

## **A People Unrepresented: Turkey's Constitutional Justification for a Growing Chain of Kurdish Political Party Expulsions**

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### **Abstract**

Turkey has expelled more than five Kurdish political parties from Parliament within the last three decades. Although the international community has condemned Turkey for its restrictive policies towards its sizable Kurdish population, the Turkish government continues to employ restrictive policies. This paper addresses the conundrum of how the Turkish legal system justifies the expulsion of Kurdish political parties. Scholars advance the theory that the absence of Kurdish assimilation within Turkey has sustained ethnic tensions and continued to drive oppressive policies beyond the political sphere into the educational and cultural lives of Turkey's 70 million Kurdish citizens. This paper offers insights into how the linguistic choices of the Constitution's authors limit sustain ethnic-Turk homogeneity within the government. This will be achieved via a discourse analysis the Turkish Constitution and the Law on Political parties. Through such analysis, the paper argues due to the strict parameters composing Turkish identity, Kurdish political parties are inherently threatening to the State, resulting in their expulsion in an inexhaustible cycle. This paper's conclusions create a starting point for more pointed research to reform the Turkish legal system into a more inclusive, democratic complex.

**Keywords: Turkey, Discourse Analysis, Political Parties**

### **1. Introduction**

Over the past decade, the Turkish government has made it a priority to prevent the emergence of a well-established Kurdish political movement. Despite the expulsion of five of its political parties, the Kurdish political establishment has demonstrated its resilience in the face of strong barriers built by the government. In this paper, I seek to address the puzzle of how the government continues to justify the policy of expulsion when the emergence of a replacement party is nearly guaranteed. As such, I posit the question: how does Turkish law create discourse that necessitates the expulsion of Kurdish political parties?

Through a discourse analysis of the Turkish Constitution and Law on Political Parties, this paper finds that the existence of Kurdish political parties directly threatens the existence of the Turkish State. I found a cycle of repression is identified and expanded upon, framed as the driving force for Kurdish and Turkish interplay at the political level. This paper draws upon theories of ethnic identity formation and political representation to inform the analysis of Kurdish motivations in forming a lasting identity in a homogenous society. A text-based analysis of the Law on Political Parties and the Constitution disclosed a codified prohibition of the formation of ethnic-based parties and the promotion of ethnic-Turkish dominance. This paper first analyzes existing literature before providing a justification of methodological choices and a close analysis of gathered data. The analysis is then followed by a discussion of the

implications of Turkey's narrow definition of Turkish identity and duties of the government on the Kurdish people and the potential for future political representation.

## 2. Theoretical Framework

This study builds upon the wealth of literature surrounding theories of political representation in democracies, particularly in relation to ethnic minorities. Drawing upon existing works in the fields of ethnic representation and political party theory, I establish a base with which to analyze the implications of Kurdish political party expulsions in Turkey.

### 2.1 Existing Scholarship of Ethnic Unity and Representation

Prior to their absorption into the Turkish state, the Kurds experienced thousands of years of statelessness and oppression. Rogers Brubaker's formative piece on diaspora populations provides insight into the formation of diaspora populations, positing that three unique qualifications cast a population as being diasporic: state of dispersion, homeland orientation, and boundary-maintenance.<sup>1</sup> The Kurdish population satisfies each stipulation. Kurds are dispersed between Iran, Iraq, Turkey, and Syria, meeting the dispersion requirement. Homeland orientation refers to the maintenance of an inclination towards a real or imagined "homeland" as a source of identity and value, particularly in regard to the notion of returning to an ancestral homeland. Kurdish attempts of land reclamation in the early twentieth century and the present, complying with this tenet of dispersion. Boundary-maintenance involves the preservation of an identity distinct from a host society's. The conservation of the Kurdish language in the face of decades of restrictive legislation illustrates Kurdish dedication to boundary-maintenance in Turkey. Brubaker's diaspora theory, particularly the concept of boundary-maintenance, is complemented by Milton Myron Gordon's Seven Stages of Assimilation Theory.

Despite nearly one hundred years under Turkish rule, the Kurdish population is culturally, politically, and linguistically distinct from its host. Gordon's seven stages, particularly the first and second, shed light on this resistance to Turkish assimilation. The first stage, acculturation, describes the "newcomers" adoption of salient traits of the home population such as language and dress<sup>2</sup>. Structural assimilation follows, describing the large-scale entrance of minorities into cliques, clubs, and institutions of the host society.<sup>3</sup> Kurdish assimilation stops after these two rungs. The adoption of outside adjustments such as dress are necessary for the ability to function in society while entrance into civil institutions is required to thrive. The existence of Kurdish boundary-maintenance coupled with discriminatory Turkish legislation has prevented structural assimilation. This paper explores how existing legislation creates such a barrier, preventing Kurds from ascending through the remaining five levels of Gordonian assimilation.

Brubaker and Gordon's works framing of Kurdish identity and path of assimilation within the Turkish system provides a base with which to analyze the role of political parties as avenues for conflict de-escalation. More specifically, Gordon's second stage of assimilation clarifies the importance of addressing the expulsion of Kurdish political parties as an essential, if not the most pressing, matter in addressing the Kurdish Question. The inclusion of Kurdish points of view and practices within the Turkish political system allows for the facilitation of intercultural understanding on a national level whereas Kurdish party expulsions achieve opposite means.

Ethnic political representation as a tool for conflict resolution is deeply explored in Hannah Pitikin's scholarship. She asserts that a high level of descriptive representation is instrumental in creating legitimacy for marginalized groups. Descriptive representation is defined as, "the level of resemblance between the represented and the agent...allow[ing] minority representatives to gain legitimacy...and to contribute to a culture of consensus."<sup>4</sup> The formation of Kurdish political parties within the Turkish system serve as attempts in establishing legitimacy for Kurdish grievances. Pitikin's equation of legitimacy with the creation of a culture of consensus weakens the current Turkish system, which is built off of the ideal of cultural homogeneity.<sup>5</sup> The absence of resemblance between the represented and those in power results in the growth of animosity from minority constituents, working to build a system of separation. The findings of this paper explore how Turkish law prevents the development of descriptive representation, stalling the Kurds as a diasporic population as opposed to incorporating them into civil society.

### 2.2 Theories of Political Representation

James Snyder and Michael Ting's work illustrates the importance of political parties to develop informative "brands" to voters. They assert that in a multi-party system, voters and parties become more radicalized through platform

differentiation.<sup>6</sup> Through developing brands, voters subscribe to a candidate, party, and ideology. Branding results in division within a heterogeneous population, like Turkey's. The development of Kurdish political parties has indeed divided the Turkish population by ethnicity: Kurds vote for Kurdish-party candidates as the brands created within the parties market themselves through the lens of Kurdish issues. From this conclusion emerges the idea that Turkish and Kurdish voters are inherently opposed. Extrapolating from the article, this paper assumes Turkish voters would not be attracted to parties branded as specifically advocating for increased Kurdish rights, instead favoring a platform which addresses issues facing ethnic-Turks. This paper explores the manner in which Turkish law invalidates the Kurdish experience, lending its findings to Snyder and Ting's study.

Buzan, Wæver, and de Wilde's Securitization Theory provides insight into state actors' decisions in transforming objects into matters of security, thereby casting political issues into extreme circumstances such as dangerous, menacing, threatening, or alarming.<sup>7</sup> In terms of political representation, securitization alters stakes of an issue, adjusting its importance to voters. Within the Turkish political system, securitization contributes to the perceived *otherness* of Kurds. Building off of Brubaker's three qualifications of a diaspora population, the author sees that the securitization of the mere existence of homeland-orientation creates an existential threat to the Turkish State. The process of heightening the stakes of an issue ascribes it more importance on both the governmental and individual platforms, resulting in the creation of fear and panic, which are in turn used as political tools.

Aggression-Repression Theory, as explained by Lester Kurtz, refers to the paradoxical phenomenon resulting from state-sponsored repression of opponents, especially those from non-violent movements. Rather than creating a sense of institutionalized inferiority in a repressed group, Kurtz posits that the state, via its discriminatory policies, incentives, and outgroup collectivism in that the group, which was once "*othered*," has formed a stronger centralized group identity and an incentive to legitimize their newly formed "oneness." In application to the Kurdish-Turkish conflict, decades of legislative discrimination have succeeded in fomenting a singular identity among Kurds, solidifying their homeland orientation, and boundary-maintenance. The incentive to retain such identifiers has become a tenet of the Kurdish Turk's experience. Yet, the retainment of Kurdish "oneness" is contrary to Turkish homogeneity and therefore perpetuates the tension between the two parties.

### 3. Methodology

This paper will utilize an interpretivist critical discourse analysis which endeavors to analyze and provide an explanation for the continued tenuous relationship between the Turkish Federal Government and expelled Kurdish political parties. Moreover, this paper seeks to understand how Turkish law creates discourse that justifies the expulsion of majority Kurd-specific political parties through the formation of ethnic-exclusionary norms. The author sees that in examining such discursive norms, primary text evidence from the Turkish Constitutional Court hearings on each party's expulsions would serve as a prime evidence for analysis. Yet, the Turkish government has sealed all records dating to before 2015 from the public, providing a research limitation. As such, the materials selected for the discourse analysis are the Turkish Constitution and the Law on Political Parties. Upon performing a critical discourse analysis on the texts, the findings will be applied to the cases of the five expelled parties in order to more aptly answer the question at hand. While the implications of the analysis' findings may be applicable to the broader framework of political party formation within Turkey, the repeated expulsions of Kurdish parties serve as important case studies which are necessary to understand the present and future of the Kurdish population in Turkey.

Specifically, this paper will analyze chapter one of the Constitution in its entirety, notable paragraphs in Articles 68 and 69 of chapter four of the Constitution, as well as parts one through three of chapter four from the Law on Political Parties. The first chapter of the Constitution, noted as "General Principles" was selected for two reasons. Firstly, its early placement in the document symbolically indicates the articles' importance to the Turkish federal government. In the chapter, declarations of territorial integrity, official language, and irrevocable provisions are outlined. Secondly, this paper seeks to address how discourse created through this document affects Kurdish political parties, chapter one's detailing of the fundamental grounds, aims, and duties of the State are paramount. Articles 68 and 69 of chapter four were selected after the data on Kurdish political party expulsions was gathered; Article 68 outlines limitations to the activities of political parties while Article 69 delineates the expulsion procedure in detail. The fourth chapter of the Law on Political Parties was selected due to its suitable name of "Prohibitions Regarding Political Parties" and its expansion upon the Article 68 of the Constitution. Articles 79 and 81 extrapolate upon the core tenets outlined in the Constitution, providing insight into the contradictory nature of the document. Upon multiple readings of the piece of legislation in its entirety, chapter four is the sole sections of the document to address the topic of party expulsion.

The time frame for this analysis is 1990-2010. Such a frame was selected as six of the fourteen political party expulsions within Turkey since 1925 occurred within this twenty-year period. Of the six, five were Kurdish parties. The five political parties to be analyzed, the HEP, ÖZDEP, DEP, HADEP, and DTP were selected due to their self-identification as Kurdish-interest parties. While a number of other political parties have been expelled for clearly stated reasons such as committing financial crimes or conducting in non-secular activities, the expulsion justifications for the Kurdish parties, in the eyes of the author and a host of scholars, are vague. The limitations of this paper are twofold. As previously mentioned, speech material and court records from within the Constitutional Court of Turkey are unavailable to the public. Therefore, this paper is unable to address the contents of the court hearings and instead will utilize direct quotes from the court gathered from secondary sources. Secondly, the Constitution and Law on Political Parties have been translated from their original Turkish. Cultural nuance, collocations, and meanings may differ slightly in English as a result. The Constitution was translated by the translators at the Grand National Assembly of Turkey, and the author's source for the Law on Political Parties was retrieved in English.

## 4. Analysis

### 4.1 Creation and Preservation of Turkish National Identity

The first analytical step taken was to choose which of the texts would be observed and analyzed first. Chapter one of the Constitution was selected as it serves as a base for the entire document and, by extension, all Turkish laws. Therefore, the text was coded for the words *Justice*, *Indivisible* and similarly-rooted words such as *Individual*, and *Sovereignty*. The terms *Indivisible* and *Sovereignty* are classified as unifying while *Justice* is classified as separating, suggesting a defense of unity. Building off of the base chapter of the Constitution, Articles 68 and 69 as well as articles 79 and 81 of the Law on Political Parties were examined at the level of the text in pursuance of modalities, evidentialities, and word groups.

In the first chapter of the Constitution, Article 2, the State of Turkey was identified as an “indivisible entity”<sup>8</sup> within its territory and nation. Through defining the bounds of the nation's physical territory in the beginning of the document, places sovereignty on an immensely high pedestal. The use of the unifying term *indivisible* indicates that Turkey's physical territory and rule of law are strong, enduring, and unbreakable. Directly following is the assertion that, “its language is Turkish,”<sup>9</sup> thus tying indivisibility of the territory and rule of law to Turkey's linguistic identity. The joining of the physical and immaterial- land and language- are remarkable as they define the groundwork of what separates Turkey from other former-Ottoman states. In reversal, an individual who both lives outside of the defined territory and speaks a tongue other than Turkish is automatically *othered*. This strict image of Kurdish identity is as central to the Constitution as the territorial bounds.

In its second half, the second Article provides a protection of the State's indivisibility and national solidarity through *justice*, and “loyalty to the nationalism of Atatürk.”<sup>10</sup> The separating word *justice* coupled with the nod to Atatürk stresses the Turkish commitment to resisting outside forces in honor of the nation's namesake and most prized freedom fighter. The word coupling between Atatürk and *justice* portray any actions which counter the nation's hold on its territory, rule of law, or language as inherently anti-Atatürk and anti-Turkish. Article 3 furthers this point in plain-text by deeming Article II as an “irrevocable provision.”<sup>11</sup> In application to the expulsions of Kurdish parties, nationalist activities such as those described in the Appendix contradict the homogenous, idealistic layout set aside for Turkey. As such, parties that engage in activities that seek to expand the legal bounds of what is considered Turkish territory, law, or language are threatening to the base values of the state.

Whereas Articles 2 and 3 identified the existence of Turkey's indivisibility, Article 5 vested its continued indivisibility as the fundamental aim of the nation. The Constitution denotes Article 5 as defining the “fundamental aims and duties of the state.”<sup>12</sup> The use of the term “fundamental” suggests that Turkish indivisibility is an evidentiality. The encoded naturalization of the protection of indivisibility compounds upon the strong Turkish identity created through this chapter of the Constitution. The resulting meaning to be drawn from the first chapter of the Constitution is that the preservation of the Turkish language, rule of law, and territorial integrity is the paramount duty of the state. Through such preservation, the government may “ensure the welfare, peace, and happiness of the individual and society.” Therefore, the antithesis of government's duty is to tolerate the emergence of the Kurdish language in the public sphere or condone the growing popularity of the Kurdish independence movement; such actions directly threaten the survival the constructed Turkish identity, creating an increased sense of *otherness* between the ethnic Turks and Kurds in the nation.

## 4.2 Analysis of Constitution Chapter 4 Articles 68 and 69: Political Rights and Duties of Citizens

The Constitution devotes six articles to the declaration of the political rights and duties of citizens in the Republic. Of the six, two explicitly address the formation and principles of political parties. Article 68 claims that political parties are to be formed without “prior permission” and will pursue their duties in accordance with Constitutional provisions. The use of this phrase is notable due to its implied reference to the Constitutional Court, the body charged with overseeing and regulating the behavior of political parties. Presumably, a nation with a strong history of party expulsion would have strict regulations regarding the formation of new parties and political organizations. The specification that permission is not necessary places the Constitution’s text at odds with its implementation. This conflict within the document is compounded by the lack of transparency between the Constitutional Court and the public; a lack of access to court documents from tried cases has resulted in an insufficient understanding of how Articles 68 and 69 are implemented.

A second implication of this Constitutional clash is the resulting responsibility placed onto politicians. Via the phrase “prior permission” the government imparts the onus of developing lawful parties onto individuals rather than developing a system to vet organizations in their infancy rather than after the crimes have been committed in the eyes of the Court. Drawing off of the strict definition of Turkish identity as was explored in section 4.1, the lax policy regarding the formation of parties may be motivated by a presumption that citizens share the same values as prescribed by the Constitution. The last clause of Article 68 furthers this claim:

“[Party Activities] shall not be contrary to the independence of the State, its indivisible integrity with its territory and nation, human rights, the principles of equality and rule of law, sovereignty of the nation, the principles of the democratic and secular republic; they shall not aim to promote or establish class or group dictatorship or dictatorship of any kind, nor shall they incite citizens to crime.”<sup>13</sup>

This clause shares similar verbiage with Articles 1 through 5 through the repeated use of the terms *territory*, *rule of law*, and *sovereignty* as the defining principles of the State. As a result, this clause is the inverse of Article II and Article III: The first chapter of the Constitution created a discourse of unity through the creation of a strong national identity. Article 68 is instead a proscription, evidenced by the introductory and ending “shall not” phrases within the text above. Notably, a party participating in actions deemed contrary to the State are deemed a “dictatorship,” a word which equates dissent with the violent connotations associated with dictatorships. Within the Turkish context, such an equation is reminiscent of the lack of power and territorial integrity Turks had under the Ottomans. Consequently, the equation of dissent with violence and threat of dictatorship drives the status quo and enculturated desire to preserve the nation’s integrity in all forms.

Article 69 denotes the Turkish Constitutional Court as the body imbued with the ability to expel political parties. Cases for dissolution are textually justified through stating that the permanent dissolution of a party violating the provisions of Article 68, “may be rendered only when the Constitutional Court determines that the party in question has become a centre for the execution of such activities.”<sup>14</sup> The utilization of passive voice deletes the Constitutional Court as the primary actor in the dissolution process. Writing the article as, “The Constitutional Court renders a decision only when...,” would have placed a higher obligation on the judges while, as written, the clause emphasizes the party. Currently, the actions of the party serve as a barometer for the role of the Court, who would intervene once the party became a “centre” for such activities. This meaning is in line with common legal theory—a court does not act until a law is broken. However, the placement of the party as the primary actor in this clause casts them as holding the power in the dissolution process by simply having the ability to choose whether to violate or comply with the provisions of Article 68. This literal interpretation of the clause ignores the reality of the Constitutional Court’s role in party dissolution. Through sealing court records, no information is available that directly outlines what is meant by a party “becom[ing] a center” for illegal activity or what specific actions are considered to be threatening to the State. Yet, five Kurdish parties have been dissolved on these grounds.<sup>15</sup> The lack of insight into the workings of the Court and their interpretation of Articles 68 and 69 give the Court the only voice in the expulsion process.

## 4.3 Analysis of Law on Political Parties Articles 79 and 81

The Law on Political Parties was adopted April 14, 1982, a mere year after the ratification of the present edition of the Turkish Constitution. The legislation was drafted in order to address the intricacies of parties financial and legal rights as well as to further establish guidelines of legal party operation and a clear chain of command within the government to bring cases of violation to the Court for potential expulsion. Articles 79 and 81 elucidate the details

which the Constitution neglects such as the specific actions deemed contrary to the principles of Turkish identity and are therefore illegal. Articles 79 and 81 are especially relevant for his paper as they directly target Kurds in all manners but name.

Article 79's first begins with the same declaration of Turkey's national indivisibility and the necessity of upholding territorial integrity and rule of law, among others. Parties are forbidden from "endanger[ing] the existence" of the Turkish State through basing their existence on "a region, race, a family, class or community, religion, sect, or cult."<sup>16</sup> Through its phrasing, the article characterizes relationship-based identities as threats to the State. Additionally, there is an implied assumption that groups basing their existence on such ties inherently seek to divide the nation and erode its ideals. The Turkish government typifies the Kurdish people as a separate sect; they were ostracized and denied citizenship or formal recognition until 1991.<sup>17</sup> As a result of this portrayal, all activities carried out by Kurdish parties are inherently threatening to status quo and are at immediate risk of expulsion. The last subclause in the article further restricts Kurds in politics through banning the derivation of "the right to engage in activities undermining the rights and freedoms stated in the Constitution."<sup>18</sup> In summation, political parties based upon relationships developed through common history are illegal as they hold non-Turkish identities. The final clause of the article erases the potential for groups like the Kurds to extrapolate a broader meaning from the Constitution that justifies their actions. The Constitutional Court is well within its Constitutional rights to target any Kurdish party and argue that their existence, regardless of their actions, is an affront to the government.

Article 81 advances the discriminatory narrative by directly targeting ethnic groups by asserting that no ethnic groups exist in Turkey based on national, religious, racial, or language differences. Through the continued denial of the existence of ethnic groups and other minority populations, the government excuses itself from addressing the violence and discrimination people face on a daily basis. Following the denial of the existence of ethnic groups, the article forbids the propagation of ethnic knowledge and identity. A ban on, "preserving, developing or spreading languages and cultures other than the Turkish language and culture"<sup>19</sup> contributes to the separating discourse started by the strict Constitutional definition of Turkish identity. The immediate consequence is the creation of a divided nation where 70 million citizens are disallowed from voicing their struggles with ethnic violence and oppression. Referring back to Aggression-Repression theory, the political suppression of the Kurds has fueled separatism and spawned a chain of political parties advocating for greater Kurdish rights. As was detailed in the paragraph above, the Constitutional Court's repeated rulings against Kurdish parties were carried out legally, namely due to the content of Articles 79 and 81.

## 5. Conclusion

This discourse analysis demonstrates that the codification of Kurdish discrimination within the Turkish Constitution and Law on Political Parties elucidates a cycle of Kurdish repression which thereby implicated aggression. Through close analysis, the first chapter of the Constitution revealed a narrow definition of Turkish national identity. It was found that this limited scope of identity—the preservation of national territory, Atatürk nationalism, rule of law, and the Turkish language—legalized the *otherness* of Kurds. Articles 68 and 69 furthered this notion, detailing that any activities not directly supporting these ideals are threats to the state. The Law on Political Parties furthers these articles to claim that minority groups, parties who generally wish to alter the status quo given existing discriminatory policies, 1) do not exist within Turkish society and 2) if such groups existed, are not legally permitted to form parties based on group needs.

Kurdish parties, as evidenced by the platforms of those previously decommissioned, propose structural changes allowing for the acceptance of the Kurdish language and culture within the Turkish system. The incompatibility of ideals results in party expulsion, and the paradox of repression further results in multiple attempts of Kurds to gain legitimacy through political party formation, thus driving a decade-long cycle of expulsion. This manifestation of aggression-repression theory drives the cycle into a new revolution through the heightening of separation discourse, furthering the *othering* of the Kurdish population. Party expulsion furthers the Turkish government's narrative painting Kurds as inherently separatist, seeking to forward the eminence of a uniquely Kurdish nation. Simultaneously, party expulsion equally advances the Kurdish cause, casting the Turkish government as an oppressive force dedicated to the eradication of Kurdish culture.

Determining the legal factors of Kurdish oppression in the Turkish legal system are imperative in establishing the roots of the Kurdish question in modern society as well as a path towards peace or greater cooperation between the dominant and minority ethnic groups. The cycle of expulsions illustrates the inadequacy of building peace through increased representation within the current political system. While descriptive representation is desperately needed in

order to facilitate confidence building between Turks and Kurds, progress is unlikely until the Constitution and Law on Political Parties are reformed. Such a possibility is increasingly improbable due to current President Erdogan's consolidation of power within his own party. This paper's findings reveal that the current system as prescribed by the Constitution and Law on Political Parties does not support further inclusion of Kurds within Turkish political society.

## 6. Appendix

A total of five Kurdish political parties have been banned from operating in Turkey since 1990. The first such party was the People's Labor Party (HEP). Established in 1990, the HEP gained 22 seats in Parliament for the 1991 general elections. Its mission claimed to represent, "workers, the unemployed, villagers... and all who are on the side of democracy."<sup>20</sup> In action, this mission was manifested through the promotion of Kurdish political and cultural rights. The party was banned in July 1993 by Turkey's Constitutional Court. In late 1992, the Freedom and Democracy Party (ÖZDEP) was founded by former members of the HEP after its banning. Due to a split within the party concerning support for the militant PKK organization and a strong support for the use of the Kurdish language in public life, ÖZDEP was banned in 1993<sup>21</sup>. The decision was later contested by the European Court of Human Rights. The third political party to be expelled was the Freedom and Democracy Party (DEP). The organization was politically aligned center-left and was founded on similar ideas to ÖZDEP. Like ÖZDEP, DEP members were divided over their support of the PKK. Half of the party members became radicalized by the PKK's ideals, and the Constitutional Court of Turkey deemed that the party was to be dissolved in mid-1994. Six deputies within the party leadership were arrested in the process and sentenced to fifteen years in prison. <sup>22</sup>The European Court of Human Rights additionally regarded this decision to be unjust, citing Article 11 of the European Convention of European Rights which details the freedom of association.

Unlike the three previous political parties, the People's Democracy Party (HADEP) was founded in somewhat spite of the PKK. Founded in 1994, the party seemed to be deliberate in keeping its distance given the plight of its predecessors. However, in 1996, masked men entered the party Congress and replaced the Turkish flag with the PKK banner. All known members of HADEP were arrested and charged with belonging to an illegal armed group. Prosecutors argued that HADEP served as a politically palatable front for the PKK.<sup>23</sup> Due to the slow speed of the trial, HADEP was allowed to run in national elections up until 1999, reporting votes between 4 and an astonishing 4.7%. The resulting votes were not high enough to cross the 10% threshold for representation in Parliament, and after a trial period of three years, the party was officially disbanded. The last political party to be expelled from Turkey was the Democratic Society Party (DTP). Founded as a socialist pro-Kurdish party, DTP differed greatly from HADEP as its ties to the PKK were unmistakable due to the organization's exaltation of PKK leader Abdullah Öcalan and presence of PKK officials within DTP's ranks. The party was expelled in late 2009 and close to forty party members were banned from political involvement for the following five years.<sup>24</sup>

## 7. Endnotes

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8 Turkish Constitution (1982) Article 2

9 Ibid.

10 Turkish Constitution (1982) Article 2

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- 11 Turkish Constitution (1982) Article 3  
12 Turkish Constitution (1982) Article 5  
13 Turkish Constitution (1982) Article 68  
14 Turkish Constitution (1982) Article 69  
15 See Appendix for details regarding cases of expulsion within the paper's timeframe  
16 Law on Political Parties Article 79  
17 Ibid.  
18 Law on Political Parties Article 81  
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