000, 155–156).

According to a much-cited survey conducted in 2006 (Konda 2007), about a fifth of those adults classified as Kurdish or Zaza in the study did not use Kurdish or Zazaki as the main language in their daily lives. This is corroborated by the findings of a more recent survey, according to which almost 80% of Kurdish parents of children aged 3–13 living in the predominantly Kurdish-populated region consider themselves proficient in Kurdish (Rawest 2020). However,

9 This is a very common description of one's deficient Kurdish skills (Karaduman 2015).

according to this later survey there is a serious disruption in intergenerational transmission of Kurdish as only 24% of the parents use Kurdish as the main language of communication with their children (Rawest 2020).[10] Based on the data on mother tongue and second language from the censuses of 1945 and 1965, Zeyneloglu et al. (2016) have concluded that there was a degree of language shift from Kurdish to Turkish already taking place at that time, especially in the urban centers of the predominantly Kurdish-speaking region.

According to a recent survey, less than half of today's urban Kurdish youth (18–30-years old) stated that they can speak Kurdish and use it regularly among their peers. Only 18% of the respondents of the survey could both read and write their mother tongue (Rawest 2019).[11] A study combining analysis of data from the 2000 census and the 2003 Turkish Demographic Health Survey points out that apparently "both education and migration lead to an increase in the share of monoglot Turkish speakers among Kurds." (Zeyneloglu et al. 2016, 44).

There is little sociolinguistic research on the use of Kurdish, but there is indication that use of and proficiency in Kurdish varies greatly: Kurdish is used more in the rural areas and when speaking with grandparents or other relatives, while it is used less in urban contexts and with siblings or friends (Öpengin 2012). As Ergin Öpengin (2012) states, "[…] Kurdish is no longer the default language of communication for all of its speakers: the younger the speakers are, and the more formally educated and out of the immediate social networks they are, the less Kurdish they use" (176). There seems to be a consistent generational pattern of language shift, typically seen elsewhere in migrant families: grandparents are monolingual in Kurdish, parents are bilingual in Kurdish and Turkish, and in the children's generation Kurdish is no longer a language of everyday life (Cağlayan 2014, 63).

## Kurdish Language Activism and the Auspicious Circle

Following earlier articulations during the late Ottoman and early Republican periods, in the late 1960s and 1970s Kurdish nationalism in Turkey started to arise from within the country's leftist and student movements.[12] The Kurdish

10 Previously, parents were discouraged by schools from using Kurdish with their children (Çoşkun et al. 2011, 68). For an in-depth analysis of the unstable diglossia and use of Kurdish in different domains, see Öpengin (2012).

11 Kurdish literacy correlates with bilingualism and biliteracy. Kurdish is never the primary literary language (Matras & Reershemius 1991, 108).

12 The roots of Kurdish nationalism can be traced to the Sheikh Ubaydullah uprising in 1879–1881. There were important Kurdish nationalist actors and organizations during the

movement[13] that emerged out of these circles in the 1980s put some effort into fostering Kurdish cultural activities. With a gradual easing of some of the legal restrictions, in the 1990s the movement managed to create a limited Kurdish cultural sphere with several organizations, Kurdish-language publications, (at the time illegal) language courses, music, dance, and theater groups (Scalbert-Yücel 2017). However, cultural or language policies were not the primary focus of the Kurdish movement led by the Kurdistan Workers' Party (PKK), which until the 2000s aimed for an independent state.

Mehmet Şerif Derince has argued that in the early 2000s there was a general paradigm shift in the movement, whereupon language and culture became much more emphasized (Derince 2017, 186). The new emphasis on language was partially due to an increasing awareness of the language shift and coincided with the start of Turkey's EU-membership reform process, which offered a possibility for accommodating cultural diversity (Derince 2017).

The most important language-related demand has understandably been that of mother-tongue-based education, which is usually considered a basic minority language right and has been documented to bring cognitive and academic benefits and help learning other languages (Cummings 1991). The first wide-scale campaign took place in 2001–2002, when university students petitioned for elective Kurdish courses in universities, and Kurdish parents campaigned to have Kurdish language teaching in primary schools. The petitioners signed and handed thousands of petitions to university rectors and school boards. The Turkish state establishment concluded that the campaign was organized by the PKK and treated it as a threat to national security: the officials refused to receive the petitions and the police detained thousands of petitioners and peaceful demonstrators (Leinonen 2017, 184–192).

An organized language movement focusing on language education emerged from 2006 onwards (Sidal 2019). The central organizations in it were TZP Kurdî (Tevgera Zimanê Perwerdahîya Kurdî) and Kurdi-Der (Komeleya Lêkolîn û Pêşvexistina Zimanê Kurdî), supported by other actors such as the Kurdish institutes in Istanbul and Diyarbakır (Diyarbakır Kürt Enstitüsü/Enstîtuya Kurdî ya Amedê and İstanbul Kürt Enstitüsü/ Enstîtuya Kurdî a Stenbolê), the Educators and Science Workers Union (Eğitim Sen), and the pro-Kurdish political parties (the BDP and later the Democratic Regions Party, DBP). The

late Ottoman and early Republican periods, and early Kurdish corpus planning took place in exile. (For more on the emergence of Kurdish nationalism, see Olson 1991).

13 The Kurdish movement is understood here in a wide sense to cover all legal and non-legal actors demanding Kurdish rights or promoting Kurdish culture, language, or identity. With the term "Kurdish political movement," I refer to legal pro-Kurdish political parties.

movement aimed to "[…] empower the Kurdish language cause, raise language awareness with the Kurdish community, advocate for Kurdish-medium education, teach the language to the people and finally encourage the community in order to raise a demand of education in Kurdish." (from Derince 2017, interview with a representative of TZP Kurdî in 2012).

The main aim was mother-tongue education guaranteed by legislation and adoption of Kurdish in all spheres of life from politics and parliament to the economy, trade, and local services (Sidal 2019). The movement organized seminars, conferences, Kurdish language courses, and campaigns to further its aims. The most visible activity was the school boycotts organized to support the demand for mother-tongue education in 2008, 2009, and 2010 (Sidal 2019). An estimated two million children took part in the boycott of the first week of school in September 2010 (Derince 2017, 187).

From 2002 to 2015 a series of legislative changes were made to widen minority linguistic rights (Kolcak 2015, Öpengin 2015). The changes included a new media law in 2011 (Law No. 6112/2011, art. 5), permitting use of all Kurdish names in 2014 (Law No. 6529/2014, art. 16[e]), restoration of original place names in 2014 (Law No. 6529/2014, art. 16[a]), changes in elections and electoral law in 2010, and in 2014 allowing the use of Kurdish in political campaigning (Law No. 6529/2014, arts. 1 and 16[b]) (Kolcak 2015).

However, these reforms did not give legal recognition to Kurdish and were implemented unevenly. Furthermore, they were conceptualized only as individual rather than collective rights. The ruling AKP (Justice and Development Party) government did not seem sincere, as some of its top politicians continued to denigrate Kurdish language in public. The legal reforms made by the government fell short of the demands for Kurdish language rights (Derince 2017, 179) and did not signal an end to the assimilationist logic of the state (Öpengin 2015).

The period from 2009 to 2015 can be considered an auspicious circle, during which developments in different fields fed into each other. This was an optimistic time, during which there were intermittent peace negotiations between the state and the PKK, and there seemed to be hope that the AKP-led state could come to terms with Turkey's multilingual reality. Due to the legal reforms, i.e., changes in language status, Kurdish became increasingly used and visible in the high domains of broadcast media, research, education, politics, and local administration.

Currently, at least in theory, it is possible to publish and broadcast in Kurdish. Use of Kurdish is legal in political campaigning such as posters and speeches as well as in courtrooms. It is taught and researched at several state universities. There is the state-run TRT-Kurdî, a 24/7 Kurdish-language public broadcasting TV channel, although its content is government-moderated, while private Kurdish-language TV channels have been shut down in the past. The main

thing falling short of basic language rights is the right to mother-tongue education as Article 42 of Turkey's 1982 Constitution, still in force today, provides that "no language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institutions of training or education" (Constitution 1982; Zeydanlıoğlu 2012, 110).

The auspicious circle was halted when the peace process between the state and the PKK collapsed in 2015. The reasons for this collapse include the difficult and protracted process of negotiations, the emergence of the Autonomous Administration of North and East Syria (Rojava), as well as the electoral success of the pro-Kurdish HDP in the 2015 parliamentary elections, which was not in the interests of the AKP. Heavy-handed repression of Kurdish was restarted with the state of emergency declared after the failed coup attempt in July 2016. Once again, intellectual and cultural activities promoting the Kurdish language became equated with terrorism and were persecuted under terror-related charges. Organizations promoting Kurdish were closed and individuals were expelled from their public sector jobs, prosecuted, and imprisoned.[14] The state of emergency remained in force until July 2018.

## Bilingual Literates: Learning Kurdish as an Adult

Kurdish courses for adults have been the most long-lasting and widespread type of Kurdish-language activity in addition to publishing. Often referred to as workshops (*atölye*), language courses have been organized in Turkey since the mid-1990s (Öpengin 2012, 161), even though illegal until 2003. The first legal private courses were begun in 2004 amid much controversy and bureaucratic red tape and were discontinued a mere 1.5 years later. During their brief existence they achieved remarkable results and had over 2000 registered students and 1056 graduates with course certificates (Bozarslan 2005, interview with Newayi 2019).

The most important CSOs involved in adult education have been the Kurdish Research Institute in Istanbul (founded in 1992) and Kurdi-Der (closely associated with TZP Kurdî, founded in 2006) with its over 30 local branches, mostly located in the Kurdish provinces (Tan 2012a, interview with Tan 2019). It is very difficult to confirm the numbers of participants or the level of language proficiency achieved. According to one estimate, Kurdi-Der taught Kurdish to 25,000 students during its ten years of existence (Derince 2017, 190) and according to another estimate, organizations connected to TZP Kurdî had as many as

14 Especially Kurdish studies at universities and the teachers' syndicate Eğitim Sen were hit hard by the expulsions (interview with Tan 2019).

10,000 students per year (Tan 2012b). The Kurdish Institute in Istanbul is said to have had 1000 students per year at the time it was closed in 2016 (interview with Subaşı 2020). Also, numerous other organizations such as pro-Kurdish political parties, the Diyarbakır Chamber of Architects and various Eğitim Sen branches, have organized language courses for their members over the years. The numbers cited should be taken with a grain of salt as there may have been political motivation to give inflated figures. However, all in all, tens of thousands of mostly young[15] Kurds have studied Kurdish at the courses since 2004, and some of them continued to an advanced level to become teachers themselves (interviews with Tan 2019, and Subaşı 2020).

Despite the obvious difficulties involved in the standardization of a minority language under a repressive state, by now there exists a standardized variety that carries a certain prestige and is considered to be "proper" literary Kurdish.[16] It is governed by systematic morphological, phonological, syntactic, and semantic rules and its lexicon displays little evidence of its contact with Turkish, i.e., it has only limited number of loanwords from Turkish, unlike colloquial Kurdish. However, only a limited number of Kurdish speakers can fully understand this standardized variety as it is not spoken at home (Schluter 2017, 12–13). Most of the media use this variety, which is taught at Kurdish-language courses to both those individuals who did not learn spoken Kurdish as children (new speakers, Kurdish as second language [L2]) as well as those who already speak a dialect of Kurmanji (Kurdish as first language [L1]). Most participants know at least some Kurdish before attending a course. All in all, the question of "fluency" in Kurdish is interesting. For example, elderly native, monolingual Kurdish speakers can feel uncertain of their competences as they are often not literate and may not understand the standard variety (Jamison 2016).

Most important organizations engaged in Kurdish-language teaching were closed in 2016. Banning an organization entails confiscation of its property, including computers, furniture, archives, libraries, and even teacups (interview with Subaşı 2020). Most language activists were not jailed, though many were expelled from their public sector jobs and/or prosecuted. Until 2018 it was impossible to openly organize language courses, though some small-scale ones were apparently organized semi-clandestinely. New organizations have gradually been founded to replace the banned ones, and activities have been revived after the end of the state of emergency. However, there are still fewer courses and fewer students in comparison to the pre-2016 period. Many of my

15 Approximately 80% of participants in Istanbul are university students (interview with Subaşı 2020) and according to a representative of MED-DER, in Diyarbakır most participants are 18–30 years old. Most students are Kurds.

16 For more on standardization, see Matras & Reershemius (1991) and Akın (2017).

interlocutors lamented the absence of Kurdi-Der with its centrally led organization and high numbers of students.

As an example of activities in 2019, in Istanbul the Kurdish Research Association (Komeleya Lêkolînên Kurdî, the successor of the Kurdish Institute) offered three-month courses with four hours of teaching a week. There were four levels in Kurmanji, followed by a one-year teacher education, two levels in Zazaki and one in Sorani. The Association had approximately 500 students per year (interview with Subaşı 2020). According to one of its representatives, the two-year old Mesopotamia Language and Culture Research Association (MED-DER) in Diyarbakır offered courses in Kurmanji on three levels and had 300–400 students per year. The association also recently started courses in Zazaki and Sorani (Tigris Haber 2019). Several organizations also offered Kurdish courses for children.

In 2019, the state-run adult education centers under the MEB began to offer courses in Zazaki (but not Kurmanji) if a minimum of twelve students requested it.[17] These adult-education centers number over 1000 and in 2018 offered over 400,000 courses with more than 8 million participants (Kasap 2019); as a result, they could form a good venue for wide-scale Kurdish language adult education.

At the time of writing this article, one of the newest developments in adult education was the start of Kurmanji Kurdish certificate courses in February 2020 by the Istanbul Metropolitan Municipality Art and Vocational Training Courses (İSMEK) as promised by the mayor of Istanbul, Ekrem İmamoğlu, for his Kurdish constituencies. The demand greatly exceeded the 135-student quota for the first courses (Yaşar 2020); the Municipality was expected to offer more courses in the coming terms.

### Studying Kurdish at University

From 2011 to 2014, Kurdish studies programs were opened at seven universities in Turkey. In four of them, the Kurdish program is taught at a so-called Institute of Living Languages and in three of them in other institutes, such as sociology.[18] It is possible to study Kurdish studies from a bachelor's degree to a Ph.D.[19] and to submit one's thesis in Kurdish.

17 There have been courses at least in Tunceli, Bingöl, Siverek and Batman.

18 The universities are as follows: Mardin Artuklu University, Bingöl University, Van Yüzüncu Yıl, and Siirt University, Dicle University (Diyarbakır), Tunceli Munzur University and Alparslan University (Muş).

19 Bingöl University has a Ph.D. program in both Kurmanji and Zazaki, and Dicle in Kurmanji.

I will give the experience of the Mardin Artuklu institute as an example of university-level Kurdish studies. In 2009 Turkey's Council of Higher Education (YÖK) licensed Artuklu University in Mardin to establish an Institute of Living Languages[20] to provide postgraduate education in Kurdish and other regional languages. The aim was both to carry out academic research and to train teachers for Kurdish language courses (Öpengin 2015, 14–15). First normal (requiring the submission of a thesis) and non-thesis master's degree programs were offered. The non-thesis program qualified its graduates as teachers of Kurdish. Later, Artuklu University also established undergraduate Kurdish language and culture studies, and several other universities in the Kurdish region opened their own programs.

As the field was new in Turkey, the majority of the first teachers were self-taught with university degrees from other fields (interview with two lecturers of the Artuklu Institute 2019). According to Öpengin (2015, 15), most of the departments initially existed only nominally with relatively little academic activity due to the scarcity of qualified staff and some of them remain quite small. Until 2014 using the letters Q, W, and X (not existing in the Turkish alphabet) was still officially forbidden, which made production of teaching materials challenging in a state-run organization that had to follow the laws.[21]

The first year in 2012–2013 the Artuklu University non-thesis master's program was extremely popular with 2500 applications (Doğru Haber 2012) and 500 enrolled students. Due to this popularity, the institute could be highly selective and take only students with good skills in Kurdish. As this was the first time it was possible to get a degree in Kurdish studies, many well-known Kurdish intellectuals and authors also enrolled in the programs and have received their master's degrees in Kurdish during the last few years (lecturers of the Artuklu Institute 2019).

Despite the official approval and legitimate status, the institute faced pressure by the state. Later, in the purges following the coup attempt of July 2016, several of the scholars of the institute were expelled by decree law (KHK, *kanun hükmünde kararname*). Initially the fledgling institute was not supported by the political Kurdish movement either (lecturers of the Artuklu institute 2019; Özbek 2020).

It soon became apparent that the MEB would not appoint the new graduates to teach the new elective Kurdish classes at state schools.[22] For example,

20 Note the continued avoidance of the word Kurdish in institutional names (Zeydanlıoğlu 2012, 118).

21 Q, W, and X were only allowed in loanwords until 2014 (Kolcak 2015, 71).

22 Teachers are appointed by the MEB in a centralized system.

in 2014 only 18 teachers were appointed (after a hunger strike and out of 1000 graduates). By 2019, only 59 teachers had been appointed: 48 for Kurmanji and 11 for Zazaki (Evrensel 2019). Since 2016 employment opportunities for Kurdish speakers have also become scarcer in other fields as Kurdish language services given by local municipalities were discontinued, many CSOs were closed, Kurdish language media banned and publications confiscated. It is no surprise that the popularity of Kurdish language programs has decreased so that the student quotas are not always fulfilled.

In 2019 Mardin Artuklu University received approximately 100 applications for the non-thesis program with an admission of 30 students. Since many accepted students failed the language exam, the actual enrollment was about 15 students for the non-thesis master's program and 20 for the regular master's degree with thesis requirement (teachers of the Artuklu institute 2019). In fall 2019, students in Artuklu believed it was impossible to find work with a BA in Kurdish studies, not even as an hourly-based teacher. Their motivation for enrolling in the studies was to learn more of their own language and culture rather than employment prospects. Over the years, many university students also had the possibility to study Kurdish language as an elective, in addition to their other studies.

Several universities started elective Kurdish language courses (1–2h/week). Among the forerunners were the private Bilgi and Sabancı Universities in Istanbul in 2009, followed by the public Boğaziçi University. All three are highly prestigious institutions in western Turkey and thus contributed both to the prestige of Kurdish and the corpus planning in the form of developing education materials. Public universities in the Kurdish provinces followed later, Tunceli in 2010 and Dicle in 2014 (Kaplan 2015). Courses in local languages (Kurdish, Arabic or Assyrian) were made obligatory for all undergraduate students of Artuklu University for a while (IBV 2020, 63). Most of these courses have since been discontinued.

All in all, the establishment of Kurdish studies at the university level was an important milestone for Kurdish language rights. It had a great impact on the prestige of the Kurdish language. I was told that the negative image created for Kurdish was ingrained to such a degree that the quality of teaching attained at the Mardin Artuklu institute was a surprise to most observers, including some of the students. In a way, it was now proven beyond any doubt that Kurdish is a fully-fledged language rather than a degenerate mixture of Persian with surrounding languages as so long claimed by Turkish nationalists.

In addition to the symbolic importance, Kurdish studies also offered employment opportunities for Kurdish intellectuals, who produce new research on the language. The research is published, for example, in the peer-reviewed

*Journal of Mesopotamian Studies* (http://jms.artuklu.edu.tr/tr/). In early 2020 there were a total of 265 master's theses and one Ph.D. dissertation in Kurdish in the YÖK database (https://tez.yok.gov.tr/ UlusalTezMerkezi/).

## Why Do So Few Students Choose Kurdish as an Elective?

In 2012 Kurmanji and Zazaki as "living languages and dialects" were added to the list of electives students could choose to study for two hours per week from the fifth to eighth grade in state schools. According to the MEB, in 2012–2013 only 18,847 students chose Kurdish even though teaching was, at least in theory, available in 28 provinces out of the total of 81. The demand was highest in Diyarbakır, where 4,469 students (12% of fifth graders) chose it. In Istanbul, there were only 272 students and none in Ankara (Hürriyet 2013). In 2015–2016, a total of 77,931 students chose Kurmanji or Zazaki (Evrensel 2019).[23] Figures after that have not been disclosed, but a good indicator is the print run of the Kurmanji primers: the 2019 fifth-grade primer had a print-run of 16,123 copies and the sixth-grade one of 13,265. Thus, taking into account that teaching is offered from grades five to eight, one can roughly estimate that a maximum of 60,000 students study Kurmanji as an elective.

An interesting question is: why are there so few students? Don't Kurds want to study Kurdish? The size of the Kurdish population in Turkey is estimated to be at least thirteen million (Konda 2007) and is probably well over fifteen million. According to a survey study from 2015, mother-tongue education in state schools was supported fully or partially by 95% of Kurdish, Zaza, and Alevi respondents in twelve Kurdish areas (Yeğen et al. 2016, 128–9), and an estimated two million students participated in the school boycott in 2010 to demand Kurdish teaching. So what hinders the uptake of Kurdish language electives?

**Bureaucratic and administrative hindrance:** The MEB has been reluctant to appoint teachers of Kurdish (see above; interview with Seyari 2019). Thus, at times classes have not been given because there are no teachers, or the classes have been taught by teachers without formal qualifications, and often without the necessary skills. The local school administrators have also been reluctant

23 In addition to Kurmanji and Zazaki, in 2019 it was possible to select Bosnian, Albanian, or Caucasian languages such as Georgian, Adyghe, Abaza, and Laz (MEB 2019). Arabic was not included, but since 2017–2018 (*Hürriyet* 2016) it has been possible to choose Arabic (as a foreign language) from the second to the eighth grade. In religiously oriented Imam Hatip middle schools classical Arabic is an obligatory language with two hours a week.

to arrange the courses. Several interlocutors talked about how parents have been discouraged from choosing Kurdish. Instead, they have been advised to select something "more suitable," such as courses on Quran or the Prophet Muhammed's life. The way one of my interviewees put it, many Kurds are not educated, so when the rector advises them to do something, they tend to follow the advice. The same person, who had worked in Bingöl and had a Zaza background, remarked that Kurdish courses were held in those schools, where the administration was more sensitive to language issues. One also heard of school districts where classes were not organized, despite requests by parents.

**Poor image, low status, and limited functionality of Kurdish:** Several of my interlocutors argued that the negative view created by the Turkish state had been internalized by many Kurds, becoming part of their language beliefs. For them Kurdish relates to poverty and backwardness (see also Çağlayan 2014; Çoşkun et al. 2011). While the Kurdish movement made the Kurdish language the single most important component of Kurdish identity, this importance is highly symbolic. When parents are choosing the electives for their children, they think about the future use of the skills to be acquired (interview Seyari 2019). My interlocutors argued that many parents do not choose it because they think it is not useful in passing the highly competitive university entrance exam (in Turkish) or finding employment.[24] Some parents are also hesitant about selecting Kurdish for their children because of state repression.

**Lack of endorsement by the political movement:** I explicitly asked about the part played by the Kurdish political actors *vis-à-vis* the elective Kurdish courses. While some interviewees believed the politicians do what they can, they were also critical.[25] The HDP-led political movement was seen to be too strict in its ambitions. Kurdish politicians did not embrace the elective courses because they fell short of the demanded education in mother tongue. Thus, the political movement did not engage in popular mobilization for enrollment. By 2019 this was seen to have been a mistake by many language activists, though not all.

My interlocutors argued that the number of enrolled students would multiply if the Kurdish parties put their weight behind the courses. Large-scale enrollment could bring several benefits. It would normalize the use of Kurdish for children and their parents. If you study the language in a classroom, you can speak it elsewhere in the school as well (interview with Tan 2019). Becoming a

24 For criticism of the division into symbolic and identity-related value of minoritized languages versus the instrumental value of the majority language, see May (2006, 263–4).

25 Similar complaints against the political movement were one of the reasons for the emergence of the autonomous Kurdish language movement fifteen years ago.

widely used language of education would be beneficial for the prestige, status, and functionality of the language. It would help in raising a new generation of Kurds, who can both speak and write at least some Kurdish, and it might slow down the language shift. It would also force the MEB to appoint Kurdish teachers, making Kurdish more useful for employment. Furthermore, high levels of interest could perhaps, with time, be used to demand more classes and even education of Kurdish as a mother tongue.

If the politicians could really influence enrollment, and high enrollment could possibly bring so many benefits, why were they not out there campaigning? In the opinion of the language activists I interviewed, who had devoted much of their working life to the Kurdish language, one reason is the advanced stage of assimilation: the Kurdish political movement is already too Turkish. The main language of the movement is Turkish and many politicians are not fluent in Kurdish and prefer to make their public addresses in Turkish (Derince 2016), partly because many in their audience are not fluent in Kurdish either. For them, Kurdish identity is a political one and language is a symbolic part of that identity rather than a functional tool of communication. A case in point is Selahattin Demirtaş, the much loved, imprisoned co-leader of the HDP (2014–2018), who has written and published his fiction in Turkish. Many interviewees complained about the lack of Kurdish skills of public figures in general, including singers and actors who perform in Kurdish but switch to Turkish offstage. Researchers publish exclusively in Turkish and English.

In the absence of large-scale public campaigns, only 30% of Kurdish parents were aware of the elective Kurdish courses in middle school (Rawest 2020). Thus, the issue at this stage is not only about convincing parents to select Kurdish, but of informing them of the option. Alas, the language movement is not a mass movement and cannot reach the public directly without the assistance of the political movement.

### Closed and Sealed: Private Schools

Several private schools teaching in Kurdish were opened in September 2014 after a change in legislation made this possible (Kolcak 2015, 73). They were initiated by the local municipalities, Eğitim Sen and Kurdi-Der/TZP Kurdi (Ekinci 2014).[26] There was constant pressure on the schools, which were closed several times (Aslan and Sunar 2014). By October 2016, all schools teaching in Kurdish had been closed (Berk 2016; Diren 2019). To my knowledge, no

26 It is not clear how many schools were opened. I was told by one activist that there was a total of 36 schools. Another source spoke of 16.

Kurdish-language private schools existed officially at the time of writing this article, though one of the schools continued education in Kurdish without any official status (Diren 2019).

Diyarbakır Municipality, among other municipalities, also founded multilingual pre-schools in 2015. However, they were transformed into Turkish-only in February 2017 by the centrally nominated trustee (*kayyum*), and the Kurdish-speaking teachers were fired (Evrensel 2017). This was in line with the more general policy, with trustees also ending online services in other languages besides Turkish, closing the cultural organizations, and purging the public libraries of Kurdish-language books (Yeni Yaşam Gazetesi 2019). In the fall of 2020, there was only one private Kurdish pre-school in Diyarbakır (discussion with Diyarbakır-based activist 2020). Kurdish language revitalization efforts are obviously much hampered by the state's intolerance towards these local initiatives.

## Evaluation of Impact: the Difficulty of Language Change

In the beginning of the paper I listed Spolsky's (2004, 5) three components of language policy: (1) the actual language practices of the speech community, (2) the beliefs about language and language use (ideologies), and (3) the specific efforts to modify or influence language practice by any kind of language intervention. Most of this article was devoted to mapping the development of Kurdish language education, i.e., education-related efforts to influence the language practices of Turkey's Kurds. Now is time to evaluate their impact on language revitalization.

There is wide agreement among language activists that the most important achievements have been at the academic or elite level. Adult education language courses and university-level Kurdish studies have contributed to the creation of a Kurdish reading and writing elite, in addition to their contribution to corpus planning. To follow Spolsky's classification, the activists agree that the efforts have managed to modify the language practices of *an important section* of the speech community.

Part of this promising development has been the increased presence and prestige of Kurdish in the high domains, in this case, those of academia. Yet, it is questionable to what extent the increased public presence influences the actual language choices of everyday life.[27] My interlocutors agreed that the

27 Fishman has argued that minority-language education or mass media operate too far from the nexus of mother tongue transmission to make a significant contribution for RLS (1991, 67).

language shift continues among the masses, which was often expressed along the lines that "one hardly hears Kurdish spoken on the streets of Diyarbakır." Following Spolsky, the language management efforts have not changed the actual language practices of *most members* of the speech community.

One reason behind this is most likely the continued negative or conflictual language beliefs. While 88% of Kurdish parents would like their children to learn Kurdish, only 23% spend considerable effort to ensure this (Rawest 2020). As was discussed above, often Kurdish is not viewed as a useful tool of communication in a Turkish-dominated society, and thus little effort is given for its cultivation in practice. Even many of the language activists and Kurdish intellectuals I spoke with struggled with ensuring their children's fluency in Kurdish and ended up themselves all too often using Turkish. In the cities of Western Turkey, many avoid speaking Kurdish if there are Turks present, as it is feared to be offensive (Schluter 2020, interview Avcı 2019).

It is also possible that as a result of the ongoing language shift, everyday use of Kurdish may already be beyond their level of proficiency and/or Turkish might be the stronger language they are more comfortable in (interview Avcı 2019). Research on multilingual Basque speakers has shown that multilingual individuals tend to prefer the language they are most competent in (Azurmendi et al. 2001, 247).

The impact of the elective Kurdish classes is not great. The activists I spoke to viewed the two hours per week of elective Kurdish as mere window dressing. It enabled the AKP government to claim that it provides minority language rights while only doing so in a superficial manner (discussion with representatives of Eğitim Sen Diyarbakır branch 2020). Yet, they might act as a potential step for further language rights.

## Future Prospects: the Community, Activists, and the State

After the collapse of the peace process in 2015 and the proclamation of the state of emergency in 2016, the oppression of Kurdish language re-intensified. Books in the Kurdish language have been regularly banned, the only Kurdish-language daily newspaper *Azadiya Welat* remains closed,[28] as do all private television channels broadcasting in Kurdish or by Kurdish ownership, except for the children's channel *Zarok TV*. Kurdish language private schools remain closed. Centrally appointed trustees rule the local municipalities and

28 There is a new weekly named *Xwebûn*, and a variety of online media from news portals to radio.

pro-Kurdish politicians have been prosecuted and jailed *en masse*. Scholars have been expelled from the Kurdish-language programs at universities, which struggle to attract students due to weak employment prospects upon graduation. Parents have been discouraged from enrolling their children in elective Kurdish classes.

Use of Kurdish in different spheres of life may not be illegal as such but is once again discouraged by the authorities. According to one activist based in Diyarbakır, the recent language oppression has been heavier than in the 1990s, when the scope of language rights was still much more limited.

By 2019, the organizational scene had somewhat recovered, and new dynamism was emerging around language issues despite the precarious situation of many of the activists. An example of this budding dynamism was the founding of the Kurdish Language and Culture Network in Diyarbakır in January 2020, which aims to facilitate coordination and cooperation of different actors on language-related efforts. The network proclaimed 2020 the year of development of Kurdish. Indeed, many CSOs were engaged in corpus planning, perceived as groundwork for future mother-tongue-based education: they developed better teaching materials and curricula, coined new terminology, and collected thesauruses. Also, there were several campaigns under way for encouraging enrollment in the existing elective courses and for putting pressure on school administrators to organize more of them. The revitalization efforts had not ceased under the repression but continued in a smaller and more cautious and less visible manner. It was also hoped that language revitalization could be a theme that unites the different CSOs and pro-Kurdish political actors.

The active involvement of the community in language revitalization efforts is considered vital for their success (McCarty 2018).[29] Fishman (2001, 16) has underlined the importance of a committed cadre of language activists (RLSers) and of community-building. A form of this community and cadre-building has taken place in Turkey, especially through the adult education language courses, which also recruit new cadres for the organizations so that most volunteer teachers are from the organizations' own training programs. In line with this, the founding of the Kurdish language movement can be traced to the earlier private Kurdish language courses (Sidal 2019). CSOs and activists have been involved in awareness-raising among Kurds, created networks of activists and volunteers, and organized highly visible campaigns for language rights. It is

29 Historically Hebrew is the best-known case of successful language revitalization by active involvement of the community. Other cases considered partially successful are Basque/Euskara, Maori, Hawaiian, and Inari Saami in Finland.

hard to imagine that university-level Kurdish studies could have started successfully without the preceding language education activities.

Yet, it is unrealistic to expect the CSOs and other non-state actors to be able to reverse the language shift against the repressive policies of an authoritarian state. It is questionable to what extent languages can be managed without the support of a powerful state (Spolsky 2004, 223) and reversing language shift is considered especially difficult (Fishman 2001, 12). The CSOs involved are small, operate on a narrow financial basis, and their possibilities for mass mobilization are limited. As has been detailed above, Turkey's public institutions have been quite reluctant participants in the process. As Zana Farqini (2006, 168) put it after compiling three dictionaries: "Actually, we did the work the state should have done … I think there needs to be affirmative action on Kurdish, funds from the budget need to be allocated for developing this language."

One of the relatively successful RLS cases that Kurdish could be compared to is Basque/Euskara in the Basque Autonomous Community (BAC, Spain). Basque has about 600,000 speakers in Spain and France, all multilingual in Spanish or French. The situation of Basque was in some respects similar to Kurdish: it was neglected for centuries and at times persecuted. It remained mostly an oral language despite an important literary tradition. In the late 1970s it was spoken by about a quarter of the region's population, mainly in the rural areas with only a small Basque-speaking urban middle class (Fishman 1991, 150–152). In 1979 Basque was granted co-official status in the BAC and in 1982 a strong language policy for revitalization was adopted by the regional government, combined with active involvement of the language community. By 2008 there was a robust literate environment, and the number of Basque speakers in the BAC had risen modestly to 30% of the population, with considerably higher percentages in the younger age cohorts (Gorter and Cenoz 2011).

In 2008 most students chose education with Basque as the language of instruction and Spanish as a subject (60% in primary 6–12 grades, only 9% selected Spanish-based instruction with 4–5 hours of Basque, and the rest attended 50–50 bilingual schools). Knowledge of Basque is valued because it is required for many public-sector jobs and has advantages in the private sector as well (Gorter and Cenoz 2011, 656–7). The government supports teachers' learning of Basque and subsidizes educational material. When compared with the two other Basque regions, we see that in Navarre (NAC, Spain) where Basque has official status but no strong, centralized language policy, there was a small increase in the number of speakers. In Iparralde (France), where Basque has no official status and language revitalization efforts have been undertaken only by the civil society, the number of speakers has decreased (Gorter and Cenoz 2011, 656).

In light of Spolsky (2004), the Basque example (Fishman 1991, Azurmendi et al. 2001, Gorter et Cenoz 2011), and the experience with Kurdish in Turkey so far, it is easy to argue that civil-society and private initiatives alone are not enough to revitalize Kurdish, and neither is state neutrality. Kurdish needs strong and well-planned language policy and planning (interview with Tan 2019; for the importance of ideological clarity, see Fishman 2001) and affirmative action, including mother-tongue based education.[30] To achieve this, wide cooperation of pro-Kurdish actors is necessary. They need to prioritize language as an end itself, not as a politicized tool in identity politics.

My interlocutors were almost unanimous in their emphasis on the need to have Kurdish taught as an obligatory mother tongue at state schools as the most important practical measure to ensure the long-term survival of Kurdish as the daily language of a significant part of the population in Turkey. Other language-planning activities were considered necessary and useful, but not enough.

However, in the context of the return to harsh Turkish nationalism in the political arena since 2015, any meaningful state support for multilingual policies does not look likely in the short or medium term, and none of the activists I spoke with was optimistic about mother tongue-based education in the short term (within five years). They had lost their hope in President Erdoğan and the AKP government. Perhaps after Erdoğan, perhaps in ten years, they were saying.

## References

Akın, S. (2017). Language Planning in the Diaspora: Corpus and Prestige Planning for Kurdish. In K. Brizić (Ed.). *Sprache Migration Zusammenhalt: Wiener Jahrbuch für Kurdische Studien 5*, (159–175). Wien: Praesens Verlag.

Azurmendi, M.-J., F. Bachoc, and F. Zabaleta (2001). Reversing Language Shift: The Case of Basque. In J. A. Fishman (Ed.). *Can Threatened Languages Be Saved?* (234–259). Clevedon: Multilingual Matters.

Aslan, F. and S. Sunar (2014, 7 November). Kürtçe okul yeniden açıldı. *Hürriyet*. Retrieved from: https://www.hurriyet.com.tr/gundem/kurtce-okul-yeniden-acildi-27528410 (last accessed 25 February 2020).

30 The case of Irish warns against concentrating mainly on the high domains and education. Irish has remained a second language (L2) learned and used primarily at school. About 40% of the population claims at least some knowledge of the language, but only 1.7% use it daily (Central Statistics Office 2016).

Berk, S. (2016, 13 October). İlk Kürtçe okul kapatıldı: Hani Kürtçe sizin de dilinizdi? *Evrensel*. Retrieved from: https://www.evrensel.net/haber/292770/ilk-kurtce-okul-kapatildi-hani-kurtce-sizin-de-dilinizdi (last accessed 7 January 2020).

Bozarslan, M. (2005, 1 August). Kürtçe kursları kapatıldı. *BBC Turkish*. Retrieved from: http://www.bbc.co.uk/turkish/europe/story/2005/08/050801_kurdish.shtml (last accessed 31 March 2020).

Central Statistics Office (2016). Census of Population 2016 – Profile 10 Education, Skills and the Irish Language. Retrieved from: https://www.cso.ie/en/releasesandpublications/ep/p-cp10esil/p10esil/ilg/ (last accessed 2 November 2020).

Constitution of the Republic of Turkey (1982). Retrieved from: https://www.anayasa.gov.tr/en/legislation/turkish-constiution/ (last accessed 1 April 2020).

Cummins, J. (1991). Interdependence of first- and second-language proficiency in bilingual children. In E. Bialystok (Ed.) *Language Processing in Bilingual Children,* (71–89). Cambridge: Cambridge University Press.

Çağlayan, H. (2014). *Same Home, Different Languages. Intergenerational Language Shift: Tendencies, Limitations, Opportunities. The Case of Diyarbakır.* (Translated from Turkish by L. T. Basmaci). Diyarbakır: DİSA Publications.

Çoşkun, V., M. Ş. Derince, and N. Uçarlar (2011). *Scar of Tongue: Consequences of the Ban on the Use of Mother Tongue in Education and Experiences of Kurdish Students in Turkey*. Diyarbakır: DİSA Publications.

Derince, M. Ş. (2017). One language, two contexts: Kurdish in Bakur and in Western Turkey's metropolises. In K. Brizić (Ed.). *Sprache Migration Zusammenhalt: Wiener Jahrbuch für Kurdische Studien 5*, (176–194). Wien: Praesens Verlag.

Derince, M. Ş. (2016, 11 January). Siyasetin ve siyasetçilerin dilinin Kürtçeleş(eme)mesi. *Yeni Özgür Politika*. Retrieved from: http://yeniozgurpolitika.com/index.php?rupel=nivis&id=9712 (last accessed 3 April 2020).

Diren, A. (director) (2019). *Her Malek Dibistanek*. (Documentary film). Turkey.

Doğru Haber. (2012, 28 July). Kürtçe Seçmeli Ders Öğretmenliğine Yoğun İlgi. Retrieved from: https://dogruhaber.com.tr/haber/43235-kurtce-secmeli-ders-ogretmenligine-yogun-ilgi/ (last accessed 25 February 2020).

Ekinci, B. (2014, 21 September). Kürtçe ders kitapları hazır. *Al Jazeera Turk*. Retrieved from: http://www.aljazeera.com.tr/al-jazeera-ozel/kurtce-ders-kitaplari-hazir (last accessed 27 February 2020).

Evrensel (2019, 9 September). Seçtirilmeyen seçmeli ders: Kürtçe. Retrieved from: https://www.evrensel.net/haber/386372/sectirilmeyen-secmeli-ders-kurtce (last accessed 31 March 2020).

Evrensel (2017, 15 February). Zarokistan Türkçe kreşe dönüştürüldü. Retrieved from: https://www.evrensel.net/haber/308370/zarokistan-turkce-krese-donusturuldu (last accessed 7 January 2020).

Farqini, Z. (2012). Yasak Dilde Sözlük Hazırlamanın Güçlükleri. In V. Erbay (Ed.). *İnatçı Bir Bahar: Kürtçe ve Kürtçe Edebiyat*, (155–169). İstanbul: Ayrıntı Yayınları.

Fishman, J. A. (2012). Language Maintenance, Language Shift, and Reversing Language Shift. In T. K. Bhatia and W. C. Ritchie (Eds.). *The Handbook of Bilingualism and Multilingualism* (2nd ed.), (466–494). Malden, MA: Wiley-Blackwell.

Fishman, J. A. (Ed.) (2001). *Can Threatened Languages Be Saved?* Clevedon: Multilingual Matters.

Fishman, J. A. (1991). *Reversing Language Shift: Theoretical and Empirical Foundations of Assistance to Threatened Languages*. Clevedon: Multilingual Matters.

Gorter, D. and J. Cenoz (2011). Multilingual education for European minority languages: The Basque Country and Friesland. *International Review of Education*. 57: 5–6, 651–666.

Haig, G. (2004). The invisibilization of Kurdish: the other side of language planning in Turkey. In S. Concerman and G. Haig (Eds.). *Die Kurden: Studien zu ihrer Sprache, Geschichte und Kultur*, (121–150). Hamburg: EB Verlag.

Hürriyet (2016, 19 September). Arapça da seçmeli ders. Retrieved from: https://www.hurriyet.com.tr/egitim/arapca-da-secmeli-ders-40227178 (last accessed 3 April 2020).

Hürriyet (2013, 6 February). İşte "Seçmeli Kürtçe"nin Türkiye haritası. Retrieved from: http://www.hurriyet.com.tr/gundem/22534618.asp (last accessed 11 October 2019).

İsmail Beşikçi Vakfı, IBV. (2020). *Türkiye Üniversitelerinde Kürt Çalışmaları Alanında Yaşanan Akademik Hak İhlalleri*. Istanbul. Retrieved from: https://ismailbesikcivakfi.org/uploads/files/IBV_Rapor_Turkce.pdf (last accessed 12 April 2022).

Jamison, K. (2016). Hefty Dictionaries in Incomprehensible Tongues: Commensurating Code and Language Community in Turkey. *Anthropological Quarterly* (89)1, 31–62.

Kamusella, T. (2018). Nationalism and national languages. In J. W. Tollefson and M. Pérez-Milans (eds.) *The Oxford Handbook of Language Policy and Planning*, (163–182). Oxford: Oxford University Press.

Kaplan, R. B. and R. B. Baldauf Jr. (1997). *Language Planning: From Practice to Theory*. Clevedon: Multilingual Matters.

Kaplan, S. (2015, 11 March). İlahiyatta "Kürtçe" seçmeli ders. *Anadolu Ajansı*. Retrieved from: https://www.aa.com.tr/tr/egitim/ilahiyatta-kurtce-secmeli-ders/67979 (last accessed 25 February 2020).

Karaduman, A. (2015). *Anlıyorum ama konuşamıyorum*. Istanbul: İletişim Yayınları.

Kasap, S. (2019, 4 January). MEB'in yaygın eğitim kurslarına rekor katılım. *Anadolu Ajansı*. Retrieved from: https://www.aa.com.tr/tr/egitim/mebin-yaygin-egitim-kurslarina-rekor-katilim-/1354717 (last accessed 25 February 2020).

Kolcak, H. (2015). A more but not fully constructed arena: A critical analysis of the AKP's policy toward Kurdish ethno-cultural rights (2002–2014). *The Age of Human Rights Journal*, 5, 63–97.

Konda (2007). *Toplumsal Yapı Araştırması 2006. Biz Kimiz?* Retrieved from: https://konda.com.tr/tr/rapor/biz-kimiz-toplumsal-yapi-arastirmasi/ (last accessed 12 March 2020).

Leinonen, A. (2021). Reversing the Language Shift from Kurdish to Turkish. In B. Bilmez (Ed). *Türkiye'de Dil Hakları ve Dilsel Çoğulluk; Language Rights and Linguistic Pluralism in Turkey; Sprachenrechte und sprachliche Vielfalt in der Türkei*, (85–114). Istanbul: Friedrich Nauman Foundation & Türkiye Kültürleri.

Leinonen, A. (2017). Unity or Diversity? Turkish Nationalism, Kurds, and the Turkish Mainstream Press. (Unpublished doctoral dissertation). University of Helsinki, Helsinki. Retrieved from: http://hdl.handle.net/10138/172952 (last accessed 2 November 2020).

Matras, Y. and G. Reershemius (1991). Standardisation beyond the state: the cases of Yiddish, Kurdish and Romani. In U. von Gleich and E. Wolff (Eds.), *Standardization of National Languages*, (103–123). Unesco Institute of Education Reports 5/1991.

May, S. (2006). Language policy and minority rights. In T. Ricento (Ed.) *An Introduction to Language Policy: Theory and Method*, (255–272). Malden: Blackwell Publishing.

McCarty, T. E. (2018). Revitalizing and sustaining endangered languages. In J. W. Tollefson & M. Pérez-Milans (Eds.) *The Oxford Handbook of Language Policy and Planning*, (353–378). Oxford: Oxford University Press.

Milli Eğitim Bakanlığı, MEB. (2019). 2020–2021 Eğitim Öğretim Yılında Okutulacak Seçmeli Dersler. Retrieved from: http://tegm.meb.gov.tr/meb_iys_dosyalar/2019_12/19160145_2020-2021_eYitim_oYretim_yYlYnda_okutulacak_secmeli_derslerin_secimine_yonelik_acYklama_yazYsY.pdf (last accessed 3 April 2020).

Olson, R. (1991). Five stages of Kurdish nationalism: 1880–1980. *Institute of Muslim Minority Affairs. Journal* 12(2), 391–409.

Öpengin, E. (2015). The changing status of Kurdish in Iraq and Turkey: A comparative assessment. *Singapore Middle East Papers* SMEP No. 8/3 15 January 2015. Retrieved from: https://www.academia.edu/10191156/The_changing_status_of_Kurdish_in_Iraq_and_Turkey_A_comparative_assessment (last accessed 12 March 2020).

Öpengin, E. (2012). Sociolinguistic situation of Kurdish in Turkey: Sociopolitical factors and language use patterns. *International Journal of the Sociology of Language* 217, 151–180.

Özbek, A. (2020, 18 February). Kürtçe-Kurmancî Dersi Kapanır Korkusundan Tayin Bile İsteyemiyoruz. *Bianet*. Retrieved from: https://bianet.org/bianet/diger/220090-kurtce-kurmanci-dersi-kapanir-korkusundan-tayin-bile-isteyemiyoruz (last accessed 31 March 2020).

Rawest (2020). *Ebeveyn ve çocuk arasında ana dilin durumu: Araştırma bulguları*. Retrieved from: https://rawest.com.tr/wp-content/uploads/2020/02/Ebeveyn_Ana_Dil_Arastirmasi.pdf (last accessed 3 April 2020).

Rawest (2019). *Kürt Gençlerin Anadile Yaklaşımı*. Retrieved from: http://diyarbakir.hakinisiyatifi.org/wp-content/uploads/2019/09/DilYuvadir_infografik.pdf (las accessed 4 November 2020).

Scalbert-Yücel, C. (2017). The PKK, the Kurdish Movement, and the Emergence of Kurdish Cultural Policies in Turkey. In G. Stansfield and M. Shareef (Eds.). *The Kurdish Question Revisited*, (259–271). London: Hurst.

Schluter, A. (2020). When socio-political pressure is more powerful than the boss: workplace language policies by Kurds that restrict Kurdish. *Language Policy* 19, 339–361.

Schluter, A. (2017). Hybrid language practices on Turkey's national Kurdish television station: Iconic perspectives on form. *Applied Linguistic Review* 10(3), 417–442.

Sidal, S. (2019). Yeni toplumsal hareketler bağlamında Türkiye'de Kürtçe Anadilde Eğitim Talepleri: TZP Kurdi örneği (2006–2011). (Unpublished doctoral dissertation). Galatasaray University, Istanbul.

Sirkeci, I. (2000). Exploring the Kurdish population in the Turkish context. *Genus*, 149–175.

Spolsky, B. (2004). *Language policy*. Cambridge: Cambridge University Press.

Tan, S. (2012a). Kürt halkının özgürlük mücadelesi ve Kürt Dili. In V. Erbay (Ed.). *İnatçı Bir Bahar: Kürtçe ve Kürtçe Edebiyat*, (121–129). Istanbul: Ayrıntı Yayınları.

Tan, S. (2012b). Türkiye'de Kürtçe öğretmenliği. In *Dilsel ve Kültürel Farklılıklar Açısından Öğretmen Yetiştirme, Önce Anadili-Broşür 3*, İstanbul: DİSA Yayınları.

Taştekin, F. (2014, 13 November). Kürdistan'ın Dört Parçasını Birleştiren Okul: Artuklu Kürdoloji. *Al Monitor*. Retrieved from: http://www.almonitor.com/pulse/tr/originals/2014/11/turkey-kurdish-universities-unites-four-pieces-kurdistan.html (last accessed 31 March 2020).

Tigris Haber (2019, 21 September). MED-DER'den Zazaca ve Soranice ders. Retrieved from: https://www.tigrishaber.com/med-derden-zazaca-ve-soranice-ders-59698h.htm (last accessed 31 March 2020).

Yaşar, F. (2020, 26 January). Hakkı Savunanlar Platformu Başkanı: İBB'den Zazaca kursu açmasını da istiyoruz. *Gazete Duvar*. Retrieved from: https://www.gazeteduvar.com.tr/gundem/2020/01/28/hakki-savunanlar-platformu-baskani-ibbden-zazaca-kursu-acmasini-da-istiyoruz/ (last accessed at 31 March 2020).

Yeğen, M., U. U. Tol, and M. A. Çalışkan (2016). *Kürtler Ne İstiyor? Kürdistan'da Etnik Kimlik, Dindarlık, Sınıf ve Seçimler*. Istanbul: İletişim Yaınları.

Yeni Yaşam Gazetesi (2019, 28 February). HDP il il 'Kayyum Raporu' hazırladı. Retrieved from: https://yeniyasamgazetesi3.com/hdp-kayyum-raporu-hazirladi/ (last accessed 22 April 2022).

Zeydanlıoğlu, W. (2012). Turkey's Kurdish language policy. *International Journal of the Sociology of Language* 217, 99–125.

Zeyneloglu, S., Sirkeci, I., & Civelek, Y. (2016). Language shift among Kurds in Turkey: A spatial and demographic analysis. *Kurdish Studies*, 4(1), 25–50.

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 52–72

Kurdish Studies Archive

brill.com/ksa

# Legal Complications of Stabilization Provisions in Iraqi Kurdistan Production-Sharing Contracts

*Rdhwan Shareef Salih* | ORCID: 0000-0001-6053-917X
Department of Law, Faculty of Law and International Relations, Soran University, Qr. Khabat, St. Kawa, Soran/Erbil, Kurdistan Region, Iraq
*rdhwan.salih@soran.edu.iq*

## Abstract

During the period of long-term petroleum contracts, host states may attempt to amend the contractual regulation or even to annul contracts by changing their domestic laws, especially in developing countries. Therefore, to restrict the legislative or administrative power of the host States, the contractors would want the petroleum contracts to contain stabilization provisions. These provisions have been included in production-sharing contracts (PSCs) of the Kurdistan Regional Government (KRG). This study aims to critically analyse stabilization provisions of the KRG's PSCs in order to ascertain their legal complications when compared to the provisions of several oil-producing countries' PSCs. Thus, the study poses this question: what are the main legal complications of stabilization provisions of the KRG's PSCs? The study has clarified that most PSCs of the KRG have adopted full hybrid-stabilization provisions and a few of them have adopted limited hybrid-stabilization provisions that have been drafted very widely and are one of the main legal complications of the KRG's PSCs. Finally, it is suggested that the KRG push back on widely drafted stabilization provisions and adopt limited stability provisions or attempt to extricate PSCs from these provisions.

## Keywords

freezing provisions – economic balancing/equilibrium provisions – hybrid-stabilization provisions – the Kurdistan Regional Government – production-sharing contracts

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_005

# Tevliheviyên qanûnî yên bendên îstîkrarê di peymanên parvekirina-hilberandinê yên Kurdistana Iraqê de

Di dema peymanên petrolê yên demdirêj de, welatên mêvandar dibe ku hewl bidin rêziknameyên peymanan biguherînin û heta peymanan betal bikin bi rêya guhertina qanûnên xwe yên navxweyî, bi taybetî jî li welatên pêşketinê. Herwiha, ji bo sînorkirina hêza qanûnsazî an jî rêveberî ya dewletên mêvandar, peymandar dê bixwazin hin bendên îstîkrarê bixin nav peymanên petrolê. Ev bend di nav peymanên parvekirina-hilberandinê (PPH) yên Hikûmeta Herêma Kurdistanê (HRK) de hatine bicihkirin. Ev xebat hewl dide ku bi awayekî rexneyî bendên îstîkrarê yên PPHyên HRKê vekolîne da ku tevliheviyên wan ên qanûnî diyar bike bi rêya berawirdkirina PPHyên çend welatên hilberînerên petrolê. Bi vî awayî, xebat vê pirsê dike: Tevlîheviyên qanûnî yên bingehîn yên bendên îstîkrarê yên PPHyên HHKê çi ne? Xebatê zelal kiriye ku piraniya PPHyên HHKê bendên îstîkrarê yên bi temamî dureh qebûl kirine û kêm ji wan bendên îstîkrarê yên dureh ên sînorkirî qebûl kirine ku gelek bi berfirehî hatine nivîsandin û yek ji bingehîn tevlîheviyên qanûnî yên PPHyên HHKê ne. Di dawiyê de, hatiye pêşniyarkirin ku HHK ji bendên îstîkrarê yên bi berfirehî diyarkirî vekişe û bendên îstîkrarê yên sînorkirî bipejirîne an jî van bendan ji PPByan derxe.

# ئاڵۆزییە یاساییەکانی مەرجەکانی سەقامگیری لە گرێبەستەکانی پشکی-بەرهەم لە کوردستانی عێراق

لە کاتی گرێبەستە نەوتییە درێژخایەنەکاندا، دەوڵەتە خانەخوێکان، بە تایبەتی لە وڵاتە گەشەسەندووەکان، رەنگە هەوڵ بدەن بە گۆرینی یاسا ناوخۆییەکانییان رێکارە کۆنتراکتییەکان هەموار بکەن و تەنانەت گرێبەستەکان هەڵبوەشێننەوە. بۆیە، بۆ سنووردارکردنی دەسەڵاتی یاسایی و ئیداری وڵاتە خانەخوێکان بەڵێندەرەکان دەیانەوێت گرێبەستە نەوتییەکان رێنماییە سەقامگیرییەکان لە خۆ بگرن. گرێبەستی پشکی-بەرهەم (PSCS)ی حوکومەتی هەرێمی کوردستان ئەم رێنماییانەی لە خۆگرتووە. ئامانجی ئەم توێژینەوەیە شیکارییەکی رەخنەگرانەی رێنماییە سەقامگیرییەکانی PSCS ی حوکومەتی هەرێمی کوردستانە بۆ ساغکردنەوەی ئاڵۆزییە یاساییەکانییان لە کاتێکدا لەگەڵ رێنماییەکانی PSCSی هەندێك وڵاتی دیکەی بەرهەمهێنەری نەوت بەراورد دەکرێن. بەم جۆرە، توێژینەوەکە ئەم پرسیارە دەخاتە روو: ئاریشە سەرەکییەکانی بەندەکانی سەقامگیری گرێبەستە PSCS ی حوکومەتی هەرێم چین؟ ئەم توێژینەوەیە ئەوەی روونکردۆتەوە کە زۆرینەی PSCSی حوکومەتی هەرێم بەتەواوی رێنماییەکانی گرێبەستی سەقامگیری هاوبەندی تەبەننی کردووە و تەنها کەمێکیکیان رێنماییەکانی سەقامگیری هاوبەندی سنورداری تەبەننی کردووە کە بەشێوەیەکی فراوان دارێژراوە و

یەکێك لە سەرەکیترین ئاڵۆزییە یاساییەکانی PSCSی حوکومەتی هەرێمن. لە کۆتاییدا، پێشنیار دەکرێت کە حوکومەتی هەرێمی کوردستان رێنماییەکانی سەقامگیری کە بەفراوانی گەڵاڵە کراون پاشگەزبێتەوە و تەبەننی رێنماییە ساقامگیرییە سنووردارەکان بکات یان هەوڵبدات -PSCSەکان لەو رێنماییانە دەرباز بکات.

# Zehmetîyê qanûnî yê hukmanê îstîqrarî yê kontratanê parekerdişê berardişî yê Kurdîstanê Îraqî

Demê kontratanê petrolî yê wextdergan de beno ke dewletê pêşkêşkerî, bitaybetî dewletê averşîyayoxî, biceribnê qanûnê xo yê zereyî bivurnê û wina madeyanê kontratan zî bivurnê yan zî kontratan bi xo betal bikerê. Coka, seba ke îmkananê dewletanê pêşkêşkeran ê qanûnî û îdarîyan sînor bikerê, mutahîdî wazenê ke zereyê kontratanê petrolî de hukmê îstîqrarî est bê. Nê hukmî daxilê kontratanê parekerdişê berardişî (PSC) yê Hukmatê Herêma Kurdîstanî (KRG) bîyî. No cigêrayîş hedef keno ke nê hukmanê îstîqrarî yê PSCanê KRG bi çimeyo rexnegir analîz bikero û zehmetîyanê înan ê qanûnî goreyê hukmanê PSCanê welatanê petrolvetoxanê bînan ra tesbît bikero. Coka, no cigêrayîş nê persî pers keno: zehmetîyê qanûnî yê hukmanê îstîqrarî yê PSCanê KRG çi yê? Cigêrayîşî vet meydan ke zafêrîya PSCanê KRG hukmê îstîqrarî yê tam-hîbrîdî qebul kerdî û ci ra tayîne kî hukmê îstîqrarî yê hîbrîdê sînorkerdeyî qebul kerdî ke bi hewayêko zaf hîra virazîyayê û zehmetîya qanûnî ya bingeyêne yê PSCanê KRG yê. Peynîye de, pêşnîyaz beno ke KRG hukmanê îstîqrarî ke bi hewayêko hîra virazîyayî, ver bi vejîyo û hukmanê îstîqrarî yê sînorkerdeyan qebul bikero yan zî biceribno ke PSCan nê hukman ra vejo.

## Introduction

Commonly, oil and gas contracts are long-term and capital-extensive agreements that cover long periods and high costs. It comes as no surprise that a lot may change during the period of the contract, especially in developing countries. The host states, i.e., states which international oil companies (IOCs) have invested in, may change their domestic laws and policies, which may have significant risks for and negative impacts on the contractor's operations and finances. Once the costly and risky exploration stage is over, the host state may attempt to tip the economic or fiscal terms in its favour by changing its laws. For example, Equatorial Guinea, Kazakhstan, Algeria, Angola and Ecuador have substantially increased taxes and royalties on petroleum revenues at

various times. Therefore, in response to the possibility of modification of contractual rights by unilateral governmental actions, the contractor would want the petroleum contract to contain stabilization provisions, commonly known as fiscal stability provisions, that allow the contractor to seek redress if host-state action reduces the contractor's take from the project. Contract stabilization provisions preserve the principle of *pacta sunt servanda*[1] or the strict sanctity of the contract against the sovereign right to change the law. However, as Mansour and Nakhle (2016) illustrate, under no legal system has the principle been found to be absolute, and contractual rights can be expropriated.

It is quite common to find stabilization provisions in contracts entered into by developing countries because of the anticipated change of law risk in such countries. However, including such stabilization provisions is not usual in contracts entered into with the developed countries because of the stable legal regimes available for contracts within these countries. Accordingly, it can be stated that another strategy – concerning the legal regime – is the incorporation of stabilization provisions. The main aim of stabilization provisions is to restrict the legislative or administrative power of the host state as sovereign in its country and legislator in its own legal system, to amend the contractual regulation or even to annul the agreement in order to protect IOCs (Bernardini, 2008; Emeka, 2008). Additionally, Peter Cameron illustrates the aim of stabilization provisions in the international petroleum industry and states they are "primarily to reinforce the provisions of a long-term investment contract by allocating a change of law risk between the host State party and the investor" (Cameron, 2014). He also explains that stabilisation provisions "aim to preserve over the life of the contract the benefit of specific economic and legal conditions which the parties considered appropriate at the time they entered into the contract" (Cameron, 2010: 219).

Production-sharing contracts (PSCs) of the Kurdistan Regional Government (KRG),[2] like other PSCs around the world, employ a series of non-fiscal provisions, including stabilization provisions. These provisions are not managed well and are even not fixed in the Kurdistan Region Oil and Gas Law No. (22) of 2007 or any other legislation; therefore, they contain various legal complications that are contrary to the KRG's interests. However, studies examining stabilization provisions of the Kurdistan Region's PSCs are scarce. Only two were found: Ahmed and Othman (2016) have described the legal effects of freezing clauses

1 *Pacta sunt servanda* (Latin for "agreements must be kept") is a fundamental principle of law, whereby contractual obligations must be respected.

2 Since 2006, the KRG has signed more than 60 PSCs with IOCs. For more information see Salih, R. S. and Yamulki, A. (2020a). Petroleum Exploration and Production Contracts as Regulatory Tools: The Kurdistan Region Production Sharing Contracts. *Journal of Law, Policy and Globalization*, 101, 165–184.

articulated in the PSCs as the risk-management clauses in order to ensure the stability of legislation. Also, Mohsin S. Salih and Akram Yamulki (2020) examine the stabilisation clause in the Iraqi Kurdistan Region oil and gas contracts and elaborate on the concept and consequences of this clause. Throughout the literature, it is noteworthy that there is a dearth of critical scholarly studies on the stabilization provisions of the Kurdistan Region's utilized PSCs. This study, therefore, seeks to fill this gap and aims to critically analyse stabilization provisions of the KRG's PSCs in order to ascertain their legal complications when compared to the provisions of several other oil-producing countries' PSCs. This study also attempts to answer a significant question: What are the main legal complications of the stabilization provisions of the KRG's PSCs?

To answer this question, the study is divided into four main sections. Following this section, which introduces the study, the second section illustrates different types of stabilization clauses and the scope of stabilisation provisions. The third section critically evaluates the stabilization provisions of the KRG's PSCs and compares them to the stabilization provisions of several countries' utilized PSCs. The study will conclude in the fourth section by providing the main findings and recommendations.

## Typology of Stabilization Clauses

Commentators distinguish stabilization provisions into different categories. According to Oyewunmi (2011), Paterson (2018), and Olawuyi (2018) stabilization provisions are of two types: 1) freezing provisions, which freeze the law that applies to the investment at the time the contract is signed, for the duration of the contract; and 2) economic equilibrium provisions, which allow for some adjustment that do not have asymmetric benefit or damage to one party. The economic equilibrium provisions aim to keep the same financial position of the investor as provided by the contract on the date it was signed. It is noteworthy that there is a disagreement between some commentators on the enforceability and validity of freezing stabilization provisions because they fetter the host state's sovereign power to make laws. However, international arbitral tribunals have found that stabilization provisions are valid and binding. In *Texaco Overseas Petroleum Co. and Cal. Asiatic Oil Co. v. Gov't of the Libyan Arab Republic* [1977], the arbitrator held that:

> Not only has the Libyan State freely undertaken commitments but also the fact that this clause stabilizes the petroleum legislation and regulations as of the date of the execution of the agreement does not affect in principle the legislative and regulatory sovereignty of Libya.

Jasimuddin and Maniruzzaman (2016) and Emeka (2008) divide stabilization provisions into two key types: traditional freezing and modern hybrid-stabilization provisions. They also point out that under traditional freezing provisions, the law in force on the effective date of the contract governs the contract for the entire duration of the contract, and the host state shall be prohibited from later enacting any law inconsistent with the contract. However, according to modern hybrid-stabilization provisions, when the host state increases an IOC's financial burden by subsequent legislation, it is required to pay compensation to the IOC for the financial loss and/or to restore the balance of risks and rewards established in a contract by negotiation with the IOC in good faith. The hybrid-stabilization provisions generally encompass four principal features: defining a change of circumstance that will trigger renegotiation, indicating the effect of the change on the contract, outlining the objective and procedure of the renegotiation, and providing for a solution if renegotiation fails.

However, Maniruzzaman (cited in Thaib and Santiago, 2018) and Shemberg (2008) reveal that there are three main types of stabilization provisions: freezing, economic balancing/equilibrium, and hybrid provisions. The freezing provisions are designed to make new laws inapplicable to petroleum contracts. The economic balancing provisions provide that although new laws will apply, the parties shall agree to make the necessary adjustments to the relevant provisions of the contract and the IOC will be compensated for the cost of complying with them. The hybrid provisions are a combination of freezing and balancing provisions. Box 1 provides examples of the three types of stabilization provisions that are adopted in this study. Cameron (2014, 2016) classifies renegotiation provision as a form of stabilization provision and states that renegotiation provision is often seen as a modern form of stabilization. Bernardini (2008) also opines that renegotiation provisions (also called adaptation provisions) are used as an alternative to or in combination with stabilization provisions. Therefore, most PSCs worldwide have used renegotiation provisions in combination with economic equilibrium and hybrid stabilization provisions. Renegotiation provisions require parties to come back to the bargaining table and restart negotiating the terms of their contract in specified circumstances. They provide the opportunity of salvaging a contract that has become onerous or inefficient due to the changing circumstances during the contract periods. It is also noteworthy that in the KRG's PSCs, there are no articles that involve the renegotiation provision explicitly. In other words, they do not contain any direct article addressing renegotiation provisions.

It should be noted that the stabilization provision is a negative provision for the host states, and it has several disadvantages for them: firstly, they can freeze the legal and regulatory situation of the country for an extended period of time. Secondly, compensation will be required from the government when changes

BOX 1 Examples of different types of stabilization provisions

Freezing Stabilization Provision:

> No legislative or regulatory provision occurring after the Effective Date of the Contract may be applied to the Contractor which would have as a direct or an indirect effect to diminish the rights of the Contractor or to increase his obligations under this Contract and the legislation and regulations in force upon the Effective Date of this Contract, without the prior agreement of the Parties.

Economic Equilibrium Stabilization Provisions:

> (2) The Contractor agrees that it will obey and abide by all laws, taxes, duties, levies, and regulations in force in Kenya.
>
> (3) If after the Execution Date of this Contract the economic benefits of a party are substantially affected by the promulgation of new laws and regulations, or of any amendments to the applicable laws and regulations of Kenya, the parties shall agree to make the necessary adjustments to the relevant provisions of this Contract, observing the principle of the mutual economic benefits of the parties.

Hybrid-Stabilization Provisions:

> 27.2 The State agrees and commits to Contractor, for the duration of this Agreement, to maintain the stability of the legal, tax, financial, minings, customs and economic import and export conditions of this Agreement in accordance with Article 27 of the Petroleum Law.
>
> 27.4 If at any time after this Agreement has been signed there is a change in the applicable laws, regulations or other provisions effective within Georgia which to a material degree adversely affect the economic position of the Contractor or any Contractor Party hereunder, the terms and conditions of this Agreement shall be altered so as to restore the Contractor to the same overall economic position as that which the Contractor would have been in had this Agreement been given full force and effect without amendment.

SOURCE: BY AUTHOR, EXTRACTS FROM THE ISLAMIC REPUBLIC OF MAURITANIA PSC FOR BLOCK C6, 2016, ARTICLE 26(3); THE KENYA PSC FOR BLOCK L1B, 2012, ARTICLE 40(2 AND 3); THE GEORGIA PSA FOR KUMISI BLOCK, 2000, ARTICLE 27(2 AND 4).

affect an investor (Radon, 2005; Salih and Salih 2015). As Muttitt (2006) points out, many PSCs contain worse provisions or so-called stabilisation provisions which give PSCs a higher legal status than other laws; and if there is a conflict with a future law, the PSCs take precedence. Consequently, even laws and regulations relating to labour standards, workplace safety, community relations, or the environment will not be able to be strengthened during the contract

period. Bernardini (2008: 99) also clarifies that "[b]y a stabilization clause the State accepts that the exercise of its legislative and administrative powers will not have the effect of modifying the contractual conditions agreed with the investor to the latter's detriment."

Furthermore, the scope of stabilisation provisions varies widely, and they come in different forms. The provisions may vary in respect to the period they cover. They can be granted for the entire contractual period or for an initial period of years of operations. Additionally, the coverage of stability provisions can also differ. They may cover only specific fiscal laws, or certain provisions (such as tax and royalty rates); alternatively, it could cover broad legal and fiscal laws (including environmental laws as well as labour legislation, companies and exchange control regulations), or cover every law/regulation that affects the contract. However, it is preferable to limit the fiscal stability provisions to direct taxation (including corporate tax, royalties, and other resource-specific taxes such as rent taxes) (Mansour and Nakhle, 2016). In other words, as illustrated in Table 1, the provisions can be the full stability provisions, which aim to protect against the implications of all changes of all laws for the entire duration of the project; or they can be the limited stability provisions, which have some limitation on the application of the provisions designed on the face of the contract.

TABLE 1 Variations of stabilization provisions

| | |
|---|---|
| **Full Freezing Clauses** freeze both fiscal and non-fiscal law with respect to investment for the duration of the project. Exemptions are required. | **Limited Freezing Clauses** freeze a more limited set of legislative actions. Exemptions are required. |
| **Full Economic Equilibrium Clauses** protect against the financial implications of *all changes of law*, by requiring compensation or adjustments to the deal to compensate the investor when any changes occur. | **Limited Economic Equilibrium Clauses** protect against financial implications of *some limited set* of changes in law or after specified costs are incurred. They require compensation or adjustments to the deal to compensate the investor only when the covered changes occur. |
| **Full Hybrid Clauses** protect against the financial implications of *all changes of law*, by requiring compensation or adjustments to the deal, including exemptions from new laws, to compensate the investor when any changes occur. | **Limited Hybrid Clauses** protect against financial implications of *some limited set* of changes in law or after specified costs are incurred. They require compensation or adjustments to the deal, including exemptions from new laws, to compensate investor only when the covered changes occur. |

SOURCE: SHEMBERG, 2008: 9

### Legal Complications of Stabilization Provisions of the Kurdistan Region PSCs in Comparison with Other Countries' PSCs

The Oil and Gas Law of the Kurdistan Region 2007, which is the main legislation providing the legal framework to govern and manage petroleum operations and all relevant activities in the Kurdistan Region (Salih, 2021), does not design stabilization; nor does it contain any direct provision on fiscal stability. The Law; however, under Article 40(3) has only stabilized the types of applicable taxes. It states that "[a]pplicable taxes of the Regional Government shall be the only taxes that apply to Petroleum Operations." On the other hand, the Model PSC of the KRG in Article 43(2–5), under the heading 'Fiscal Stability' has adopted the hybrid-stabilization provisions, which are a combination of freezing and economic equilibrium provisions. Article 43 of the KRG Model PSC stipulates that:

> 43.2 The obligations of the CONTRACTOR in respect of this Contract shall not be changed by the GOVERNMENT and the general and overall equilibrium between the Parties under this Contract shall not be affected in a substantial and lasting manner.
> 43.3 The GOVERNMENT guarantees to the CONTRACTOR, for the entire duration of this Contract, that it will maintain the stability of the legal, fiscal and economic conditions of this Contract, as they result from this Contract and as they result from the laws and regulations in force on the date of signature of this Contract. The CONTRACTOR has entered into this Contract on the basis of the legal, fiscal, and economic framework prevailing at the Effective Date.

The above provisions freeze the contractor obligations, as well as legal, fiscal, and economic conditions resulting from the contract, laws, and regulations at the time the contract is signed, for the entire duration of the contract. They also prohibit the host state from later enacting any law inconsistent with the contract. However, the KRG Model PSC in the second part of Article 43.3 and Article 43.4 has adopted economic equilibrium provisions broadly; it stipulates that:

> If, at any time after the Effective Date, there is any change in the legal, fiscal and/or economic framework under the Kurdistan Region Law or other Law applicable in or to the Kurdistan Region which detrimentally affects the CONTRACTOR, the CONTRACTOR Entities or any other Person entitled to benefits under this Contract, the terms and conditions

> of the Contract shall be altered so as to restore the CONTRACTOR, the CONTRACTOR Entities and any other Person entitled to benefits under this Contract to the same overall economic position (taking into account home country taxes) as that which such Person would have been in, had no such change in the legal, fiscal and/or economic framework occurred. 43.4 If the CONTRACTOR believes that its economic position, or the economic position of a CONTRACTOR Entity or any other Person entitled to benefits under this Contract, has been detrimentally affected as provided in Article 43.3, upon the CONTRACTOR's written request, the Parties shall meet to agree on any necessary measures or making any appropriate amendments to the terms of this Contract to re-establishing the equilibrium between the Parties and restoring the CONTRACTOR, the CONTRACTOR Entities or any other Person entitled to benefits under this Contract to the position (taking into account home country taxes) it was in prior to the occurrence of the change having such detrimental effect. Should the Parties be unable to agree on the merit of amending this Contract and/or on any amendments to be made to this Contract within ninety (90) days of the CONTRACTOR's request (or such other period as may be agreed by the Parties), the CONTRACTOR may refer the matter in dispute to arbitration as provided in Article 42.1, without the necessity of first referring the matter to negotiation and mediation.

Despite adopting the hybrid-stabilization provisions, which is a negative point for the host states, the KRG Model PSC has given another right to the contractors, allowing them to benefit from any future change to the Kurdistan Region petroleum legislation. This means if the change to legislation is against the contractors, it will not apply to the contractors. However, if it is to their benefit, it will apply. The KRG Model PSC in Article 43.5 states that "[w]ithout prejudice to the generality of the foregoing, the CONTRACTOR shall be entitled to the benefit of any future changes to the petroleum legislation or any other legislation complementing, amending or replacing it." It is clear that Article 43.5 of the KRG Model PSC is one of the main negative points for the KRG.

By reviewing the available PSCs of the KRG, it can be observed that most of the KRG's PSCs have adopted the exact hybrid-stabilization provisions that have been adopted by the KRG Model PSC.[3] They contain the stabilisation

3 For example see common Article 43(2–5) of the Kurdistan PSC for Rovi Block, 2006; the Kurdistan PSC for Mala Omar Block, 2007; the Kurdistan PSC for Atrush Block, 2007; the Kurdistan PSC for Bazian Block, 2007; the Kurdistan PSC for Sangaw South Block, 2008; the Kurdistan PSC for Qush Tappa Block, 2008; the Kurdistan PSC for Arbat Block, 2009; the Kurdistan PSC

provisions that are worded broadly, under which not only fiscal but also all legal and economic framework of the Kurdistan Region legislations or other legislation applicable in or to the Kurdistan Region have been stabilized, and not only for the contractor, but also for the contractor entities or any other person entitled to benefits under the contract. The KRG's PSAs for Taq Taq, Pulkhana and Bina Bawi Blocks, which were signed in 2002, 2003 and 2006 respectively, have adopted broader hybrid-stabilization provisions, under which the government has stabilized the legal, tax, financial, mining, customs, and economic import and export conditions of the contracts for the duration of the contracts; then they have provided economic equilibrium provisions. This is in contrast to most of the countries' PSCs, which have only stabilized fiscal provisions for the contractor. For instance, the adopted stabilization (economic equilibrium) provisions of the Qatar Model Exploration and Production Sharing Agreement 2002 entitled 'Economic Stabilization' states that:

> In the event CONTRACTOR is subjected by GOVERNMENT or QP [Qatar Petroleum], to any additional liabilities, fees, taxes, imposts or costs of any sort or kind, other than deminimus ones, during the term of this Agreement, then CONTRACTOR shall have the right to request from QP a modification to the terms and condition of this Agreement that will restore CONTRACTOR to the economic position it was in prior to the imposition of such liabilities, fees, taxes, imposts, or costs.

In addition, the Nigeria PSC for Block 905 Anambra Basin of 2007, in Article 27(1 and 2) holds that if fiscal terms of the contract are changed, parties agree to review the affected terms and conditions by such change to align them with the fiscal terms of the contract. It also states that if there is a change in legislation or regulations that materially affect the commercial benefit of the contractor, the parties shall agree to such amendments to the contract as are necessary to restore as near as practicable such commercial benefits which existed under the contract as of the effective date. Also, according to Article 16(1)3 of the Ethiopia Model PSA of 2011:

> In the event that after the Effective Date of this Agreement the economic benefits to be derived by a Party from the Petroleum Operations under this Agreement are substantially affected by the promulgation of new

for Pulkhana Block, 2009; the Kurdistan PSC for Central Dohuk Block, 2010; the Kurdistan PSC for Safen Block, 2010; the Kurdistan PSC for Topkhana Block, 2011; the Kurdistan PSC for Garmian Block, 2011.

> laws and regulations or of any amendments to the applicable laws and regulations of Ethiopia and if the affected Party so requests, the Parties shall agree to make the necessary adjustments to the relevant provisions of this Agreement, in order to ensure that the affected Party is restored to the same economic condition it would have been in if such change in the applicable laws had not taken place.

A further point to note is about the scope and coverage of the Kurdistan Region stabilisation provisions. Most of the KRG's PSCs and its Model PSC have adopted the full hybrid-stabilization provisions, which offer protection against the implications of all changes of all laws and regulations for the entire duration of the project. Al-Saleem (2020) clarifies that "[b]ecause of the fiscal and legal stabilization clause (art 43), oil companies have big advantages against KRG in any future dispute, as it means that the region, under any circumstances, can't make any submission or claim before courts to reduce its fiscal or legal obligations in future." Devine and Severova (2015) indicate that the host states generally push back on widely drafted stabilization provisions; the States mostly adopt stabilization provisions that offer protections against direct or discriminating changes against the contractor without limiting the ability of the host state to introduce changes to general laws, such as environmental and labour laws. Several other countries' PSCs have adopted limited stability provisions which have some limitations on the application of the provisions on the contracts. For instance, Uganda has limited stabilization provisions only for income taxes in two of its PSCs. Article 33(2) of the Republic of Uganda PSA for Exploration Area 1 and for Kanywataba Prospect Area, which has been signed in 2012 hold that:

> If after the Effective Date, there is any change in any law in Uganda dealing with income tax which substantially and adversely alters the economic benefits accruing to the Licensee, … the Parties shall negotiate in good faith to agree upon the effect of the changes in law and the necessary adjustments and modifications to the Agreement in order to maintain the economic benefit of the Licensee which existed at the Effective Date of this Agreement.

Likewise, but more broadly, common Article 17(10) of the India PSC for RJ-ONN-2004/2 Block, 2007 and the India Model PSC 2010 have limited stabilization provisions to income tax and other types of taxes, customs duty, and other levies. They state that:

> If any change in or to any Indian law, rule or regulation dealing with income tax or other corporate tax, export/import tax, excise, customs duty or any other levies, duties or taxes imposed on Petroleum or dependent upon the value of Petroleum results in a material change to the expected economic benefits accruing to any of the Parties after the date of execution of the Contract, the Parties shall consult promptly in good faith to make necessary revisions and adjustments to the Contract in order to …

Additionally, the Republic of Kenya Model PSC 2015, besides the adopted economic equilibrium provisions, has excepted several provisions of the Kenyan laws, which in Article 52 (4) stipulate that:

> Nothing in this clause [equilibrium provisions] shall be interpreted as imposing any limitation or constraint on the scope or due and proper enforcement of the laws of Kenya of general application and which are in the interest of health, safety, conservation, or the protection of the environment for the regulation of any category of property or activity carried on in Kenya; … in accordance with best petroleum industry practices.

Two of the latest contracts of Lebanon, the Exploration and Production Agreement for Block 4 and Block 9 of 2018, have also excepted Lebanese law relating the improvement of health, safety, environmental standards consistent with the evolution of international standards and practices from their adopted economic equilibrium provisions. The Islamic Republic of Mauritania PSCs for Block C6 of 2016; for Block C12 of 2012; and for Block C8 of 2012 provide that after the effective date of the contract, without the prior agreement of the parties, no legislative or regulatory provision may be applied to the contractor. It may be anything that directly or indirectly diminishes rights or increases obligations of the contractor under the contract and the legislation and regulations in force upon the effective date of the contract, excepting the legislative and regulatory provisions which are generally applicable, in the matter of safety of persons and protection of the environment or employment law.

Only five of the KRG's available PSCs have adopted limited hybrid-stabilization provisions. The KRG's PSAs for Erbil and Tawke Blocks, signed in 2004, have excepted changes in laws relating to the environment, health, and safety from their adopted hybrid-stabilization provisions. The KRG in its PSCs for Qala Dze, Dinarta, and Piramagrun Blocks, signed in 2011, has adopted more effective and more limited hybrid-stabilization provisions. According to Clause 43 of the three mentioned PSCs entitled 'Fiscal Stability', the KRG shall

maintain the stability of the fiscal conditions of the contracts for the entire duration of the contracts. However, these three PSCs also stipulate that fiscal stability does not apply to government interest holders. Also, under these PSCs, the contractor acknowledges that the KRG may propose laws. These laws could have a beneficial or detrimental effect on the fiscal position of the contractor, and their primary purpose may be: the protection of the environment, promotion of the health and safety of the Kurdistan Region citizens and personnel engaged in petroleum operation, the regulation of hazardous substances (all to the standards of the European Union); decommissioning of petroleum facilities to the standards of the European Union and Alberta, Canada; regulation of pipelines; and the regulation of companies. According to these PSCs, the introduction of these laws will not entitle the contractor or any contractor entity to any rights to any alteration to the terms of these contracts.

More noticeably, these three PSCs have only adopted economic equilibrium provisions for the changing of tax laws, under which if after the effective date, there is any change to the Kurdistan Region tax laws and thus, the fiscal position of the contract entities is materially affected, not only detrimentally but also beneficially, then the contractor and the KRG shall negotiate to alter the terms of the contract so as to place the contractor entities in the same overall economic position as that which the original contractor entity would have been without any change of tax law. Furthermore, under no circumstances will the KRG will be liable to any party or person for any consequential or indirect losses due to any change of tax law. If there is a dispute between both parties with respect to the effect of the change of tax law, then any party can refer the dispute to arbitration according to the provisions of the contract without first referring to negotiation and mediation.

It is interesting to note that the adopted full hybrid-stabilization provisions, which have been drafted very widely, are one of the main legal complications of almost all the Kurdistan Region's PSCs. Most countries' PSCs and Model PSCs worldwide contain no stabilization provisions. For example, PSCs of Belize, Brazil, Colombia, Trinidad and Tobago (Models 2006, 2014 and 2018), the Republic of Equatorial Guinea (Model 2006), Bangladesh (Model 2008), Cyprus (Models 2007 and 2012), Jordan (Model 2009), Libya (Model 2006), Sao Tome and Principe, Tanzanian (Models 2008 and 2013), and the Democratic Republic of Timor-Leste, contain no stabilization provision.[4]

4 See the Belize Agreement for Petroleum Exploration, Development and Production for Block A, 2000; the Belize Agreement for Petroleum Exploration, Development and Production for Block B, 2000; the Brazil PSC for Libra-P1 Area, 2013; the Colombia PSC for Rio Magdalena Area, 2001; the Colombia PSC for Guayuyaco Area, 2002; the Republic of Trinidad

Finally, it can be argued that due to the longevity of oil and gas contracts, the KRG cannot easily reform its signed contracts for the signed period. However, from 2014 to 2016 several IOCs relinquished their interests in a total of 29 blocks due to several reasons, such as the beginning of the fight against ISIS in Iraq, the dramatic fall in oil prices in mid-2014, and the KRG's challenges to pay IOCs until February 2016. The KRG currently has about 24 open-licence blocks with significant available data such as 2D or/and 3D seismic survey and a number of existing wells in most of these blocks. Hence, it is a great opportunity for the KRG to extricate the contracts from complications of the adopted full hybrid-stabilization provisions, before dealing with IOCs (Salih and Yamulki, 2020b). The best evidence to prove the bargaining power of the KRG to adopt limited-stability provisions as well as its ability to succeed in securing investment without offering somewhat broad stabilization provisions is the KRG's utilized PSCs for Qala Dze, Dinarta and Piramagrun Blocks in 2011, which adopted more effective and more limited hybrid-stabilization provisions, as mentioned earlier.

## Conclusion

Another strategy with respect to the legal regime of petroleum contracts is the incorporation of stabilization provisions. Due to long periods of petroleum contracts, the host states may change their domestic laws and policy within their territory, which may have significant risks for and negative impacts upon IOCs. On the contrary, the contractors want the petroleum contracts to contain stabilization provisions in order to restrict the legislative or administrative power of the host state to amend the contractual regulation or even to annul the agreement. Commentators classify stabilization provisions into different categories. For example, several authors such as Oyewunmi (2011), Paterson

and Tobago Model PSC 2006; the Republic of Trinidad and Tobago Model PSC 2014; the Republic of Trinidad and Tobago Model PSC 2018; the Republic of Equatorial Guinea Model PSC 2006; the People's Republic of Bangladesh Model PSC 2008; the Republic of Cyprus Model PSC 2007; the Republic of Cyprus Model PSC 2012; the Jordan Model PSA 2009; the Libya Model PSC 2006; the democratic Republic of Sao Tome and Principe PSC for block 12, 2016; the democratic Republic of Sao Tome and Principe PSC for block 11, 2014; the democratic Republic of Sao Tome and Principe PSC for block 5, 2012; the United Republic of Tanzania Model PSC 2008; the United Republic of Tanzania Model PSC 2013; the Democratic Republic of Timor-Leste PSC for Contract Area E, 2006; the Democratic Republic of Timor-Leste PSC for Contract Area C, 2006; the Democratic Republic of Timor-Leste PSC for Contract Area H, 2006.

(2018), and Olawuyi (2018) have divided stabilization provisions into two types: freezing and economic equilibrium provisions. According to Jasimuddin and Maniruzzaman (2016) and Emeka (2008), stabilization provisions are of two types: traditional freezing and modern hybrid-stabilization provisions. While this study divides stabilization provisions into three key types: freezing, economic balancing/equilibrium, and hybrid stabilization provisions. Stabilisation provisions, as negative provisions for the host states, can freeze the legal and regulatory situation of the country and give PSCs a higher legal status than other laws; and if there is a conflict with a future law, the PSCs take precedence. The scope, coverage and the period of stabilisation provisions vary widely. They can be granted for the entire contractual period or an initial period of years of operations; they also may cover only certain provisions or cover every law/regulation that affects the contract.

The Oil and Gas Law of the Kurdistan Region 2007 has only stabilized the types of applicable taxes. It does not contain any other direct provision on fiscal stability. While, several other countries' PSCs have only stabilized fiscal provisions for the contractor, the Model PSC of the KRG in Article 43(2–5) and most of its PSCs have adopted the overly broad full hybrid-stabilization provisions, under which not only the fiscal but also all legal and economic frameworks of the Kurdistan Region legislations or other legislation applicable in the Kurdistan Region have been stabilized; not only for the contractor, but also for the contractor entities or any other person entitled to benefits under the contract, for the entire duration of the contract. They also have adopted economic equilibrium provisions broadly. The early signed PSCs of the KRG have adopted even broader hybrid-stabilization provisions. Generally, the host states push back on widely drafted stabilization provisions. For instance, Uganda has limited stabilization provision only to income taxes in two of its PSCs; the India Model PSC 2010 has limited stabilization provisions to income tax and other types of taxes, customs duties and other levies; and Lebanon's latest contracts have also excepted Lebanese law relating the improvement of health, safety, environmental standards from their adopted economic equilibrium provisions. In addition, most countries' PSCs and Model PSCs worldwide contain no stabilization provisions. However, only a few of the KRG's latest PSCs have adopted limited hybrid-stabilization provisions. Therefore, the adopted hybrid-stabilization provisions, which have been drafted very widely, feature among the main legal complications of almost all the KRG's PSCs and due to having about 24 open license blocks with significant available data and existing wells in most of them, currently, it is a great opportunity for the KRG to extricate the contracts from complications of the adopted full hybrid-stabilization provisions before dealing with IOCs.

After summarizing the main findings of this study, to minimise legal contentions and risks relating to stabilization provisions of Kurdistan's PSCs, several significant recommendations, which should be considered by the Kurdistan Region, are presented, as follows: Adopting full hybrid-stabilization provisions of the Kurdistan Region's PSCs is not recommended. It is suggested for the KRG to push back on widely drafted stabilization provisions and adopt limited stability provisions, which have some limitations on the application of the provisions on the contracts – for example, the ability of the host state to introduce changes to general laws, such as environmental and labour laws. Additionally, the widely drafted hybrid-stabilization provisions are among the main legal complications of almost all of the Kurdistan Region's PSCs while most countries worldwide utilize PSCs that contain no stabilization provisions. Therefore, it is suggested that the KRG attempts to extricate PSCs from stabilization provisions.

## References

Ahmed, S. M. and Othman, A. M. S. (2016). Legal Effects of Risk Management in Petroleum Contracts: A Case Study of the KRG's Production Sharing Contracts. *Journal of University of Raparin*, 3(7), 73–88.

Al-Saleem, K. I. (2020). Assistant Professor in Law at Faculty of Law, Political Science and Management of Soran University, E-mail Interviewed by the Author on Legal Complications of Iraqi Kurdistan Region Production Sharing Contracts. Email from Al-Saleem to author on 25 August 2020.

Bernardini, P. (2008). Stabilization and Adaptation in Oil and Gas Investments. *Journal of World Energy Law & Business*, 1(1), 98–112.

Cameron, P. D. (2010). *International Energy Investment Law: The Pursuit of Stability*. Oxford: Oxford University Press.

Cameron, P. D. (2016). Investment Cycles and the Rule of Law in the International Oil and Gas Industry: Some Reflections on Changing Investor-State Relationships. *Houston Journal of International Law*, 38 (3), 755–796.

Cameron, P. (2014). In Search of Investment Stability. In K. Talus (ed.). *Research Handbook on International Energy Law*, (124–149). Cheltenham: Edward Elgar Publishing Limited.

Devine, R. and Severova, A. (2015). Bargain Hunting in the Low Oil Price Environment: Key Issues for Investors When Bidding for Hydrocarbons in New Frontiers. *Journal of World Energy Law and Business*, 8(5), 425–438.

Emeka, J. N. (2008). Anchoring Stabilization Clauses in International Petroleum Contracts. *The International Lawyer*, 42(4), 1317–1338.

Jasimuddin, S. M. and Maniruzzaman, A. F. M. (2016). Resource Nationalism Specter Hovers Over the Oil Industry: The Transnational Corporate Strategy to Tackle Resource Nationalism Risks. *The Journal of Applied Business Research*, 32(2), 387–400.

Mansour, M. and Nakhle, C. (2016). Fiscal Stabilization in Oil and Gas Contracts: Evidence and implications. *OIES Paper: SP* 37. Retrieved from https://www.oxfordenergy.org/wpcms/wp-content/uploads/2016/02/Fiscal-Stabilization-in-Oil-and-Gas-Contracts-SP-37.pdf (last accessed 12 May 2021).

Muttitt, G. (2006). Production Sharing Agreements – Mortgaging Iraq's Oil Wealth. *Arab Studies Quarterly*, 28(3/4), 1–17.

Olawuyi, D. S. (2018). *Extractives Industry Law in Africa*. Cham: Springer Nature Switzerland AG.

Oyewunmi, T. (2011). Stabilisation and Renegotiation Clauses in Production Sharing Contracts: Examining the Problems and Key Issues. *Oil, Gas & Energy Law Intelligence Journal* (*OGEL*), 9(6), 1–25.

Paterson, J. (2018). Production Sharing Agreements in Africa: Sovereignty and Relationality. *CML Working Paper Series*, Paper No. 18/11. Retrieved from https://law.nus.edu.sg/cml/pdfs/wps/CML-WPS-1811.pdf (last accessed 13 May 2021).

Radon, J. (2005). The ABCs of Petroleum Contracts: License-Concession Agreements, Joint Ventures, and Production-sharing Agreements. In S. Tsalik and A. Schiffrin (eds.). *Covering Oil: A Reporter's Guide to Energy and Development*, (61–99). New York: Open Society Institute.

Salih, M. S. and Salih, R. S. (2015). Strategy of Oil Contract Negotiation. *International Journal of Business and Social Science*, 6(9), 168–175.

Salih, M. S. and Yamulki, A. (2020) Stabilisation and Renegotiation Clauses in Iraqi Kurdistan Oil and Gas Contracts: A Comparative Study. *Journal of Law, Policy and Globalization*, 101–117.

Salih, R. S. and Yamulki, A. (2020a). Petroleum Exploration and Production Contracts as Regulatory Tools: The Kurdistan Region Production Sharing Contracts. *Journal of Law, Policy and Globalization*, 101, 165–184.

Salih, R. S. and Yamulki, A. (2020b). Reforms Feasibility in Kurdistan Region Petroleum Contracts, Triggered by the New Regional Blocks Divisions. *International Journal of Business and Social Science*, 11(5), 35–56.

Salih, R. S. (2021). Legal Framework of Local Content Requirements in The Iraqi Kurdistan Region Oil and Gas Sector. *Palarch's Journal of Archaeology of Egypt/Egyptology*, 18(08), 304–321.

Shemberg, A. (2008). Stabilization Clauses and Human Rights. A Research Project Conducted for IFC and the United Nations Special Representative of the Secretary General on Business and Human Rights, International Finance Corporation.

Retrieved from http://documents.worldbank.org/curated/en/502401468157193496/pdf/452340WP0Box331ation1Paper01PUBLIC1.pdf (last accessed 13 May 2021).

Thaib, W. S. and Santiago, F. (2018). Tax Stabilization Clause in Oil and Gas Industry. *Advances in Economics, Business and Management Research*, 59, 360–362.

## Table of Statutes

Oil and Gas Law of the Kurdistan Region – Iraq No. (22) of 2007.

## Table of Cases

*Texaco Overseas Petroleum Co. and Cal. Asiatic Oil Co. v. Gov't of the Libyan Arab Republic* [1977] 53 INT'L L. REP. 389.

## Table of Production Sharing Contracts

The Belize Agreement for Petroleum Exploration, Development and Production for Block A, 2000.

The Belize Agreement for Petroleum Exploration, Development and Production for Block B, 2000.

The Brazil PSC for Libra-P1 Area, 2013.

The Colombia PSC for Guayuyaco Area, 2002.

The Colombia PSC for Rio Magdalena Area, 2001.

The democratic Republic of Sao Tome and Principe PSC for block 11, 2014.

The democratic Republic of Sao Tome and Principe PSC for block 12, 2016.

The democratic Republic of Sao Tome and Principe PSC for block 5, 2012.

The Democratic Republic of Timor-Leste PSC for Contract Area C, 2006.

The Democratic Republic of Timor-Leste PSC for Contract Area E, 2006.

## The Democratic Republic of Timor-Leste PSC for Contract Area H, 2006

The Georgia PSA for Kumisi Block, 2000.

The India PSC for RJ-ONN-2004/2 Block, 2007.

The Islamic Republic of Mauritania PSC for Block C12, 2012.

The Islamic Republic of Mauritania PSC for Block C6, 2016.

The Islamic Republic of Mauritania PSC for Block C8, 2012.
The Kurdistan PSA for Bina Bawi Block, 2006.
The Kurdistan PSA for Chiasorkh, Kifri and Cemcemal Areas (Pulkhana Block), 2003.
The Kurdistan PSA for Dihok Area (Tawke Block), 2004.
The Kurdistan PSA for Erbil Block, 2004.
The Kurdistan PSA for Taq Taq Block, 2002.
The Kurdistan PSC for Arbat Block, 2009.
The Kurdistan PSC for Atrush Block, 2007.
The Kurdistan PSC for Bazian Block, 2007.
The Kurdistan PSC for Central Dohuk Block, 2010.
The Kurdistan PSC for Dinarta Block, 2011.
The Kurdistan PSC for Garmian Block, 2011.
The Kurdistan PSC for Mala Omar Block, 2007.
The Kurdistan PSC for Piramagrun Block, 2011.
The Kurdistan PSC for Pulkhana Block, 2009.
The Kurdistan PSC for Qala Dze Block, 2011.
The Kurdistan PSC for Qush Tappa Block, 2008.
The Kurdistan PSC for Rovi Block, 2006.
The Kurdistan PSC for Safen Block, 2010.
The Kurdistan PSC for Sangaw South Block, 2008.
The Kurdistan PSC for Topkhana Block, 2011.
The Lebanon Exploration and Production Agreement for Block 4, 2018.
The Lebanon Exploration and Production Agreement for Block 9, 2018.
The Nigeria PSC for Block 905 Anambra Basin, 2007.
The Republic of Kenya PSC for Block L1B, 2012.
The Republic of Uganda PSA for Exploration Area 1, 2012.
The Republic of Uganda PSA for Kanywataba Prospect Area, 2012.

### Table of Model Production Sharing Contracts

The Federal Democratic Republic of Ethiopia Model PSA 2011.
The India Model PSC 2010.
The Jordan Model PSA 2009.

### The Kurdistan Regional Government Model PSC

The Libya Model PSC 2006.
The People's Republic of Bangladesh Model PSC 2008.

The Qatar Model PSC 2002.
The Republic of Cyprus Model PSC 2007.
The Republic of Cyprus Model PSC 2012.
The Republic of Equatorial Guinea Model PSC 2006.
The Republic of Kenya Model PSC 2015.
The Republic of Trinidad and Tobago Model PSC 2006.
The Republic of Trinidad and Tobago Model PSC 2014.
The Republic of Trinidad and Tobago Model PSC 2018.
The United Republic of Tanzania Model PSC 2008.
The United Republic of Tanzania Model PSC 2013.

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 73–81

Kurdish Studies Archive

brill.com/ksa

*Interview*

# Establishing a Journal, Shaping a Field: an Interview with Dr Welat Zeydanlıoğlu

*Marlene Schäfers* | ORCID: 0000-0001-8992-7926
Assistant Professor, Department of Cultural Anthropology,
Utrecht University, Padualaan 14, 3584 CH Utrecht, the Netherlands
*e.m.schafers@uu.nl*

**Abstract**

In this interview, founder and long-time managing editor of Kurdish Studies, Dr Welat Zeydanlıoğlu, tells the story of the journal's establishment and recalls its development to becoming the leading English-speaking journal in the field of Kurdish studies today. He explains the relations between the journal and the Kurdish Studies Network, reflects on the difficulties that the journal has faced over the years, and outlines its major contributions to the field. The interview sheds light not only on the history of a journal but on the development of an entire scholarly field, while sketching the challenges lying ahead.

**Keywords**

Kurdish studies – Kurdish Studies Network – Kurdish Studies journal

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_006

# Avakirina kovarekê, şikildana qadekê: Hevpeyvîneke ligel Dr. Welat Zeydanlioglu

Di vê hevpeyvînê de, avaker û edîtorê rêvebirinê yê demdirêj ê Kurdish Studiesê, Dr. Welat Zeydanlioglu behsa çîroka avakirina kovarê dike û pêşketina wê ya ber bi bûyîna kovara sereke ya îngilîzî di qada Xebatên Kurdî de bi bîr tîne. Ew, têkiliyên di navbera kovarê û Kurdish Studies Networkê de rave dike, zehmetiyên ku kovar di nav salan de rûbirû maye nîşan dide û bi kurtasî behsa tevkariyên wê yên girîng ên bo qadê dike. Hevpeyvîn ne tenê dîroka kovarekê, lê herwiha pêşketina tevahiya qadeke zanistî ron dike ligel nexşkirina kêşeyên li pêş.

# Ronayîşê kovarêk, şekilnayîşê beşêk: Dr. Welat Zeydanliogluyî reyde roportaj

Nê roportajî de awanker û seredîtoro demgerg yê Kurdish Studiesî, Dr. Welat Zeydanlioglu, qalê hîkayeya ronayîşê kovare keno û ano vîr ke senî aver şîya ewro bîya kovara beşê kurdolojî ya sereke ke îngilizkî vejîyena. O têkilîya mabênê kovare û Torra Kurdolojî de îzah keno, zehmetîyê ke kovare serranê peyênan de dîyî, înan nawneno û beşdarîyanê nê warî yê tewr muhîman ser o vindeno. Roportaj tena tarîxê kovare rê roştî nêdano, la averşîyayîşê pêroyê beşê akademîkî kî ano çiman ver û eynî dem de zehmetîyê ke verê ma der ê, înan teswîr keno.

# دامەزراندنی ژۆرنالێك، دارشتنی بواریك: چاوپێکەوتنێک لەگەڵ دکتۆر وەلات زەیدانلیئوغلۆ

لەم چاوپێکەوتنەدا، دکتۆر وەلات زەیدانلیئوغلۆ، دامەزرێنەر و سەرنوسەری درێژخایەنی کارگێری کوردیش ستەدیس، چیرۆکی دامەزراندنی ژۆرنالەکە دەگێرێتەوە و گەشەسەندنەکەشی بیردەخاتەوە کە ئەمرۆ بۆتە ژۆرنالێکی پێشەنگی ئینگلیزی زمان لە بواری دیراساتی کوردیدا. ئەو پەیوەندییەکانی نێوان ژۆرنالەکە و تۆڕی دیراساتی کوردی ڕوون دەکاتەوە، ئەو سەختییانەش نیشان دەدات کە لە ماوەی ساڵانی ڕابردوودا ڕووبەڕووی ژۆرنالەکە بوونەتەوە، وە باس لە بەشداریی سەرەکییەکانی ژۆرنالەکە لە بوارەکەدا دەکات. چاوپێکەوتنەکە تەنها تیشک خستنە سەر میژووی ژۆرنالێک نییە، بەڵکو بۆ سەر گەشەسەندنی تەواوەی بواریکی زانستیشە، لە هەمان کاتدا ئەو ئاڵنگارییانەش دەخاتە ڕوو کە دێنە پێش.

***Marlene Schäfers:*** *Can you tell us about when and how Kurdish Studies was founded? What were your main motivations at the time?*

**Welat Zeydanlıoğlu:** The first idea of the journal was born in 2012 at the World Kurdish Congress (WKC) in Erbil, organised by the Kurdistan Regional Government in Iraq (KRG).[1] Quite a few scholars who were also subscribed to the Kurdish Studies Network (KSN) were present at the five-day event, which aimed to bring together international and local scholars who study Kurdish society, politics, economy, etc. We used that as an occasion to have an informal KSN gathering to meet face to face. At that meeting, I floated the idea for the first time that the field urgently needed a new journal in English which met international scholarly standards, and which was to represent the exciting new research that was being carried out by scholars of Kurdish studies. Pretty much everyone present agreed that this was needed, especially so since the last such journal had ceased to exist several years previously. I think it was that evening or the following day that I was introduced to Professor Ibrahim Sirkeci, who is a known scholar of migration studies and has also written extensively on Kurdish migration, and we got chatting about the idea of a journal, if it was a feasible idea and what could be done about it.

To be honest, it started off as a rather spontaneous brainstorming and we spent the coming days having deeper discussions about different aspects of it. The idea was that I had the connections to the scholarly community and was already running the KSN, while Professor Sirkeci would help out with all other aspects including the database, website, indexing and so on. The only experience I had of the publishing world was that I had published in scholarly journals and was an avid reader of journal articles. It was a bit of a dream of mine to see the foundation of a respectable journal in Kurdish studies. But I would have never dreamt of entering such a project if it was not for the fact that Professor Sirkeci was already running several journals – one of which, *Migration Letters*, a leading journal in the field, stretched back many years – and that he was offering his expertise and know-how of journal management. Once we agreed on the project, we approached Professor Joost Jongerden to join us. He kindly agreed and closely contributed to the journal for many years. Once we got back from Erbil, we worked hard for many months to approach scholars and establish the editorial board. Professor Martin van Bruinessen kindly accepted to be editor-in-chief, and many other established and upcoming scholars have joined the journal's board since then.

1 Welat Zeydanlıoğlu, independent researcher and coordinator of the Kurdish Studies Network (KSN), Sweden. E-mail: welatzeydan@hotmail.com.

My main motivation for the journal was to establish a scholarly outlet that would be as good as other internationally respected journals. As such it was important that it lived up to the academic standards of such journals, whether it came to the peer review process and quality of articles, or the design, presentation, etc. It was also important that it did not lose its "Kurdish character" and was accessible to non-English speaking Kurdish scholars, so from the first issue we translated all abstracts to Kurmanji and Sorani, and later on to Zazaki as well. It was also important for me that the journal would have complete editorial freedom and be a sound forum for scholarly work that was being carried out by scholars both in Kurdistan and across the world. Finally, it was crucial for me that the journal should not be tainted by Kurdish party politics or over-represent a certain part of Kurdistan.

One of several journals that I followed closely (which included journals such as *New Perspectives on Turkey* and *Middle East Studies*) was the well-respected journal *Nations and Nationalism* and this influenced what I was aiming at to quite an extent. The fact that *Nations and Nationalism* is backed by a scholarly association (ASEN); that there are annual ASEN conferences that bring the scholars of the field together; that there is a mailing list for the scholarly community; that there is a database of scholars of nationalism and so on – all these were things I wanted for Kurdish Studies as well.

***Schäfers:*** *How is the Kurdish Studies journal linked to the Kurdish Studies Network (KSN)?*

**Zeydanlıoğlu:** I would say the Kurdish Studies journal is the culmination of a process closely connected to the development of the KSN. Nowadays, however, the journal is more independent, but both the journal and the network keep supporting each other as there is a synergy between the two. Let me explain from the beginning. While doing my MA and PhD at the beginning of the 2000s, I realised that scholars of Kurdish studies were quite fragmented. By that I mean there were constellations of scholars in different locations that did not have much contact with each other or only had loose connections. For example, if an edited volume was to be organised, the guest editors would have a small circle of colleagues or friends they would approach. Calls for papers would not circulate very widely. It was very common to see "the usual names," so to say, in different projects. There was a disconnectedness and a lack of a forum to keep in touch and get updates on research being carried out, on new publications; basically, about who is who and who is doing what. All the things I mentioned with regards to ASEN were lacking in Kurdish studies. The fragmentation was also fuelled by political, geographical, linguistic, and

ideological divisions that were preventing the establishment of independent scholarly forums. When established, they were often not long-lasting.

When doing my PhD, I was trying to bring together the criticism emerging in postcolonial studies and debates surrounding Orientalism and adapt those to Turkey's nation-building project and the Kurdish question. Postcolonial studies was not as popular back then as it is now in Kurdish studies. In fact, I was seriously struggling to find scholars with whom I could discuss the connection between Orientalism and the representation of the Kurds. My PhD supervisor was an expert on postcolonial studies, but he knew very little about the Kurdish question. Scholars of Kurdish studies I was in touch with did either not have much to say about postcolonialism, or would revert to traditional Marxist arguments. Some Turkish scholars had provided a solid deconstruction of Kemalism in this regard but had left the representation of the Kurdish issue out. Those that focused on the Kurdish issue lacked the postcolonial critique or were not aware of the "postcolonial turn." The literature in postcolonial studies itself barely mentioned the Kurds and the Kurdish issue. The brown man's colonialism was really not a priority. Countries such as Turkey with an imperial past of their own that do not fit comfortably in the colonised/coloniser hierarchy were not dealt with properly in my opinion. I was systematically trawling publications and databases to find relevant research and was seriously lacking forums specific to Kurdish studies.

The problem for me became also apparent at the first international Exeter Kurdish Studies Conference. This was in 2009, if I remember correctly. It was an exciting event since not only the establishment of the Centre for Kurdish Studies at Exeter University was something of a revolution in itself, but it was also their first conference – in other words, a very important event for scholars operating in the Western world and beyond. When attending, I realised that quite a few people I knew were not present. When I asked why they had not attended, I was told that they were not aware of the event, which I found very strange. Here you had probably one of the most important annual conferences of the field and people had "not heard about it." It was there that I mentioned to friends and colleagues the idea of setting up a simple mailing list so we could keep in touch, share ideas, publications, upcoming events and just keep up to date with what was happening. Those I spoke to welcomed it. It was soon after that I set up a Google group and invited everyone I knew to join. I worked relentlessly to promote it and chased people up to join and share, I did this for many years. This also coincided with a time when more and more people were studying the Kurds and became interested in Kurdish affairs. Exciting things were happening, including more conferences that were organised, more books and articles published, more interdisciplinary research carried out. The KSN

grew rapidly and evolved into an important free forum for the sharing of information, knowledge, and literature, and I was working very hard trying to keep it as professional and independent as I could. The discussions on the KSN were obviously at times strongly influenced by the turbulent events in the Kurdish world, proving challenging to me as a moderator. A difficult balance had to be struck at times between KSN as a scholarly forum and KSN, as some saw it, as a platform for political activism. At the same time, it was also important for me to provide a democratic and free platform to Kurdish scholars free from hostile and racist attitudes. This meant that I had to protect the KSN members from trolls, bots, and people who joined to spread propaganda. Throughout, my policy as a moderator of KSN has been to make interventions into debates only when absolutely necessary in order not to stifle free speech, and to intervene only when contributions amounted to personal attacks, included abusive language, etc.

This experience with an increasingly flourishing KSN provided a first basis of trust and created a synergy that enabled me to dare taking the step to establish the journal with the help of the scholarly community.

***Schäfers:*** *Thinking back to the motivations with which you set out to found the journal, would you say the journal has achieved its goals?*

**Zeydanlıoğlu:** For the most part, I would say yes. We have managed to reach and maintain the standards we were aiming for. This has been confirmed through the feedback we have received from our authors and readers and through the citations indexes we have managed to join and be ranked in. I believe we are the longest running international Kurdish studies journal in English. We have published on a wide range of topics and disciplines and collaborated with all kinds of researchers active in the field. Since its launch in 2013, we have dedicated every other issue of our journal to a special issue, which we believe have made significant contributions to the field. Several of our special issues have become a "must read" for students studying that specific topic. Our articles have won prizes and received special mentions. Moreover, we have made a special effort to support and publish the works of upcoming Kurdish scholars, especially female Kurdish scholars. We have also over the years expanded our editorial board to include more Kurdish scholars and to have equal gender representation. Our peer-review process has been commended by several of our authors for its professionalism and supportive nature. It is important to note that our high standards and robust processes earned us the status as a leading journal ranked among the top quartile of journals, particularly in Cultural Studies and History. It is now indexed and abstracted in many platforms, including Web

of Science and Scopus, the most prestigious amongst these platforms. Surely, along with our meticulous editorial work, this achievement was only possible with the constant support of our publisher, Transnational Press London. They have committed to this journal without expecting financial returns.

There are, unfortunately, several areas and topics that we have not managed to publish articles on despite our efforts and commissioning. In this sense, we have been affected by the limitations that are prevalent in the field, with is overt focus on politics. Unfortunately, we also have not managed to publish much on Iranian Kurdistan. This reflects an overall problem of the field, where that part of Kurdistan remains underrepresented. Such realities impact our publications. We are ultimately dependent on scholars who want to publish their work with us, even if we also approach scholars directly and try to commission submissions and special issues. The harsh realities of the academic world with its publish-or-perish culture forces scholars to publish in big corporate journals. Furthermore, a lot of the articles we receive don't make it through our stringent peer-review process. These and other reasons have resulted in us not being able to cover certain topics. This problem is also connected to another challenge, namely having enough material to choose and plan future journal issues from. This has been a constant challenge for the journal, and something our chief editor, Professor Martin van Bruinessen warned us about from day one. Nonetheless, we have not wanted to lessen our belief in stringent peer review. In fact, I believe that this is one of our biggest contributions to the field of Kurdish studies: publishing a journal that can make a mark on the international knowledge production on the Kurds and Kurdistan and that publishes a level of quality that can compete with the best journals.

***Schäfers:*** *How have the journal and network changed the field of Kurdish Studies?*

**Zeydanlıoğlu:** Firstly, it has shown longevity that is unfortunately rare in the field. We have had several journals in Kurdish studies in the past, but they have all sadly ceased publishing after a few years. Secondly, we have introduced a lot of new scholars and genuine material to the field over the years. Our special issues ranging from issues of language and literature to diaspora and ethnicity to history and violence have all been guest edited by prominent experts of Kurdish studies, providing important interventions combined with critical introductions to the issues at hand. Our special issue on women and war in Kurdistan as well as single issue articles written on Kurdish women's issues have all been timely and made their mark on the larger debates. The special issues on Yezidis and Alevis brought forward new concepts, data, and discussions, and were very much welcomed by the scholarly community as

well as the communities themselves. Several of our historical articles have dug up important aspects of Kurdish history. Over the years, we have also published several articles on Kurdish literature that I believe have provided rich discussions. Our obituaries of prominent scholars of the field have played an important role not only in shedding light on specific scholars' work, but also in providing insights into larger developments in Kurdish studies. We have also carried out several interviews with prominent scholars of the field that have been read with great interest.

As I noted previously, I believe we have set a standard that future journals will be compared with. The network, too, has made a huge difference in terms of the connectedness of scholars and keeping up with events and publications. Unfortunately, during the past few years we have had to scale back our ambitions on the KSN-front since we did not have the necessary time or resources given that all our work is based on voluntary commitment. For example, for a long while now we have not had the time to update the extensive bibliography we once maintained of publications in Kurdish studies (although there are currently efforts underway to revive this). Despite this, the KSN still plays an important role in ensuring the scholarly community is well informed of the developments and events taking place in the field, which has always been its core mission.

***Schäfers:*** *What were some of the main challenges you encountered throughout the years?*

**Zeydanlıoğlu:** The biggest challenge has been to find enough high-quality articles for each issue while also supporting up-coming scholars in bringing their works up to quality, which we believe our readers expect. This has required immense dedication from our editors, reviewers, and proof-readers. I am happy with the support we have been able to provide to the field in this regard. However, this situation obviously reflects broader hierarchies in academia where Kurdish universities are often cut off from the theoretical and scholarly discussions that take place in the "centres of power" in Europe and the US. Kurdish scholars not educated in the West often struggle to make their voices heard and get published in international journals. This is in many ways a question of language, both in the sense of having access to a certain type of conceptual and scholarly language but also in the quite literal sense: scholars from Kurdistan may not always be equipped to write in English with ease, which is a disadvantage when it comes to putting their ideas and arguments across. To try to alleviate at least some of these issues of access, members of our editorial team have held several workshops on academic writing and the

scholarly publishing world specifically aimed at scholars based in Kurdistan, and I hope the team can do more of this kind of work in the future. Still, these are obviously small steps, given that scholars in the Kurdish and adjacent regions often lack sufficient financial, institutional, and intellectual support, which inevitably influences the kind of scholarship that can be undertaken. This is not to say that Kurdistan is bereft of good scholars, not at all, but it is to say that, unfortunately, these scholars do not receive the support they deserve, which has a direct impact on how they are able to participate in scholarly debates and bring across their arguments. It is thanks to the amazing team of editors we have that we have managed to keep on top of these challenges, but they remain challenges nonetheless and I sincerely hope that the hierarchies structuring the academic world will be able to shift in the years to come. If the journal could play even just a small part in such a shift, that would be a great achievement.

***Schäfers:*** *How do you think the journal should continue to develop in the future? Do you have any advice for the new editorial team?*

**Zeydanlıoğlu:** I believe the journal should promote itself much more and make itself more visible. It needs to get much more proactive in commissioning articles, without easing on its publishing standards. Here, the scholarly community also needs to take its responsibility and support its dedicated independent journal. As mentioned above, the journal should also continue working to bring voices of scholars based in Kurdistan to the scholarly debate and enlarge our horizons beyond the academic landscape dominated by Euro-American institutions. More can also be done to further promote female academics and their work through the journal.

BRILL

KURDISH STUDIES ARCHIVE 10 (2022) 83–96

Kurdish Studies Archive

brill.com/ksa

# *Book Reviews*

∴

Hamit Bozarslan, Cengiz Gunes, and Veli Yadirgi (eds.), *The Cambridge History of the Kurds*, Cambridge: Cambridge University Press, 2021, xxviii + 936 pp., DOI: 10.1017/9781108623711, ISBN 978-1-108-47335-4.

Counting almost a thousand pages and weighing close to two kilograms, this is a truly hefty volume. Its thirty-six chapters cover a very wide range of subjects, and the list of contributors is a veritable *Who is Who* of Kurdish studies. Among the several broad overviews of recent scholarship on the Kurds, this volume is the most impressive. Its appearance in the series of Cambridge Histories places the Kurds side by side with such well-established and respectable subjects as Iran, China, India, the Modern World, or War and Violence, and indicates that the study of the Kurds has definitively moved from the margins of academy to the centre of academic respectability.

The concept of 'history' is conceived very broadly in this volume; the focus is not on the narration of major events and the acts of important persons but on processes of social and political change. This makes it a very different work from the two most influential earlier works on Kurdish history, David McDowall's celebrated *Modern History of the Kurds*, of which a revised and updated edition was recently published, and Wadie Jwaideh's *The Kurdish National Movement*, which takes the history of Kurdish nationalism up to 1960 only but remains an important resource for the earlier period. Readers looking for a comprehensive account of the uprisings led by Shaykh Saʿid of Palu in Turkey and Shaykh Mahmud Barzinji in Iraq, the Mahabad Republic of 1946, the biographies of Mullah Mustafa Barzani or Dersim's Seyid Riza, or detailed accounts of the genocidal Anfal operation or Turkey's dirty war on the Kurds of the mid-1990s are better served by McDowall and Jwaideh and a number of specialized studies than by the current volume. Each of these events and persons is referred to in one or more chapters but the authors chose not to devote much space to relatively well-known events of which detailed accounts are already available.

Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_007

The changed approach to historiography compared to earlier works in the series, such as the 1970 *Cambridge History of Islam*, is evident in the selection of the editors, none of whom is trained as a historian but who have made their mark as political scientists with a strong interest in historical developments. Most of the contributors are also young and very productive scholars, more than two thirds of them Kurds themselves, who completed their PhDs in the past ten to fifteen years and who show their familiarity with the most recent research in their fields. Their expertise ranges from social and political theory to (socio-) linguistics, law, religion, media studies and gender studies but all bring a historical dimension to their contributions.

The first four chapters, which focus on pre-twentieth century developments, are by trained historians working with primary sources in Arabic, Persian and Ottoman Turkish. Boris James, whose earlier work has thrown new light on Kurdish society in the Ayyubid and Mamluk periods, extends the discussion of the rise and fall of Kurdish emirates from those days (12th–13th centuries) to include most of the Ottoman era up to the mid-19th century. In partially overlapping chapters, Metin Atmaca and Sabri Ateş discuss Kurdish relations with the Ottoman and Iranian states during the 16th–19th centuries and the destruction of the last Kurdish emirates by the Ottomans in the mid-19th century. Djene Rhys Bajalan follows this up with a study of the rise of Kurdish nationalism during the last decades of the Ottoman Empire. Veli Yadırgı complements these accounts of political developments with an overview of the changing political economy of Kurdistan during the four centuries of Ottoman control.

The next section consists of chapters that sketch developments of roughly demarcated, consecutive time periods since the demise of the Ottoman Empire: the interwar years (Metin Yüksel), the 1946–1975 period (Béatrice Garapon and Adnan Çelik), the 1970s (Cengiz Güneş), the last decades of the twentieth century (Hamit Bozarslan), and the new millennium (Mehmet Gurses and David Romano). Garapon and Çelik document the gradual shift from tribal aristocracy to left-wing students and intellectuals as major actors of the Kurdish movement during the 1960s – more clearly so in Turkey than in the other parts. Kurdish left movements receive further discussion in Mesut Yeğen's chapter on Kurdish nationalism in Turkey (in the next section) and in the chapter by Ahmet Hamdi Akkaya and Joost Jongerden comparing KDP-influenced and PKK-influenced movements towards the end of the volume. In the most thoughtful of the essays, "Dark Times," Bozarslan discusses the years of turmoil that were inaugurated with the Iranian revolution (1979), Turkey's 1980 military coup and the Iraq-Iran war (1980–88), which completely

transformed the Middle East and physically destroyed much of Kurdistan but also unexpectedly opened up some precarious space for Kurdish autonomy.

Bozarslan's essay frames the next section, which consist of a set of essays on recent developments (covering the past few decades) in the various parts of Kurdistan. The focus on recent (and in some cases very recent) events lends several of these chapters a journalistic and provisional character – which does not detract from their interest. I personally found Nicole Watts' chapter on Iraqi Kurdistan's tradition of street politics and the recent waves of street protests enlightening. The American invasion in Iraq and the role of the Kurds in it are not discussed but there is a brief discussion of its impact on the KRG, the rise of ISIS, conflicts between the Kurdish parties and the backgrounds and impact of the 2017 referendum on independence in the chapter by Gareth Stansfield. There exists hardly any literature in English on developments in Iranian Kurdistan since the end of the armed struggle in 1983, and therefore the chapter on this part of Kurdistan by Massoud Sharifi Dryaz deserves special attention. He discusses the shifting state discourse and policies towards the Kurds and other ethnic groups since the revolution and the changing ways of Kurdish political involvement (with remarkably changing degrees of participation in insurgent movements and in Iran's presidential and parliamentary elections). Along with Atmaca's analysis of developments in Iranian Kurdistan in the eighteenth century (in the first section of the volume), this chapter represents a welcome, informative addition to the literature on East Kurdistan.

The following sections deal with religion, language, literature and the arts, and 'transversal dynamics' (which include transnationalism and women's movements). For reasons of space, only some of the chapters of these sections will be briefly discussed. Mehmet Kurt writes about religion and politics in Turkish Kurdistan since the founding of the Republic, paying attention to changing government policies especially since the rise of the Milli Görüş movement and its successor the AKP, both of which had a strong following among the Kurds, and to the rise of various Kurdish Islamist movements including Hizbullah (on which he wrote an interesting dissertation). As he notes and describes in some detail, references to religious values and commemorations of events with religious connotations, which were almost absent in the discourse of the Kurdish movement of the 1960s and 1970s, have since the early 2000s gained a central place in the Kurdish public sphere. Personally I found the chapter on Kurdish Alevis by Erdal Gezik the most interesting in the religion section. Gezik presents many insights that are new to the English-language literature, although I am not convinced that the 'rediscovery' of Raa Haq / Riya Heqî, as the presumably indigenous name of the religion of Dersim is more

than the invention of tradition. But Gezik has an admirable command of the available written and oral sources, and he presents an authoritative overview of both the religion and the interactions of Kurdish Alevis with the state in the course of the past century.

The history of Kurdish and its relationship to other Iranian languages is surveyed in a masterly essay by Ergin Öpengin, who does not shy away from controversial issues on which many nationalists have strong opinions, such as the relationship of modern Kurdish to the language of the Medes, or whether Zazakî and Goranî are Kurdish dialects or distinct languages. Ably summing up more than a century of academic linguistic debate, he convincingly dismisses nationalist claims on purely linguistic grounds but grants that identity perceptions of the Zazakî and Goranî speakers are based on many non-linguistic, social factors and that socio-culturally speaking, 'Kurdish' may be conceived as an umbrella category encompassing linguistically different vernaculars. Discussing the rise of written and literary Kurmanji, he dismisses claims of the existence of Kurdish writing before the thirteenth century and shows that the earliest proper text in Kurdish (a brief prayer in Armenian script) dates from the fifteenth century, and the first literary texts from the late sixteenth. After a brief discussion of the heyday of literary Kurmanji, he analyses the current situation as one of a polycentric language, in which competing standards emerged. Jaffer Sheyholislami complements this with an equally well-informed chapter on the history and development of literary Central Kurdish (Sorani), surveying both earlier scholarship and the political context of the development of the language. Mehemed Malmîsanij, himself a prolific pioneer of modern written Zazakî, provides an authoritative overview of the internal variety of Zazakî/Kirmanckî dialects, scholarly debate on the dialects and their relationship with Kurdish, the emerging literature in varieties of this language, attempts at standardization, and the (very limited) acceptance of Zazakî/Kirmanckî classes in secondary and higher education in the brief period of Turkey's 'Kurdish opening.'

In the arts section, Mari Rostami's interesting chapter on the history of Kurdish theatre stands out if only because it is the only English-language treatment of the subject (besides her own dissertation, published in 2019). She discusses the origins of Kurdish performances in the carnival-like springtime play of *mîrmîran* and dramatic storytelling, and the new forms of theatre emerging under modernizing influences in such diverse settings as Soviet Armenia, British-influenced Iraq, the Mahabad Republic, and Kemalist Turkey and provides a succinct overview of the flourishing of modern Kurdish theatre closely allied with the political struggle and against great odds in Turkey since the 1990s. Engin Sustam provides a sophisticated discussion of the Kurdish arts

scene, showing that contemporary Kurdish artists have long left the stage of romantic cultivation of folklore behind and belong to the cutting edge of the global modern art scene. Sustam's insistence on framing his argument in terms of French theory (notably Deleuze and Guattari) does not make for easy reading, but his text is worth the effort.

The final section contains two chapters on transnationalism and the emergence of an organized Kurdish diaspora that have transformed Kurdish identity and the Kurdish struggle (by Ipek Demir and Barzoo Eliassi), both surveying the rapidly growing literature in this branch of Kurdish studies. The last two chapters concern the Kurdish women's movement. Choman Hardi surveys women's activism in the Kurdistan Region in Iraq, the issues and obstacles faced by activists, advances in women's rights (the criminalization of 'honour killing' and violence within the family), increased participation of women in public space, changes in gender awareness, and the still widespread resistance to women's demands and resilience of the patriarchal system. Isabel Käser focuses on the militant women's struggle within and in alliance with the PKK and the broader PKK-influenced Kurdish movement. Based on interviews with former and present cadres and activists, she reconstructs the development of revolutionary women's discourse and practice, in the guerrilla, in urban activism and within the legal pro-Kurdish party and discusses the *Jineolojî* project.

Altogether, this volume constitutes the most comprehensive and representative overview of the current state of scholarship on Kurdish history and society. It is a work of reference that should be available in any major library. Many scholars with an interest in a specific period or issue will find the relevant chapters helpful as an introduction to the specialized literature.

*Martin van Bruinessen* | ORCID: 0009-0009-4965-6485
Utrecht University
*m.vanbruinessen@uu.nl*

## References

Jwaideh, W. (2006). *The Kurdish Nationalist Movement: Its Origins and Development*. Syracuse, NY: Syracuse University Press [originally a PhD thesis, Syracuse University, 1960].

McDowall, D. (1996; rev. ed. 2021). *A Modern History of the Kurds*. London: I. B. Tauris.

Rostami, M. R. (2019). *Kurdish Nationalism on Stage: Performance, Politics and Resistance in Iraq*. London: I. B. Tauris.

Boris James, *Genèse du Kurdistan: Les Kurdes dans l'Orient mamelouk et mongol (1250–1340)*, Paris: Éditions de la Sorbonne, 2021, 472 pp., ISBN: 979-10-351-0572-3.

History is not exactly a flourishing branch of Kurdish Studies; and to the extent that historical topics are discussed at all, these generally concern the role, or fate, of the Kurds in the development of the various nationalisms that emerged in the later Ottoman and Qajar empires and in their successor states. Rather fewer studies are devoted to earlier periods; most of these deal with the place of the Kurdish principalities in the Ottoman and Safavid empires, and with the ambiguous and ambivalent position of the Kurdish emirs between Ottomans and Safavids. The obvious reference here, and virtually the only source discussed in any great detail, is, of course, Sheref Xan Bidlîsî's *Sherefnâmeh*, written at the close of the sixteenth century.

But even such exercises in early modern dynastic history are few and far between. In fact, since Minorsky wrote his classic entry on Kurdish history for the first edition of the *Encyclopaedia of Islam*, by now a century ago, little if anything new has been written in any Western language on the early history of the Kurds. Now, French historian Boris James has made a significant addition to this literature: his bulky *Genèse du Kurdistan: Les Kurdes dans l'Orient mamelouk et mongol (1250–1340)*, based on his doctoral dissertation, considerably enriches not only Kurdish studies but Mamlûk historiography. Rightly bemoaning the overemphasis on the contemporary 'Kurdish question', and going back in time well beyond even the *Sherefnâmeh*, James focuses on the 13th and 14th centuries CE. This reviewer is not a specialist on this period, and not even strictly speaking a historian, and hence can do no more than sketching the main outline of this study and pointing out some of its riches; but many of its findings are also relevant, and valuable, for readers not specializing in Medieval history.

James's study concerns the period of the so-called Bahrid Mamlûks (1250–1382), and the contemporary period of Mongol rule in Iran and Anatolia (1256–1335); hence, he pays relatively little attention to the earlier sultanate of Salah al-Dîn al-Ayyubî, better known as Saladin – undoubtedly the most famous Kurd of Medieval times, and itself the object of James' earlier work (2006). The present work takes us beyond existing studies of Mamlûk history that do not specifically focus on matters Kurdish, like Claude Cahen's seminal studies on pre-Ottoman Turkey and northern Syria (1940, 1955, 1968) and, more recently, Anne-Marie Eddé's (2011) revisionist biography of Saladin, which tries to separate the man and his historical context from the myths that have come to surround him over the centuries. More specifically, James builds on David

KURDISH STUDIES ARCHIVE
Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_008

Ayalon's influential interpretations of the Mamlûk political and military elites (1977, 1988), and on Michael Chamberlain's social history of intellectual life in Mamlûk Damascus (1994); but far more than either, he zooms in on the specific ethnic experience of Kurds in this period, or, as he calls it, the 'Kurdish ethnic difference'.

James argues that, despite Ayalon's claims to the contrary, Kurds had constituted a powerful group in the Ayyubid state, sustained by their distinct Kurdish *'asabiyya*. After the Ayyubid demise, however, the role of Kurds in Mamlûk political and military affairs gradually declined. He explains this decline in Khaldûnian terms as the result of a loss of *'asabiyya* in the affluent urban environment of the Mamlûk elites. He goes beyond Ibn Khaldûn's analysis, however, in arguing that a distinct Kurdish *'asabiyya* did not completely disappear as a result of this urbanization and of the subsequent return to a rural and tribal condition of *badâwa*; rather, it was reconfigured in Kurdish lands, far away from the centers of Mamlûk power and under increasing Mongol influence. During this period, he argues, a more homogeneous and specifically Kurdish space came into being – hence the 'genesis of Kurdistan' to which the title alludes.

This ethnic focus flies in the face of the received wisdom, and of some more controversial theses, of earlier times. From early on, Kurds are mentioned in both historiographical and literary sources, and in both Arabic- and Persian-language texts – not to mention languages like Syriac, Armenian and Georgian; but it is not always clear exactly what is meant by terms like the Arabic plural *akrâd* and its equivalents in other languages. Kurdish nationalists have often proceeded from the assumption that the term *Kurd* has always and unproblematically denoted a national or ethnic identity; but it is unlikely to vary any less widely in meaning over time than expressions like *Rum*, *Türk*, *Ajam*, and *Arab* are known to have done. At the other extreme, skeptics basically deny that we can speak of 'Kurds' in the ethnic sense prior to early modern times, that is, prior to the incorporation of Kurdish principalities into the Ottoman empire (see e.g. Asatrian 2009).

Rejecting both extremes, and building on his earlier studies on these matters (see James, 2014), James argues that it is in fact possible to reconstruct a specifically Kurdish experience even for this early period. He bases his claim on a number of sources, notably contemporary Arabic-language biographical sketches, that have hitherto remained largely untapped for this particular purpose. Using these biographies, he demonstrates that one can show literally hundreds of the Mamlûk elites to have Kurdish backgrounds; he then proceeds to trace their lives and careers. Thus, he makes plausible the claim that these

sources do indeed talk about 'Kurds' in something recognizably like, but not quite identical to, the modern sense.

Basing himself on the famous writings of Ibn Khaldûn, especially as interpreted by his mentor, Gabriel Martinez-Gros (2006), and rightly observing that Ibn Khaldûn presents less a theory of ethnicities than a theory of dynasties and states, James argues that it makes more sense to talk of a Kurdish *ʿasabiyya* than of a Kurdish identity or ethnicity during this period. This may raise some eyebrows among the more theoretically interested and informed readers. Famously, in his *Muqaddimah*, Ibn Khaldûn argues that it is *ʿasabiyya*, or tribal solidarity, which gives rural groups (*badâwa*) the strength to conquer urban centers but gradually disappears amidst an urban life of affluence and luxury (*hadâra*). Substantial criticisms have been voiced concerning both the analytical rigor of these concepts and their applicability to societies other than Ibn Khaldûn's own, but James's interest in Ibn Khaldûn primarily concerns matters of historiography rather than social theory; hence the absence here of recent and innovative discussions of the *Muqaddimah* by authors like al-Azmeh (1981), Pomian (2006) and, perhaps most relevantly, Bozarslan (2014).

James also devotes a dense and fascinating chapter to the social history of Kurdish scholars and men of letters during this period. In Mamlûk times, it was Cairo and Damascus, rather than Baghdad, Mecca, and Medina, which were the main centers of Islamic religious learning, and the main destinations for aspiring Kurdish literati; their learned culture here, of course, was elaborated in Arabic. It has long been known that from early on, Kurds have concentrated in places like the *Hayy al-Akrâd* quarter in the North of Damascus (see Fuccaro 2003 for a sketch of a much later period); but James provides a detailed picture of this early phase. This makes one even more curious as to exactly how, when and why a similar culture of polite learning (*adab*) in Persian developed among the Kurdish literate elites of later centuries. Sheref al-Dîn Bidlîsî is merely the most famous representative of this later Persianate culture. James's account here nicely complements Khalid el-Rouayheb's 2015 study, which points out that the seventeenth-century Ottoman empire witnessed a massive influx of (Kurdish and other) scholars fleeing the increasingly oppressive Twelver Shiʿite religious policies of Safavid Iran. Both studies suggest that in premodern times, Kurds have been rather more urbanized; have been rather more integrated economically, politically, and culturally; and have played a rather more important role in the life of cities, than the tenacious stereotype of the Kurds as an illiterate rural and tribal people living in mountainous lands remote from, and inaccessible to, centers of powers and learning would have us believe.

Thus, James's groundbreaking work inspires new questions as much as it answers older ones. Considerations of space preclude a fuller discussion of other sections of this dense and rich study, such as a short but fascinating discussion of the heterodox or heretic sect of *al-'Adawiyya al-Akrâd*, or 'Kurdish followers of Shaykh 'Adî', out of which the Yezidi religion was to grow in later centuries. Suffice it to say that scholars with a historicizing interest in the Kurds will remain in James's debt for a long time to come. Sadly, however, knowledge of French is rapidly declining in academic circles outside France and its (former) sphere of influence. It is greatly to be hoped, therefore, that this detailed and meticulous study, which in so many respects enriches, refines and corrects received views on premodern Kurdish history, will become available also in English (not to mention Kurdish and other languages) and enable a wider audience to benefit from James's insights.

*Michiel Leezenberg* | ORCID: 0000-0002-2269-2728
University of Amsterdam
*M.M.Leezenberg@uva.nl*

## References

Al-Azmeh, A. (1981). *Ibn Khaldūn in modern scholarship: a study in orientalism*. London: Third World Centre for Research and Publishing.

Asatrian, G. (2009). Prolegomena to the Study of the Kurds. *Iran & the Caucasus* 13: 1–57.

Ayalon, D. (1977). *Studies on the Mamlūks of Egypt, 1250–1517*. London: Variorum reprints.

Ayalon, D. (1988). *Outsiders in the lands of Islam: Mamluks, Mongols and eunuchs*. London: Variorum reprints.

Bozarslan, H. (2014). *Le luxe et la violence. Domination et contestation chez Ibn Khaldûn*. Paris: CNRS Éditions.

Cahen, C. (1940). *La Syrie du Nord à l'époque des croisades et la principauté franque d'Antioche*. Paris: Geuthner.

Cahen, C. (1955). Contribution à l'histoire du Diyār Bakr au XIV^e^ siècle. *Journal Asiatique* 243: 65–100.

Cahen, C. (1968). *Pre-Ottoman Turkey: a General Survey of the Material and Spiritual Culture and History, c. 1071–1330*. London: Sidgwick and Jackson.

Chamberlain, M. (1994). *Knowledge and Social Practice in Medieval Damascus*. Cambridge: Cambridge University Press.

Eddé, A.-M. (2011). *Saladin*. Translated by Jane Marie Todd. Cambridge, MA: The Belknap Press of Harvard University Press, 2011 (Original edition: Eddé, A.-M. (2008). *Saladin*. Paris: Flammarion).

El-Rouayheb, K. (2015). *Islamic Intellectual History in the Seventeenth Century: Scholarly Currents in the Ottoman Empire and the Maghreb*. Cambridge: Cambridge University Press.

Fuccaro, N. (2003). Ethnicity and the City: The Kurdish Quarter of Damascus between Ottoman and French Rule, c. 1724–1946. *Urban History* 30: 206–24.

James, B. (2006). *Saladin et les Kurdes : Perception d'un groupe au temps des Croisades. Études kurdes*. Hors série 11. Paris: L'Harmattan.

James, B. (2014). Arab Ethnonyms (*Ajam*, *Arab*, *Badu* and *Turk*): The Kurdish Case as a Paradigm for Thinking about Differences in the Middle Ages. *Iranian Studies* 47: 683–713.

Martinez-Gros, G. (2006). *Ibn Khaldûn et les sept vies de l'Islam*. Arles: Actes Sud-Sindbad.

Pomian, K. (2006). *Ibn Khaldûn au prisme de l'Occident*. Paris: Gallimard.

Shahrzad Mojab & Amir Hassanpour, *Women of Kurdistan: A Historical and Bibliographic Study*, London: Transnational Press, 2021, 365 pp., ISBN: 978-1-912997-96-1.

Shahrzad Mojab and Amir Hassanpour's new book, *Women of Kurdistan: A Historical and Bibliographic Study*, came into being as the result of long decades of study, effort, and courageous tenacity. We are most fortunate to have it; several times, its existence might have been prevented. Amir Hassanpour comes from the city of Mahabad, one of Iran's historically important Kurdish cities. In the period after the 1979 revolution, as Kurds were being killed and executed, Amir remained secluded in the southwest city of Shiraz where his wife, Shahrzad, is from. Their escape from Iran, brought across the desert to Pakistani Baluchistan by motorcycle, along with their small child, marked another point when this book might have been prevented from emerging.

I met Amir in 1966–1968, while I was working as an American Peace Corps Volunteer teaching English in the girls' high school of Mahabad. Amir also taught English so the Peace Corps volunteers became friends with him and his family. From way back, Amir's family suffered from some of the repression Shahrzad and Amir's book describes. One brother was put in prison because of distributing leaflets about Prime Minister Mossadegh and the nationalization of Iranian oil. Due to the cold and the depth of water covering the floor of the prison, he suffered from health issues throughout his shortened life. When I visited Mahabad once, Amir's mother, by phone, asked me not to come to see her: the last time after I had stopped by, the SAVAK (the Pahlavi regime's secret police) had questioned her. One brother was imprisoned and tortured by the regime of Mohammad Reza Shah.

Amir and his family and then Shahrzad too experienced some of the horrors and repressive treatment suffered by Kurds as discussed in their book, *Women of Kurdistan*. I can think of no better team to work on such a book. The late Amir Hassanpour was a highly respected Kurdish intellectual. He was a scholar devoted to Kurdish people, culture, history, and language. He was an idealistic activist as well, providing Marxist analyses of history and society and applying them to Iran and the history and language of the Kurdish people (see Hassanpour 1992, 1993, 2020). As Shahrzad so rightly comments, their lives have been "fully committed to revolutionary social transformation" (p. 7). As writer, speaker, and professor at the University of Toronto, Amir was loved and respected widely and grieved terribly when he died in 2017 from cancer. Shahrzad Mojab, Amir's beloved wife and intellectual partner, had taken on his devotion to Kurds and their culture. In addition to so many other commitments

KURDISH STUDIES ARCHIVE
Published with license by Koninklijke Brill BV | DOI:10.1163/9789004726239_009

and interests, Shahrzad learned Kurdish and became an outstanding scholar and publisher about the Kurds, especially regarding women, gender, and sexuality (see Mojab 2001, 2013, 2015). She starts out Part 1 of *Women of Kurdistan* with the words, "Love and learning made the making of this bibliography imaginable" (p. 7). Indeed, Shahrzad's deep love for Amir and respect for his work prompted her, on top of many other obligations and responsibilities, to spend much of her time since 2017 completing Amir's projects.

The book is divided into two main parts. The first part provides context, history, and an introduction to the topic of Kurdish women. Shahrzad's discussion of the process of developing this bibliography will intrigue other writers; she shares the difficulties, lacks, silences and silencing, and decision-making during these twenty years. Rapid changes, "Western imperialist interests", and "the hegemonic analytical tools of the last 30 years" (p. 10) have separated Kurdish women's experiences and the study to understand them and their situations from the effects of and interactions with "patriarchy and capitalist imperialism", Shahrzad comments. She points to the necessity of "adopting a feminist historical materialist perspective" (p. 11), quoting from the Bengali-Canadian sociologist Himani Bannerji.

The authors explain the reasons why such a dearth of materials challenges those who wish to study Kurdish women, gender, and sexuality. States, the authors comment, are patriarchal institutions. Those states that are home to the Kurds are also generally anti-Kurd. These states restrict academic freedom and university autonomy. Turkey, Iran, and Syria generally do not allow institutions of higher learning to engage in critical research or teaching about Kurdish women – or Kurds in general. Wars and upheavals in these areas also impact research and learning. The authors explain the reasons why in the West as well, Kurdish women's studies are neglected. The authors provide theoretical perspectives on how states and also the market work to obstruct sound knowledge and understanding about Kurdish women. In spite of all of this, Kurdish women have resisted and have sought to develop knowledge, particularly in Turkey, about violence against women especially. Further, Kurds in diaspora have authored studies and have become involved with media, art, publishing, and human rights.

Part 1 contains thorough, detailed information about Kurdish language, religious life, diversity in Kurdish areas, and Kurdish populations in Middle Eastern countries and diasporic countries. The "Historical Sketch" stretches back to the seventh century. The authors gathered earlier materials about Kurdish women from *Sharaf-Name*, a history of Kurds from four centuries ago, from travelers, and from Mela Mehmûdê Bayezîdî's *Adat û Rusûmatnameê Ekradiye*, a nineteenth-century book on Kurdish customs.

They warn about myths regarding the freedom of Kurdish women and offer excellent other cautions as well. The authors provide brief histories of Iraq, Iran, Turkey, and Syria and the situation of Kurds in these countries over time. Part I provides excellent contextualization for the annotated bibliographical entries that follow – the larger section of the book. I was amazed that so much information and so much channeling of theoretical perspectives could be fit into this section; this accomplishment conveys the in-depth reading, thinking, and knowledge of the authors developed over their long years of academic and intellectual partnership.

Part II, the 300 pages devoted to the bibliographic entries is meant to cover 20th century literature pertaining to Kurdish women, and as the note cautions, it "does not include the *extensive literature* (...) published from 2006 onward" (p. 67, my own emphasis), accentuating how "extensive" the relevant literature has become since then, an encouraging observation. It should also be noted that the bibliography is limited to works in English, German, and French, and does not include works in the languages spoken in Kurdistan and the wider region. Part II, amounting to an extremely thorough annotated bibliography, is divided into sections and subsections. The excellent organization of materials makes this opus user-friendly.

Each entry provides the citation followed by keywords with full information about the contents of the entry, almost amounting, in many cases, to an abstract of the publication. Some keywords are very long, such as the entry about Minoo Alinia's dissertation that covers most of a page (see p. 189), and the entry on a roundtable about "violence against women in Iraqi Kurdistan", that covers almost two pages (see pp. 164–165). The book includes segments on Table of Contents, About Authors, Acknowledgments, and Acronyms as well as Author Index and Institutions and the Press Index in the Appendix. The wide coverage of materials about women of Kurdistan in English, German, and French, evokes marvel. However, as I have been familiar with the in-depth, scholarly analyses of both Amir and Shahrzad and with the patience and meticulous attention to detail of Shahrzad, I am not surprised. We can be grateful indeed to have this exceptional volume as a result of decades of dedication by a couple of beloved, dedicated, brilliant intellectuals and scholars. No one interested in the Kurds – nor, indeed, interested in the Middle East, women and gender, politics, international relations, patriarchy, or imperialism – can afford to miss studying this "historical and bibliographic study" of *Women of Kurdistan.*

*Mary Elaine Hegland* | ORCID: 0000-0002-5837-0018
Santa Clara University
*MHegland@scu.edu*

## References

Hassanpour, A. (1992). *Nationalism and Language in Kurdistan, 1918–1985*, Lewiston, N.Y.: Edwin Mellon Press.

Hassanpour, A. (1993). The Pen and the Sword: Literacy, Education and the Revolution in Kurdistan. In P. Freebody and A. R. Welch (eds.), *Knowledge, Culture and Power: International Perspectives on Literacy as Policy and Practice*, 35–54. London: The Falmer Press.

Hassanpour, A. (2020). *Essays on Kurds: Historiography, Orality, and Nationalism*. Bern: Peter Lang.

Mojab, S. (2001). *Women of a Non-State Nation: The Kurds*. Costa Mesa, CA: Mazda Publishing.

Mojab, S. (ed.) (2013). *Women, War, Violence and Learning*. New York: Routledge.

Mojab, S. (2015). *Marxism and Feminism*. London: Zed Books.

ISBN 978-90-04-72622-2

9 789004 726222

BRILL.COM/KSA