Effectiveness of back-track mediation in resolving protracted intractable conflicts: the case of Turkish-Kurdish peace process in Oslo

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Abstract

Eruption of Kurdish question in Turkey dates back to the early years of the Republic, and since then, this problem has constituted as one of the most chronic and entangled issues of the Turkish political life. Regional dimensions of Kurdish question made this conflict much more complicated and hard-to-resolve. Cross-border facilities in the south (Syrian border), south-east (Iraqi border) and east (Iranian border) of Turkey have greatly been benefitted by the Kurdish insurgent groups. It is the Partiye Karkeren Kurdistane / Kurdistan Worker`s Party (Kurdish terrorist organization founded by Abdullah Ocalan in the late 1970s, and henceforth, the PKK) that benefitted these regional blessings in terms of operations, logistics and recruitment in its insurgency against Turkey. So, thanks to the regional convenience, the PKK was able to survive and sustained its fight. Long-standing nature of the conflict kept snowballing by creating new issues till the early 2000s, each of which contributed to the conflict`s transforming into an intractable one.

The Turkish and Kurdish conflict can be considered as one of the most violent and destructive conflicts of the last four decades. The conflict cost 40.000 people`s lives. However, the deadliest period of the conflict was experienced in the early 1990s between the state and the PKK. Turkish state started to change its policy in the early 1990s thanks to the initiatives of Ozal, former PM and President. Since then, the parties tried to settle the issue through launching peace initiatives. All of these former peace initiatives were embarked on thanks to a third-party / a mediator, and they were all launched via back-track diplomacy within the pillars of mediation.

In the late 2008, the parties came together once again via back-track diplomacy in Oslo under the supervision of a third party. The parties were successful in closing the gap between themselves and the peace process was moving on despite some interruptions. However, it ended due to the adverse effects of the Syrian Civil War that broke out in the early 2011. Main objective of this thesis is to analyse how the back-track enterprise of mediation was instrumental in Turkish and Kurdish negotiation process in Oslo. Even though the Oslo Peace Process was not concluded with an agreement, this thesis still argues that it was a success, albeit limited.

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Special thanks to my fellow friends who live in Lancaster. They have always been supportive to me. Thanks also to all of my colleagues in the PPR department who have given me support throughout this process and who have forbearingly listened to me at the times when I felt the need to talk.

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Declaration

I hereby declare that this thesis is my own work and that it has not been submitted, in whole or in part, in any previous application for a degree. Except where states otherwise by reference or acknowledgement, the work presented is entirely my own. I confirm that the thesis does not exceed the prescribed word limit of 80,000 words, including footnotes, but excluding the bibliography.

Mehmet Deniz

Contents

Chapter-1

Introduction

Kurdish Question in the Middle East is a historical issue. Outbreak of the Kurdish question dates back to the reshaping of the Middle East in the wake of the First World War. The areas where Kurds had been living for hundreds of years were within the confines of the Ottoman and Safavid Empires. However, four nation-states were established in the post-WWI period in the region. This was an awkward situation particularly for Kurds, because they suddenly found themselves within the confines of those four nation-states. These nation-states built their national identities on the basis of their dominant ethnic groups; Turkish identity in the republic of Turkey, Persian identity in Iran, and Arab identity in Iraq and Syria.[1] Also, these newly-founded states pursued mono-nationalist policies in the state administration. Thus, official-dominant ethnic groups' symbols, history, culture and language were featured and stressed, while the other ethnicities' were ignored [2], or even suppressed with a view to reinforcing nation-state structures in the above states. This emerging status quo sparked a series of reactions and uprisings by the Kurds against those states. This even exacerbated the situation, for all of the four states viewed Kurds as a threat to national unity and integrity. Therefore, they securitized the issue, and up to the present moment the Kurdish Question of the Middle East remains as one of the most important issues.

[1] David Romano and Mehmet Gurses, Introduction: The Kurds as Barrier or Key to Democratization in "Conflict, Democratization, and the Kurds in the Middle East", edited by David Romano and Mehmet Gurses, (Palgrave MacMillan, New York 2014) p.3

[2] David Romano and Mehmet Gurses, Introduction: The Kurds as Barrier or Key to Democratization in "Conflict, Democratization, and the Kurds in the Middle East", edited by David Romano and Mehmet Gurses, (Palgrave MacMillan, New York 2014) p.4

According to Bercovitch and Houston, the phenomenon of conflict is one of the universal and inescapable features of all the social systems irrespective of the extent to which they are simple or complex.[3] Phenomenon of conflict is such a broad and multi-faceted issue that it can occur in all social interactions for various reasons. In the face of devastating effects, human endeavour devised several ways to deal with them. Mediation, which is the focus of the present research, is one of the tools of first resort in settling the conflicts between two or more factions.[4] The reasons for resorting to mediation can vary. However, the overarching reason for launching a mediation enterprise on the part of adversaries and mediator is a desire to reduce, abate, or resolve a conflict due to shared humanitarian interest.[5]

Turkish and Kurdish conflict is categorized terminologically as an "intractable" conflict. This new genus of conflicts has also come to be known as ethnic/intra-state wars. The prevailing features of such conflicts are their persistence, destructiveness, and resistance to resolution.[6] Undoubtedly, this constitutes a compelling reason for attempting to reach peace. For this reason, it has become the issue of vital importance for the international society to seek immediate cease-fire with a view to halting human suffering caused by such conflicts. The common-sense and wisdom of conflicting parties become instinctively, sometimes frantically, enraged by their incited feelings, hostility and violence. This prevents them from embarking on a peace attempt with their own initiatives, which introduces third-parties as a potential intermediary to overcome this

[3] Jacob Bercovitch and Allison Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch. (Lynne Riener Publishers, Inc. Colorado, 1996) p.11
[4] C. M. Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, 4th Ed. (Jossey-Bass, A Wiley Brand, San Francisco 2014)
[5] Jacob Bercovitch, Mediation in International Conflict in Peace-making in International Conflict: Methods & Techniques. Edited by I. William Zartman and J. Lewis Rasmussen, (United States Institutes of Peace, 2001) (p. 133-134).
[6] Peter T. Coleman, Robin R. Vallacher, Andrzej Nowak and Lan Bui-Wrzosinska, Intractable Conflict as an Attractor, *A Dynamical Systems Approach to Conflict Escalation and Intractability*, American Behavioural Scientist, Vol.50. No.11, (2007) 1454-1475 p.1456

deadlock. Because protracted and intractable conflicts can easily discard any peace-making effort, caused by the slightest mishap or an act of provocation, they may require more than one peace initiative. This is verified by Bercovitch and Kadayifci, who state that intractable conflicts have a demonstrably higher potential to attract third-party efforts.[7]

Reasons for Writing

The primary objective of this thesis is to critically analyse mediation in general and back-track mediation in particular for the settlement of protracted intractable conflicts with a specific focus on The Oslo Peace Talks between the Turkish and Kurdish delegates. My research question is "how was the back-track enterprise of mediation instrumental in the Turkish and Kurdish negotiation process in Oslo"? I will examine the research question within the frame of following questions:

- What makes mediation distinguished among the other forms of conflict management?
- Why back-track mediation is needed in violent intractable conflicts?
- How was back-track mediation implemented in the Turkish and Kurdish peace talks in Oslo?
- What was achieved as a result of the back-track initiative in the Oslo Talks?
- What are the limitations of mediation?
- Was the Oslo Peace Process[8] a success or a failure?

The main contributions of this thesis to the generic knowledge in the discipline of "Conflict Resolution" are three-fold: (a) it will highlight back-track mediation by

[7] Jacob Bercovitch and Ayse S. Kadayifci, Conflict Management and Israeli-Palestinian Conflict: The Importance of Capturing the "right Moment", Asia-Pacific Review, 9:2, (2002) 113-129 (p.116).
[8] The terms "The Oslo Peace Process", "The Oslo Process" or "The Oslo Talks" will be used interchangeably throughout the thesis.

emphasising its function as a key to eliminating political impasse between warring parties, thus having higher potential to foster urgent cease-fire, (b) it will provide a very useful guideline to current and future practitioners of mediation, by reflecting on the back-track processes and meetings of the previous Turkish-Kurdish peace processes, and (c) it will introduce regional dynamics as potential spoiler that may well work against any peace initiative.

In general terms, mediation has a long history as a conflict resolution strategy[9], and key components of mediation consists of (i) parties in conflict, (ii) reason(s) of conflict, (iii) mediator and (iv) conflict environment.[10] These are of paramount importance in successful termination of conflicts. On the other hand, each conflict has its own history, narratives and dynamics. This is extremely significant in the respect that any mediation initiative that settles a conflict in one case may not settle it in another case even if the adversaries' statuses and the issues at stake may exactly be the same. In my understanding, this is intriguing. The distinguishing features of mediation when compared to other forms of conflict management (i.e. conciliation, arbitration and adjudication, consultation and problem solving, peace-keeping)[11] should be analysed in depth. Mediation offers practitioners a tool-kit, as in the words of Böhmelt "Tracks of Diplomacy,[12] among which any track can be picked up by mediator depending on the conflictual case at hand. These are "Track-1", "Track-2". "Track-one and a half", "Track-3" and "Back-track", respectively.

[9] Jacob Bercovitch and Richard Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, The University of Michigan Press, 2009, (p: 32) ; C. M. Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, 4th Ed. (Jossey-Bass, A Wiley Brand, San Francisco 2014) p.61
[10] Jacob Bercovitch and Allison Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch. (Lynne Riener Publishers, Inc. Colorado, 1996) p.13
[11] Ronald J. Fisher and Loraleigh Keashly, "The Potential Complementary of Mediation and Consultation within a Contingency Model of Third-Party Intervention", Journal of Peace Research 28, 1 (1991) p.29-42
[12] Tobias Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, (Journal of Peace Research, 47-2, 2010) 167-178, (p.167)

What is more intriguing, however, is why back-track mediation has been the one usually employed particularly in violent intractable conflicts between a state and non-state actor, such as in the UK-IRA and Israeli-Palestinian conflicts.[13] As it is known, these conflicts were successfully terminated via back-track mediation, even though the latter erupted again. Another successful case is the peace process between the Colombian government and the FARC that was concluded with an agreement as a result of a year and a half of secret negotiations.[14] In my opinion, back-track practice of mediation has not got the attention that it deserves. To be more precise, what is the exact potential of back-track that elevates it to the choice of first resort in the conflict types above when compared to the other tracks was one strand of my main motivation. Related to this question are the issues such as the rationale behind resorting to back-track intervention, the way(s) of its assessment in terms of success or failure and the way(s) of its initiation were my secondary points of interest.

The second strand of my motivation is related to the implementation of back-track initiatives in the Turkish and Kurdish peace processes, with a main focus on the most recent process called "The Oslo Peace Talks". As it is clear, the Turkish and Kurdish conflict has had a wide press coverage. It has also been one of the important topics of scholarly scrutiny particularly since the conflict started to follow an extremely destructive path with the emergence of the PKK. The conflict is deemed as one of the bloodiest and violent conflicts in the World`s history, for it claimed close to 40.000 lives from all segments of the society, destroyed villages and displaced huge numbers of people.[15] The

[13] G. Dean Pruitt, Negotiating with Terrorists, (International Negotiation, Vol. 11, 2006) 371-394 (p.381) ; G. Dean Pruitt, Back-channel Communication in the Settlement of Conflict, (International Negotiation, Vol. 13 2008) 37-54 p.38-39

[14] Mehmet Özkan, Shaping Peace Processes: A comparison Between Turkey and Colombia, (Turkish Policy Quarterly, Vol.16, No.4, 2018) 87-99, p.94

[15] Gokhan Bacik and B. Balamir Coskun, The PKK Problem: Explaining Turkey1s Failure to Develop a Political Solution, (Studies in Conflict & Terrorism 34:3, 2011) 248-265 p.249

Turkish and Kurdish conflict has undergone multiple peace initiatives. However, the most recent one, the Oslo Peace Process, was the most long-standing one that was initiated via back-track mediation like the previous ones, and it was also the one during which the parties came quite close to settlement but could not achieve it. My general inquiry centres on "how back-track mediation was instrumental in the Oslo Process". "How the process was initiated", "who were the bargaining delegates", "what was the air of meetings" and most importantly "why the process failed" were the related issues about back-track and the Oslo Process.

Literature Review

The existing literature over the Kurdish Question of Turkey is limited in the sense that it falls short of addressing this issue through the lenses of the conflict`s intractability and its treatment via back-track mediation that was employed in all the previous peace attempts and the recently-ended Oslo Peace Talks.

General focus of the scholarly endeavour about the Kurdish issue of Turkey is more on the historicity of the conflict. Some publications by the scholars such as Gunter, Mango, Yegen, Keyman, Bruinessen, Kuzu, Ercan and the former HDP deputy, Altan Tan, provide in-depth analysis as to the root causes of the conflict and the historical course of it thus far.[16] The commonly-held view is that the transformation from the multi-ethnic

[16] Durukan Kuzu, Multiculturalism in Turkey: The Kurds and the State, (Cambridge University Press, Cambridge, UK 2018) ; Mesut Yeğen. Turkish nationalism and Kurdish question, Ethnic and Racial Studies, 30:1 (2007) 119-151 ; E. Fuat Keyman. Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, Policy and Social Criticism, 38 / 4-5 (2012) ; Altan Tan, "Kurt Sorunu", (Timaş Yayinlari, 13 Baski, Istanbul 2012) ; Martin V. Bruinessen. Agha, Shaik and State: On the Social and Political Organization of Kurdistan. (Utrecht: Rijksuniversiteitte, 1978) ; Andrew Mango, "Atatürk and the Kurds", Middle Eastern Studies, Seventy-Five Years of the Turkish Republic, Vol. 35, No. 4, (1999) p.1-25 ; Michael M. Gunter, The Kurdish Problem in Turkey, Middle East Journal, Vol.42 No.3, (1988) pp.389-406 ; Harun Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, Dialect Anthropol, (2013) 37:113-122, available at https://bit.ly/2kzyFp7

and multi-faith structure of the Ottoman Empire to a secular nation-state model – with a centralized administration — has been the major source of the conflict. In essence, all of the works above clearly demonstrate that the Kurdish issue of Turkey is all about a matter of democracy. To be able to demonstrate this, they all examine particular periods of the Republic, like the initial years of it till 1950s, then 1960s-1970s and onwards in terms of the Kurdish movement and its perception on the state discourse. However, they approach the matter from different angles.

For example, in his work, Yegen attempts to read the state discourse on the Kurdish issue from the lens of Turkish nationalism. According to him, Turkish nationalists see the Kurds as a rival ethnicity, where he uses the term "fatal rivalry". Keyman, while agreeing that there is a clear violation of basic rights in a democratic sense, puts the blame on the Turkish Modernity Project, which was intolerant to differences for the sake of funding a secular nation-state, being inspired from its French counterpart. Further to this, Both Gunter, Yegen, Keyman and Kuzu agree that official state discourse on the Kurdish issue was based on the policies of negation-containment-assimilation and the issue was, for the most part, dealt with through security-based approaches till the early 1990s. In his recent study, "Multi-culturalism in Turkey: The Kurds and the State", Kuzu, also going into deep about the conflict, deals with it within the frame of multi-culturalist perspective and seeks an answer to whether this perspective is viable in its settlement. So, from the works above, one can have a clear understanding of the different phases the Turkish and Kurdish conflict went through from the mid-1920s to late 1930s and throughout 1950-60s and late 70s. In addition to these phases, the early 1980s (the 1980 Coup and the ban on the Kurdish language) should also be added as a final phase that handed over the conflict to phenomenon of intractability. However, in the above works is a substantial gap in establishing a link between the Turkish & Kurdish conflict and its

analysis through the lenses of intractability. To be more specific, they fall short of making it clear how each period above paved the way for this conflict to develop into the intractable one, and as a result, the conflict acquired an extremely violent and destructive characteristic with the emergence of the PKK.

Even though there are many scholars studying on international conflicts in general sense, only handful of them focus particularly on protracted intractable conflicts and go into the deep of them.[17] Still, their studies can make us gain in-depth understanding of these conflicts and have grasp of the key features that they manifest. What these studies lack, however, is that they did not devote any space to why and how the initiative of back-track mediation can be used effectively in approaching the protracted violent conflicts. By and large, what is available in respect of the back-track mediation and its practice in the intractable conflicts is two comprehensive studies, one by Pruitt and the other by Wanis.[18] Both authors provide a detailed theoretical framework and then continue their analysis through the case studies. While Pruitt examines back-channel over the UK-IRA, Israeli-PLO and South Africa-ANC conflicts, Wanis analyses it via Israeli-PLO conflict. Both authors talk about back-channel`s benefits and handicaps, yet Pruitt`s work is clearer in terms of back-track`s strengths and weaknesses. While Wanis is pessimistic and talks prudently about back-channel, Pruitt is optimistic and favours it. The practice of back-

[17] Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C., Taming Intractable Conflicts: mediation in the hardest cases, United States Institute of Peace Press, Washington D.C., 2004) ; Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C., Grasping the nettle: analyzing cases of intractable conflict, (United States Institute of Peace Press, Washington D.C.,2007) ; Jacob Bercovitch and Karl Derouen Jr., Mediation in Internationalized Ethnic Conflicts: *Assessing the Determinants of a Successful Process*, Armed Forces & Society, Vol.30, No.2, Winter (2014) ; J. Michael Greig & Paul F. Diehl, International Mediation, War and Conflict in the Modern World, (Polity Press, UK, 2012)

[18] G. Dean Pruitt, Back-channel Communication in the Settlement of Conflict, International Negotiation, Vol. 13, (2008) 37-54 ; Anthony Wanis-St. John, Back-Channel Negotiation: International Bargaining in the Shadows, Negotiation Journal, Vol.22 No.2, (2006) 119-144

track mediation in the Turkish and Kurdish peace processes still begs for scholarly scrutiny.

Even though the scholarly publications on Turkey`s Kurdish question and also on the Kurdish issue in the Middle East context are abound, there is a huge gap in the analyses of the preceding Turkish and Kurdish peace processes, all of which were initiated through the back-track mediation. There are only few studies about the previous peace attempts: (a) TESEV report by Candar, (b) a book by Guller and (c) a recent article by Kadioglu.[19] In TESEV report, Candar covers the two previous peace initiatives (the first one by Ozal in 1993 and the fourth one by Erbakan in 1996), while Kadioglu briefly analyses the first one by Ozal and the second one by Ciller in 1995. On the other hand, in his book Guller deals with all the four peace processes in a more detailed fashion. In his analysis, Guller also includes the Oslo Peace Process in detail, which is the most recent peace initiative taken and is one of the focuses of this study. For this reason, I rely more on Guller`s work in my analysis about the peace attempts. All of the studies, however, lack investing the theory of mediation in each process, including the latest one (in his article, only Kadioglu analyses the Oslo Process within the frame of back-track mediation). That`s why, they fall short of addressing such questions as "why all of them were approached via back-track", "who were the mediators", "how they were chosen" and "what strategies they employed". In other words, there is a huge gap as to scholarly analysis of previous peace processes within the frame of mediation. For instance, the following issues like "why and how they ended", "if they facilitated one another" and "if they served as ripening element for the Oslo Talks" are the further inquiries.

[19] Cengiz Çandar, Dağdan İniş-PKK Nasıl Silah Bırakır, Kürt Sorunun Şiddetten Arındırılması, TESEV, (2012) 1-103, available at http://tesev.org.tr/tr/yayin/dagdan-inis-pkk-nasil-silah-birakir/ ; Mehmet A. Güller, Hükümet-PKK Görüşmeleri, (Kaynak Yayınları, 5.Basım No.610, 2015) ; İ.Aytaç Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, Studies in Conflict & Terrorism, (2018) 1-19

Existing literature on the Oslo Talks is rather limited. This is quite understandable, for the Oslo Talks were executed via back-track diplomacy and it can be seen as a recent phenomenon. One of the scholarly publications about the Oslo Talks is by Guller and the other publication is by Kadioglu.[20] Guller provides contradicting views about the beginning of the Oslo talks and then presents the minutes of the fifth meeting; thanks to which it is possible to picture the air of the meetings. However, his analysis about the Oslo Talks is not focused on examining the process within the principles of mediation via back-track. On the other hand, Kadioglu analyses the process within the lens of back-track mediation. His analysis is satisfactory in terms of how back-track mediation was practiced during the entire process. He also mentions the acquisitions thanks to the Oslo initiative. However, his analysis misses two points. The first is his argument that the third-party (British intelligence) assumed the role of mediator "with less muscle",[21] where he grounds his claim on mediator`s not proposing a guideline that will govern the route of bargaining process. Of the roles that a mediator can assume during an initiative are three; (a) *communicator / facilitator*, (b) *formulative / procedural* and (c) *directive / manipulative* (mediation with muscle). So, in the Oslo Talks, mediator preferred to assume the role of communicator / facilitator, thus remaining passive during the entire bargaining process. This is quite clear from the minutes of the fifth meeting that were leaked. The second is that when he discusses the failure of the process, he puts the blame on both sides; namely the domestic opposition on the part of the State and the radical components on the part of the HDP and the PKK.[22] These are acceptable, for both factors acted as spoilers throughout the peace process. He also claims that leakage of secret

[20] *ibid*
[21] İ.Aytaç Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, Studies in Conflict & Terrorism, (2018) 1-19, p.9
[22] İ.Aytaç Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, Studies in Conflict & Terrorism, (2018) 1-19 (ps.13-14)

negotiations by spoilers ended the meetings.[23] This is true, because there could have been further secret meetings if that leakage had not happened. However, who can predict what would possibly have happened if there had been further meetings? Yet, as a result of the leakage, there is a solid result. This leakage by the spoilers accelerated the transition to front channel talks, albeit unwittingly. In theory, this transition from back-channel to front-channel is the final aim of the secret negotiations. Kadioglu`s argument about the spoilers on both sides is reasonable, for the process underwent few interruptions during the negotiations due to spoilers. However, when I look at the entire peace process, it was able to survive, albeit some interruptions, by the efforts of both sides no matter what happened during its course. However, a suicide blast of an external origin committed by the ISIS within the Turkish border city adjacent to Syria terminated the peace process as the PKK held government responsible for this blast and killed two police officers in their sleep.

Scholarly investigations about the "spoilers" are plenteous. Publications particularly by Stedman, Shepherd and Zahar provide a detailed account of what this phenomenon associates.[24] Their analyses related to the spoilers are based on the notion that spoilers can be any domestic or external actors working to disrupt any peace attempt through employing various means available. Their motivation for spoiling can hinge on any single or multiple reasons. However, the way in which the Turkish and Kurdish peace process ended does not satisfactorily suit the traditional conceptualisation of the phenomenon, which introduces us with a new phenomenon that can potentially act as a spoiler: "regional dynamics". The outbreak of Syrian Civil War has had coverage in the

[23] *ibid,* p.14
[24] Stephen J. Stedman, Spoiler Problems in Peace Processes, International Security, The MIT Press, Vol.22, No.2 (1997) ; Ben Shepherd, The 'Spoiler' Concept, Conflict and Politics: who 'spoils' what, for whom?, Foreign & Commonwealth Office, London School of Economic and Political Science, (2010) (p.3), available at https://bit.ly/2QDnGJt ; Marie-Joelle Zahar, SRSG Mediation in Civil Wars: Revisiting the "Spoiler" Debate, Global Governance, Lynne Rienner Publishers, Vol.16, No.2 (2010)

scholarly literature in terms of its implications on the Turkish and Kurdish peace process.[25] The commonly-held view about the Syrian Civil War is that it worked to the detriment of the ongoing peace process. Gunes and Lowe, Resch, Kose and Deli rightly focus on the three crucial developments in their analysis. These are as follows;

(a) The rise and expansion of PYD-YPG (sister organizations of the PKK in the Syrian context) in the north of Syria and the international military support they received for their fight against ISIS not only increased the PKK`s influence in the north of Syria, but also indirectly boosted the PKK`s operational capacity against Turkey through international military aid.

(b) Unilateral declaration of "Autonomous Kurdish Region of Rojava" by the PYD-YPG in the north was perceived as fleshing out Ocalan and PKK`s ideology of "democratic confederalism", which rejects nation -state. This raised Turkey`s concerns about the security of its southern borders.

(c) Kobane issue: The defence of Kobane against the ISIS and liberation of the city from it was of pivotal significance in that (i) it was seen by the Kurds as an epic victory, which raised the expectations of an independent state among the Kurds and (ii) it also enhanced PKK`s bargaining power in the process.

The above works successfully present the effects of the Syrian Civil War on a regional scale. So, one can easily infer that these effects served to the detriment of the

[25] Eva M. Resch, Syria's Impact on the Kurdish Peace Process in Turkey, IAI Working Papers, 17-24 June, (2017), 1-20 available at http://www.iai.it/sites/default/files/iaiwp1724.pdf ; Talha Köse, Rise and Fall of the AK Party's Kurdish Peace Initiatives, Insight Turkey, Vol.19, No.2, (2017) pp.139-165 ; Cengiz Gunes and Robert Lowe, (2015), The Impact of the Syrian War on Kurdish Politics Across the Middle East, Chatham House, Middle East and North Africa Programme, (2014) 1-15 p.4 available at https://bit.ly/2QvSlb4 ; Hursid Deli, Kobani Savaşı'nın Etkileri ve Sonuçları, Aljazeera Turk, 12.10.2014, available at https://bit.ly/2Uhl5H7

Turkish and Kurdish peace process. They mostly deal with the Kurdish issue within the scope Syrian Civil War, the PKK / PYD and the KRG. What they all lack, however, is that they ignored the very fact that the Kurdish question erupted as a regional phenomenon in the first quarter of the 20th century. And since then, cross-border facilities have been benefitted by the leading Kurdish figures in their efforts to sustain their struggle. It is thanks to the regional dimensions that Kurdish issue has never withered away, which made the conflict protracted in nature. It is not the PKK or PYD only that benefitted from the trans-border facilities. Furthermore, Kose, in his analysis, focuses more on the domestic politics and relegates the issue of regional dynamics to the secondary position as a reason of failure in the peace process, while Deli confines his analysis only to Kobane issue. In addition, all the works above miss out the processes as to how the Kurdish Question of Turkey became intractable.

This study has substantial contributions to the existing literature in three key points. First, it will fill the gap with its emphasis on the back-track mediation and its practice in approaching the violent intractable conflicts. To be more precise, in the face of a violent and enduring intractable conflict between a sovereign state and a non-state actor; the issues of;

(a) "what are the possible ways for initiating a back-track process?",

(b) "how a back-track negotiation under the supervision of a mediator takes place?",

(c) "what is the atmosphere?",

(d) "what kind of attitude the mediator assumes during the bargaining?" and finally

(e) "what is the best strategy that can be employed by the mediator in the course of bargaining?"

are of crucial significance in terms of current and prospective practitioners in their likely execution of any back-track enterprises. So, these issues will be addressed in this study. I also particularly draw attention to the efficiency of back-track intervention in launching peace talks and having a higher potential to promote an immediate cease-fire.

Another contribution of this study to the existing literature will be the in-depth analysis it provides about all the peace processes between the Turkish and Kurdish sides, with a main focus on the most recent attempt of "Oslo Peace Process". In my analysis, I invest theory of mediation in each peace process between the parties and address any kind of question pertaining to the functioning of back-track mediation. This study demonstrates that all the peace attempts initiated via back-track resulted in cease-fire. My analysis about the four previous peace initiatives is of synoptic quality, for they all took place within a short time period. However, I go into more detail in the analysis of the Oslo Peace Process in that (a) it is one of main inquiries of this thesis, (b) it is the most recent peace process, (c) it is the longest process between the parties and (d) it is the process during which the parties came on the brink of settlement but failed to conclude it with an agreement.

Last but not least, this thesis points to a link between regional dynamics and third-party interventions in the protracted violent conflicts. Accordingly, any attempt of mediation-intervention in intractable ethno-political conflicts between a state and an insurgent group that has trans-border extensions has to take into account of the regional dynamics and developments. This thesis argues that regional dynamics during any peace attempt may well work against the process, put the negotiators in an awkward position, and derail the initiative. It achieves this by closely and in-detail examining the recent peace process between the Turkish and Kurdish sides. The close examination of the Oslo Peace Process shows that it was an enduring initiative, albeit the misfortunes and interruptions it underwent. However, the process had to give in to the phenomenal

regional developments that occurred in consequence of the ongoing Syrian Civil War. This thesis also reveals that the Oslo Peace Process was not the first attempt that was derailed due to regional dynamics. The third peace attempt initiated by the-then PM Mesut Yilmaz in 1996 was derailed because a minibus was blasted near a PKK school in Damascus.[26] On that sense, it postulates that regional dynamics are one of the most crucial parameters before the peaceful settlement of Turkish and Kurdish conflict.

Methodology

"Social Science" has been one of the archaic pursuits of human being and constitutes the driving force of human endeavour in its attempt to achieve the truth. Undoubtedly, this is due to the fact that human beings have always felt the need to refer to science with a view to disclosing and evidencing truths. On his way to achieving truths, man has exhibited significant progress, as it is apparent that history of civilization is rich with scientific achievements. However, this does not mean those achievements were without their challenges. One of the challenging tasks in this endeavour has been and still is, as in the words of Burnham, et. al., such issues as "what is out there to know about, what can we (hope to) know about it, and how can we go about acquiring that knowledge".[27] This is the issue that relates to methodology, which sheds light on researchers` ways in their attempt to reach out the facts, phenomena and truths. Past achievements and experiences are rich with guidelines and principles which scientists can employ when conducting a research. These guidelines and principles are extremely significant as they warrant the reliability and validity of the new knowledge researchers have produced. On the contrary, new knowledge that has been produced would not be

[26] The reader may refer to page …. of the 4th

[27] Peter Burnham, et al. Research Methods in Politics, 2nd ed., (Palgrave Macmillan, New York, 2008) p.4

accepted, if they were not produced in compliance with those guidelines and principles. This promotes the issue of methodology and research method to primary position. Needless to say, methodology is the analysis of approaches and principles that advise scientists in choosing a proper research method, while research method is a tool with which scientists conduct their researches.

On the other hand, any issue qualified for a scientific scrutiny may be approached by different scientists with diverse methods, depending on their perceptions of world and methodological perspectives. For this reason, scientific tenet sees no harm in the analysis of any specific phenomenon by different scientists, each utilising or resorting to diverse methods. What is out there, however, is, as Burnham, et. al. correctly put it,[28] that there are accurate ways of employing methods with a view to producing reliable results, albeit with their own limitations. When it comes to the field of politics, navigating the methodology and picking the appropriate method require much more effort in that it is a multi-disciplinary field embracing history, philosophy, economics, law, psychology, sociology and geography. Politics functions as if it is a "*rendezvous point*" of all social sciences. Therefore, particular attention should be paid to selecting a research method(s) when conducting a research in politics and/or international relations.

I have employed mixed method in this thesis. Mixed method, also termed as "multi-method", "mixed methodology" or "integrating", can be assumed relatively to have a recent origin dating back to the late 1980s and early 1990s.[29] It allows researchers to refer to both data collection tools (namely, qualitative and quantitative methods) during the entire research process. The rationale behind my choosing mixed method is that it

[28] *ibid* (p.4)
[29] John W. Creswell, Research Design: Qualitative, Quantitative, and Mixed Methods Approaches, 4th ed., (Thousand Oaks, CA: Sage, 2014) ; Michael R. Harwell, Research design: Qualitative, quantitative, and mixed methods: Pursuing ideas as the keystone of exemplary inquir. In *The Sage handbook for research in education: Pursuing ideas as the keystone of exemplary inquir*. Sage. (2011)

benefits from the strengths of qualitative and quantitative methods, while it minimizes their limitations. Further to this, it solidifies the arguments researchers have made by supporting them with the figures derived from questionnaire surveys. This is how I was able to substantiate my argument when I claimed at the end of Fourth chapter that the Oslo Peace Process had a huge support by the Kurdish public. Similarly, after presenting my argument about the support by the Kurdish people, I provided questionnaire survey results about it (support of 84%).

This thesis attempts to evidence that back-track mediation should be the tool of first resort in approaching protracted intractable conflicts, and I critically analysed the implementation of back-track intervention in the Turkish and Kurdish conflict. The key phenomena such as mediation, conflict and Kurdish Question in Turkey informed me to take historical approach. Because, without having background information as to what phases mediation went through and how it evolved in the historical process, without having a basic understanding about how the nature of conflicts changed in the last four or five decades, and finally without knowing the root causes of the Kurdish question in Turkey, dating back to the initial years of the Turkish Republic, and how it morphed into an intractable conflict, it is almost impossible to make sense out of the arguments presented here.

I have used both primary and secondary data in my dissertation, yet most of my sources are composed of secondary data sources. Analysis of secondary sources of data is characterised as making use of and re-analysing the already-existing data derived from the previous investigations.[30] With respect to why I have chosen this method of analysis,

[30] Lorraine Andrews, Agnes Higgins, Michael W. Andrews and Joan G. Lalor, Classic grounded theory to analyse secondary data: Reality and reflections. *The Grounded Theory Review, 11*(1), (2012) 12-26 ; Janet Heaton, Secondary analysis of qualitative data: an overview. *Historical Social Research*, *33*(3), (2008) 33-45. p.34

I chose it due to three main reasons: (a) to be able to verify, refute or refine the pre-existing studies, (b) to approach the data from a different angle and (c) to be able to produce novel ideas. To name a few of how I materialise this, I refine and re-examine the existing data in the Third and Fourth chapters, where I discuss why mediation is important in protracted intractable conflicts in the former, and in the latter, I focus on the Oslo Talks between the parties. In the final chapter, I re-engage with the existing data about the tacit cooperation between the PKK/YPG and the Assad regime and also argue that the regional dynamics acted as a spoiler, ending the process. One of the advantages of using secondary data in this research was that it enabled me to conduct a cost-effective investigation. Using secondary data made me be familiar with how to conduct a research process, investigate a particular phenomenon and analyse-comment on the existing data in my efforts to contribute to the existing literature pertaining to mediation and conflict in particular.

While I was dealing with the historical background of mediation, conflict and Kurdish Question of Turkey, I had a plethora of sources, and I mostly used books and journal articles. However, in some parts of my dissertation I resorted to on-line sources such as news portals, for the peace process continued till 2015 and the Syrian Civil War is ongoing. These are quite recent events and thus scholarly publications are rather scarce. For this reason, while I was working on the recent happenings such as Kobane Siege, 6-8 October Events, Peace Process, the PYD, the YPG and their course of actions in the north of Syria I also derived sources from the websites of well-known news portals such as BBC, Al-Jazeera and some from domestic country-wide news agencies.

In the final section of the Fourth chapter, I provided questionnaire survey results of five institutions (three of them are NGOs and the other two private survey companies) to show how huge support the peace process received from the Kurdish people. I produced an authentic figure by breaking down the five survey results and demonstrated the new

figure on a chart. The institutions whose surveys results I used are GENAR ARASTIRMA DANISMANLIK EGITIM (GENAR/survey company), BILGE ADAMLAR STRATEJIK ARASTIRMALAR MERKEZI (BILGESAM/NGO), ULUSLARARASI KULTUREL ARASTIRMALAR MERKEZI (UKAM/NGO), SIYASAL VE SOSYAL ARASTIRMALAR MERKEZI (SAMER/NGO) and ORC ARASTIRMA (survey company). The reason why I used their results is that they are credible institutions and their results are reliable. For example, the questionnaire surveys carried out by BILGESAM and UKAM were conducted by academicians,[31] which is, for sure, reassuring in terms of the fact that scholarly standards were followed during the design and application of their surveys. What`s more, at the time of applying the survey, UKAM`s Chair was a lecturer in Dicle University in Diyarbakir, so this survey was applied by the people that are familiar with the facts on the ground. The questionnaire survey carried out by SAMER was conducted by Welat Ay, the-then general co-ordinator of SAMER.[32] This NGO is based in Diyarbakir, a predominantly Kurdish city and stronghold of the political wing of the PKK. As such, they have considerable in-situ experience. UKAM and SAMER`s in-situ experience, in my understanding, is an important parameter that contribute positively to the reliability of their survey results. For this reason, I make a comparison among the results of all the five institutions, by using UKAM and SAMER`s results as a benchmarking instrument. On the other hand, GENAR and ORC ARASTIRMA are two private country-wide survey companies that conduct questionnaire surveys mostly about elections and also issues that are of particular

[31] Bilgesam`s survey was conducted by Dr.Salih Akyurek available at http://www.bilgesam.org/yazar/91/-dr--salih-akyurek/ ; and Ukam`s survey was conducted by then-Dr.Ilhan Kaya (now Prof.), at Yildiz Techinal University in Istanbul available at https://yildiz.academia.edu/ilhankaya, and currently he is the Chair of International Cultural Research Centre in Istanbul. However, he was the chair of Ukam and lecturer in Dicle University in Diyarbakir when this survey was conducted available at https://bit.ly/2ZVa2H3

[32] Welat Ay, SAMER`s general co-ordinator, available at https://bit.ly/2TRNkjG and SAMER`s headquarter is in Diyarbakir, available at https://bit.ly/2Jits2z

significance in the eyes of public.[33] These two private survey companies have been active for a long time and have had significant experience in conducting questionnaire surveys country-wide.

Method and Sampling of the Questionnaire Surveys

Target group of UKAM`s questionnaire survey is the people over 18 years of age in the areas that are densely populated by Kurds. Sampling of the survey, on the other hand, is a group of 2985 people selected from the cities of East Anatolia and South-East Anatolia. The data were collected through a questionnaire that was conducted face to face. Data collection was launched on 3 April, 2013 and terminated on 26 April, 2013. What followed was that the data entry was made, and the research findings were put into a report form. 54% of those participating in the survey was male, while 46% female. Age distribution of the participants is; 26,1 % between 18-25 years of age, 29,2% between 26-35 years of age, 18,5% between 36-45, 12,7% between 46-55, 8,9% between 56-65, and 4,2% between 66-over. High school graduates and primary school graduates constituted the majority of participants. Accordingly, 35% of the participants was the primary school graduates, and 32% of them high school graduates. Those who have university degree or who are still continuing higher learning constitute 16% of the participants, while those who are literate but failed to graduate from primary school or who are not literate constituted 17%. 75% of the participants was ethnically Kurd, 12% Turk, 7% Zaza and 6% Arab. 57% of the participants stated that they speak Kurdish in their homes, 31% Turkish, 5% Zazaish, 4% Arabic and 3% both Kurdish and Turkish. Similar methods were employed in the other four questionnaire surveys, and the results of the surveys about the resolution process will be provided in a new chart towards the end of the fourth chapter.

[33] GENAR is available at http://www.genar.com.tr/ ; and ORC ARASTIRMA is available at https://bit.ly/2Llpvg1 I included these two survey companies in my analysis because they are well-known and two of the experienced ones in Turkey, and they also operate throughout the country.

The surveys I am using here are quite comprehensive in scope and attempt to disclose each and every aspect of the Kurdish question in Turkey. Therefore, they are formed of many questions. However, I focused on only one question; "Do you support the Resolution Process?", for the main focus of this thesis is back-track mediation and the Oslo Peace Process between the parties.

In the analysis of the data I collected, I drew upon "*process-tracing*" method. As a research method, process-tracing is employed with a view to tracing causal mechanisms through the use of elaborated, within-case empirical analysis.[34] This is to demonstrate the way in which a causal process functions in a real case. Process-tracing is a useful tool for case studies particularly for two purposes; (i) to discover the causal dynamics which generate the outcome of a specific historical case, and (ii) to provide an insight into generalizable causal mechanisms that links causes and outcomes within a population of causally comparable cases. According to Beach,[35] process-tracing is functional especially in three aspects; (i) theorizing causal mechanisms that combines causes and outcomes, (ii) analysing the observable experimental phenomena of theorised mechanisms, and (iii) benefiting from comparative methods to make it possible for generalisations of findings derived from individual case studies to other causally comparable cases. The merit of process-tracing is that it allows researcher to make robust causal inferences regarding how causal processes operate in real-life phenomena predicated on examining within-case mechanistic evidence.

Process-tracing method facilitated my analysis to a great extent in my conclusion that back-track mediation is the tool of first resort in addressing protracted intractable conflicts. The cases in point are "The Good Friday Agreement" between the UK and the

[34] David Collier, Understanding Process Tracing, Political Science and Politics 44, No.4 (2011) 823-830, p.824
[35] Derek Beach, Process-Tracing Methods in Social Science, Oxford Research Encyclopaedia, Politics, (Published online in January-2017), 1-28 (p.2) available at https://bit.ly/37tP1Wt

IRA, the 1994 Oslo Accord between Israel and Palestine, the agreement between the Colombian government and the FARC, the previous peace processes between the Turkish state and the PKK, and the recently-conducted Oslo Peace Process between Turkish and Kurdish delegates in Oslo. All of the above processes were initiated via back-track mediation, some of which were concluded in agreement and some of which were derailed for some reasons. Even in terms of those that were derailed due to some reasons, one should definitely bear in mind that back-track intervention contributed efficaciously to immediate cease-fire.

My readings of Turkish and Kurdish conflict predicated upon process-tracing principles lead me to draw some conclusions about this long-standing conflict. What is apparent is a gradual metamorphosis of issues in Kurdish Question. For instance, the first uprising against the newly-founded Republic by the Kurds, the Sheikh Said Rebellion of 1925 did not bear ethnic elements, but religious, economic and administrative issues. During the course of this conflict, it started to consolidate along ethno-political lines from the late 1930s to the 1950-60s. Interestingly, in the 1970s, this was solidified, which brought about the emergence of the PKK. During the conflict, this period threw up interest groups both within the Turkish state and the PKK structures. This can clearly be seen in the ways in which the previous peace attempts (those prior to the Oslo Talks) by the parties were derailed during cease-fire periods.[36] The most recent peace attempt by the

[36] Ozal`s sudden death, which is still controversial in the Turkish public, inflicted a heavy blow on the first peace attempt. However, the cease-fire was still in practice between the parties. The conclusive action that ended the cease-fire was that the PKK death squad ambushed and killed 33 unarmed soldiers in Bingol. This this attempt was seen by the PKK top-cadres as a sincere one and they stated that it was undermined by pro-war actors on both sides (reader may refer to the Third chapter, page-13). The second peace attempt by Ciller was disrupted by a single event called "Guclukonak Massacre", which took place just a month after Ocalan had declared a cease-fire (reader may refer to the Third chapter, page 18). The third peace attempt by Yilmaz was derailed due to an assassination attempt, during which both parties were in back-channel negotiation phase (reader may refer to the Third chapter, page 19). Finally, the fourth peace initiative by Erbakan was undermined first by a military operation of Turkish Armed Forces with their own initiative and Erbakan`s resignation due to post-modern military coup (reader may refer to the Third chapter, page 22).

parties, namely the Oslo Peace Talks", was derailed due to the regional dynamics. The spread of the Arab Spring to Syria in the early 2011 and its morphing into a civil war destabilised Syria on a large scale. This brought about a huge power vacuum in the northern borders of Syria adjacent to Turkish borders of 911 km. This power vacuum was first filled by the ISIS and then by the PYD-YPG, the Syrian branch of the PKK. The PYD quickly became organized and consolidated its position in the north of Syria. This new status quo revived the PKK`s idea of an "independent Kurdish State", which they had given up in the early 2000s. What followed was that the organization unilaterally declared the Autonomous Kurdish Region of Rojava. These region-wide developments strengthened the PKK`s hand against Turkey during the peace process, while they increased Turkey`s concerns in terms of the security of its southern borders. Thus, the Turkish state saw this new status quo as a serious threat in its decades long struggle against the PKK. In sum, thanks to the conflict in Syria and the larger geopolitical and geostrategic developments outside Turkish border, both sides were distracted, which contributed to the failure of the peace process.

Chapter Outline

Chapter-2 deals with three issues in main. The chapter starts with providing a historical background of the Kurdish Question with a view to demonstrating that the issue already erupted as a regional problem. Then, the chapter analyses the emergence of Kurdish Question in Turkey. Here, the focus will be on the foundation of Turkish Republic based on the principles of unitary & secular nation state and on how they led to the Kurdish unrest. Finally, the chapter will elaborate on why and how this issue morphed into intractable conflict by referencing fundamental events that took place during the conflict cycle.

Chapter-3 dwells essentially on three issues. The chapter starts with a detailed theoretical framework of mediation. Here, the focus of inquiry is on the historical evolution of mediation, and this is followed by an in-depth analysis of the ingredients that fashion mediation. The chapter, then, proceeds with the issue of "ripeness" or "conflict ripeness". In this section, the focal point is the exploration of issues such as what ripeness suggests and why it is considered a crucial parameter in the success or failure of any peace initiative. Final part of the chapter attempts to unfold the unique properties that feature mediation in approaching violent intractable conflicts. Changing nature of the conflicts in the post-Cold War period is the focus of analysis. Later on, the chapter continues to elaborate on the "Tracks-Off" diplomacy and provides a comparative analysis of all the available tracks.

Chapter-4 explores all the previous peace attempts between the Turkish and Kurdish sides within the perspective of back-track mediation. The primary focus of this chapter is to provide insight into how back-track mediation was implemented in the all processes. Whether the practices of back-track mediation in each peace process fit the essence of mediation or not is tested through the theoretical perspectives presented in the third chapter. The first section deals with the previous four peace attempts between the parties. The analyses pertaining to previous attempts are relatively short, for those processes took place within a short time period. The second section centres on the most recent peace process between the parties, namely the Oslo Process, at length. Considerable amount of space is devoted to the Oslo Process, for it is one of the main focuses of this thesis. It is also the most recent peace attempt that lasted the longest and during which the parties came quite close to agreement. This section successfully illustrates how a back-track initiative takes place. This is materialised thanks to the

leakage of the minutes of the fifth meeting, some dialogues of which I added and analysed in this section.

Chapter-5 discusses the biggest challenge that stands in front of mediation efforts: "spoilers". This thesis deems spoilers as agents that pose the greatest threat to any peace attempts initiated through any conflict resolution method, and mediation is not an exception. The chapter starts with the traditional understanding of spoilers which assumes that spoilers can be any actors working to derail any peace initiative by using any tool available for various purposes. However, this chapter introduces a new phenomenon that may potentially act as a spoiling agent during a peace attempt: "regional dynamics". The primary object of scrutiny is the outbreak of the Syrian Civil War and successive regional developments in the north of Syria. This section focuses on how the regional dynamics distracted the parties during the ongoing process, leading to the failure of it.

Conclusion/Chapter-6: The conclusion of this thesis has three important implications. First, it erects back-track initiative as the best approach for going about intractable conflicts by examining in detail the "tracks-off" diplomacy within the scope of mediation. Second, it consolidates this by investing back-track enterprises in the previous peace attempts in the Turkish and Kurdish conflict and also briefly touching on the other intractable conflicts of the 20th century. Finally, it regards regional dynamics as a factor that can derail any peace attempt and argues that the Oslo Process ended due to exceptional regional developments.

CHAPTER-2 KURDISH QUESTION AS A REGIONAL PHENOMENON

Introduction

The intricacies and uncompromising stances observed in ethno-nationalist conflicts among communal groups or between a state and its subordinate groups drag these conflicts into intractable ones that are difficult to resolve. One can tell plenty of characteristics that make such conflicts almost impossible to settle. One of them, which forms the main argument of this thesis, is the regional dimensions of the given conflict. Regional dimensions of any ethnic conflict are important for two reasons: (i) transnational or cross-border environment can provide the insurgent group with greater operational and political facilities, and (ii) any development in close proximity is likely to have societal and/or political bearing on the other side of the border. Nevertheless, Gurses states that transborder characteristics of ethnic insurgencies are, by and large, ignored by scholarly endeavour.[1] He also tries to draw our attention to how important the issue of regionality in ethnic conflicts is, by providing us with a striking statistic. Accordingly, 68 ethnic groups engaged in armed clashes between the years of 1950-2006, and 50 of these groups had ethnic lineages across their adjacent borders. This aspect of ethnic insurgencies greatly makes the situation worse in that it can enhance the operational capability of the insurgent groups, provide safe havens and logistic/economic support for them, and also facilitate further recruitments. This is what has been experienced since the onset of PKK insurgency in Turkey.

It would not be wrong to argue that cross-border facilities in the south (Syrian border), south-east (Iraqi border) and east (Iranian border) of Turkey have played a vital

[1] Mehmet Gurses, From War to Democracy: Transborder Kurdish Conflict and Democratization in "Conflict, Democratization, and the Kurds in the Middle East", edited by David Romano and Mehmet Gurses, (Palgrave MacMillan, New York 2014) p.250

role in the PKK`s shaping and sustaining its armed clash against the Turkish state in all respects. Yet, Syria, as a regional actor, takes an exceptionally important place in the Kurdish question of Turkey. First, Turkey has 911 km border-line with Syria (the longest border-line when compared to the Iranian and Iraqi borders with Kurdish population). Each side of this adjacent border of 911 km is heavily populated by the Kurdish people that have relationship by strong affinity. This is, for sure, important in that it makes the border irrelevant due to intense trans-border crossings by people on both sides and also anything that has happened in any side resonates with the people on the other side. Second, it hosted Abdullah Ocalan and the PKK for years. Third, in the mid-1990s, Syrian intelligence acted as peace-broker to ignite the initial dialogue between the parties. Another thing is that in the late 1990s, Syrian government deported Abdullah Ocalan from the Syrian soils, which was a severe blow in terms of the PKK. Currently, Syria is at the top of the agenda with the ongoing civil war that has been continuing since 2011. Outbreak of the Syrian Civil War during the peace process between the Turkish state and the PKK was nothing but serving to derail the process and acting as spoiler.

Regional dimensions of Kurdish Question make this conflict more complicated for all the actors that are a part of it (namely, Turkey, Iran, Iraq, Syria and Kurdish people). Thus, properly mapping the conflict on a regional scale is quite important and requires a thorough historical analysis. Another important thing is to gain an insight into the manifestation and course of the conflict in the above four nations. However, the manifestations and flows of the Kurdish uprisings in Iraq, Iran and Syria are beyond the scope of this study. I, therefore, will confine my analysis only to context of Turkey.

To that end, I will dwell mainly on three issues in the present chapter. I will first deal with how Kurdish Question in the regional context was manifested itself. I find this important in that the recent peace process between the Turkish state and the PKK was

derailed due to reginal dynamics. Then, I will move on to elaborate the emergence Kurdish Question in Turkey`s context in historical perspective from the late Ottoman periods to the foundation of Turkish Republic and so on. Here, I will try to combine the rise and evolution of Turkish nationalism with the founding principles of Republic of Turkey, which created the disaccord that caused the Kurdish unrest and sparked the initial uprisings against the state. Finally, I will shed light on the radical events throughout the history of the Turkish and Kurdish conflict, each of which contributed to the morphing of this conflict into the intractable one.

PART-I. EMERGENCE AND REGIONAL DIMENSIONS OF KURDISH QUESTION

The Middle East was reshaped right in the wake of the First World War. The Ottoman Empire was replaced by modern Turkish state, and Safavid Empire by Iran. This era also bore witness to the creation of entirely new states such as Syria and Iraq. Emergence of new states out of an empire raises an important question: "Who is going to rule this new state?". In these situations, it is generally the elites of the most "able" and "outnumbering" group that becomes in charge of the state mechanisms. As Wimmer correctly puts it,[2] state mechanisms are taken over/captured, inherited or given[3] to the most powerful ethnic group in the newly-founded state following the collapse of the empire. This leads subordinated groups to remain on the margins. What follows is the assimilation of these groups with a view to creating a unitary and civic national identity.

With regard to Kurds, they were the only group in the Middle East that failed to establish their own state, and according to Dag, this was due to either lack of human and

[2] Andreas Wimmer, Dominant Ethnicity and Dominant Nationhood in "Rethinking Ethnicity: Majority Groups and Dominant Minorities" edited by Eric Kaufmann, (Routledge, London 2004) p.45
[3] If the new state is founded under a mandate system, (as was the case in Syria and Iraq) state mechanisms can be left to a particular group.

material resources or international power politics.[4] In this new status quo, which emerged in the region, Kurds found themselves within the borders of the newly-created states (Republic of Turkey, Iran, Iraq and Syria) in the Middle East following the First World War. Main objective of the elites in these states was to create a French style unitary and secular nation state with a strong emphasis on central administration. What followed was a process of nationalization of language, culture, history and economy in which the groups with diverse ethnic and/or religious background were excluded by the ruling elites for the sake of carving out a unified and civic national identity.[5] All of the subordinated groups remaining within the confines of these countries were subjected to the assimilationist policies adopted and practiced by the ruling elites of the countries. However, it was Kurds that felt those policies more than any other sub-groups in that (i) they were the largest ethnic group in Turkey, Syria and Iraq, and the second largest group in Iran following the Azeris, and (ii) switching from autonomous government[6] to centralized administration had largely disrupted their traditional life styles.

On the whole, the policies and practices that were implemented to create a nation-state in Turkey, Iran, Iraq and Syria were worse than useless on the Kurds of the region. What`s more, these policies of what Rae calls "strategies of pathological homogenization"[7] sparked the initial Kurdish uprisings particularly in Turkey, Iran and Iraq. Romano and Gurses list some of the major Kurdish uprisings as follows:[8] The 1919 Kucgiri revolt (Turkey), the Simko rebellion of the 1920s (Iran), the Barzanji revolts of the 1920s (Iraq), the Sheikh Said Rebellion of 1925 (Turkey) the 1937–1938 Dersim

[4] Rahman Dag, The Spillover Effect of the Syrian Crisis on the Peace Process in Turkey, Journal of Asian and African Studies, Vol. 53(8), (2018) 1251-1270, p.1253
[5] Dag, The Spillover Effect of the Syrian Crisis on the Peace Process in Turkey, p.1253
[6] Kurds in the region had been sustaining their lives autonomously under the Ottoman rule.
[7] Heather Rae, State Identities and Homogenisation of Peoples, (Cambridge University Press, Cambridge, UK 2002), p.5
[8] David Romano and Mehmet Gurses, Introduction: The Kurds as Barrier or Key to Democratization in "Conflict, Democratization, and the Kurds in the Middle East", p.5

uprising (Turkey), the 1946 Mahabad Republic of Kurdistan (Iran), the Barzani-led revolts of the 1960s and 1970s (Iraq), Iranian Kurdish unrest under the Shah (1960s) and the attempts to break away from the new Islamic Republic between 1979 and 1982 (Iran), Iraqi Kurdish collaboration with Iran from 1980 to 1988 (Iraq), the post- 1984 PKK insurgency (Turkey), the 1991 Desert Storm Kurdish uprising (Iraq), the 2004 Serhildan (Syria), and the post-2004 PJAK guerrilla war against Iranian forces (Iran). Dag adds Kurdish cultural movements in mandated Syria to the above revolts as another form of reaction by the Kurds in Syria.[9] As one might expect, ruling elites of the four nations started to approach the Kurdish issue within their confines through security lenses as they went through the initial uprisings.

Initial Kurdish uprisings in particular were quelled with a view to consolidating the nation-state structure. However, the Kurdish issue of the Middle East has never withered away. To my way of thinking, this is, to a great extent, thanks to the regional / cross-border dimensions of the issue. Kurdish population of the Middle East scattered around the four states with adjacent borders, which provides uninterrupted trans-border connection and enables cross-border crossings. This aspect has been crucially important for Kurds to carry on their struggle in particular. Prominent figures of Kurds were able to flee across borders and find safe havens just the adjacent border when they perceived a threat towards themselves for various reasons in any of these states. To illustrate, Jaladat Badirkhan and Memduh Selim, members of pro-Kurdish organization called "the Khoybun", broke away from the oppression in Turkey and settled in the Kurdish enclave in the northern Syria, where they carried on their struggle and even supported the Ararat Revolt of 1930 in the eastern Turkey.[10] Other similar cases include Molla Mustafa

[9] Dag, The Spillover Effect of the Syrian Crisis on the Peace Process in Turkey, p.1253
[10] Jordi Tejel, Syria`s Kurds: History, Politics and Society, (Routledge, New York 2009) p.21

Barzani and Jalal Talabani`s situations.[11] Molla Mustafa Barzani was forced to emigrate from Iraqi Kurdistan to Iranian Kurdistan, where he was granted an official position in the Mahabad Kurdistan Republic founded by Qazi Muhammed. Jalal Talabani, on the other hand, fled from the oppression by the Iraqi government and found a safe haven in Syria. Jaladat Badirkhan and Memduh Selim`s, and also Jalal Talabani`s expatriating themselves to Syria are all but same with Abdullah Ocalan`s expatriating himself to Syria due to same reasons in 1979 just before the 1980 military coup in Turkey. Geographical characteristics of the area (mountainous terrain) and thus hard-to-control borders have been greatly benefited by the Kurdish groups. As known, Ocalan, like Badirkhan and Selim, carried on his insurgency against Turkey from Syria until he was deported from it in 1998.

The fundamental intents of pro-Kurdish groups of the region have varied from acquiring cultural recognition to founding a Kurdish state. So, their struggle / insurgency sometimes exhibited a national character (efforts to gain cultural recognition or autonomous status within existing borders[12]), and sometimes regional character (efforts to found a state in the region). However, Kurds have been exploited by the countries of the region and by one of super powers within the frame of power politics. In his study, Dag illustrates this in a crystal-clear way.[13] He states that Kurds were used as leverage by the Syrian regime against Turkey in water disputes,[14] by Iran and Iraq during the Iran-Iraq war, by the US in the invasion of Iraq in 2003. Additionally, the Kurds in Syria (the PYD / PKK) are currently used as proxy by the US in the Syrian context. Assad regime`s hosting Abdullah Ocalan for years and the current cooperation between the Syrian regime

[11] Dag, The Spillover Effect of the Syrian Crisis on the Peace Process in Turkey, p.1253
[12] In my understanding, this is very important in grasping why the recent Kobane crisis profoundly affected the ongoing peace process between the parties.
[13] Dag, The Spillover Effect of the Syrian Crisis on the Peace Process in Turkey, p.1253
[14] This will provide a useful insight into the current Syrian regime`s tacit co-operation with the PYD / PKK.

and the PYD can be viewed within this context. Kurds` being used as leverage by other states towards each other has also made the Kurdish issue internationalized. It is sad to observe Kurds` being used as leverage by countries of the region. When Kurds are a useful tool within the frame of power politics, they are exploited, but when they are not of use as leverage, they are ignored. This is, for sure, to the detriment of the Kurds in the regional context. Ocalan`s deportation from Syria by the Assad regime inflicted a heavy blow on PKK. In my understanding, regional power politics should be viewed as crucial factors that contributed to the Kurdish question`s morphing into intractable conflict, particularly the one between the Turkish state and the PKK.

The following section will explore the rise and evolution of Turkish nationalism from the late Ottoman period to the Republican times. This section will attempt to make it clear how the ruling elites` efforts to establish a secular and unitary nation state accompanied by the Jacobin interpretations of Turkish nationalism contributed to the emergence of Kurdish Question in Turkey.

PART-II. THE LATE OTTOMAN PERIOD & THE FOUNDATION OF TURKISH REPUBLIC WITHIN THE PERSPECTIVE OF NATIONALISM AND THE EMERGENCE OF KURDISH QUESTION IN TURKEY

2.1. Emergence of Turkish Nationalism

Admittedly, to understand how a nationalist movement flourishes and how it succeeds requires that the contextual factors triggering it, knowledge of history and the alternative movements against it be studied in depth. As for the emergence of Turkish nationalism, the above factors should be studied in two stages: the first stage is the pre-Republican period, which starts particularly from the second half of the 19th century to the collapse of the Empire; and the second stage starts from the establishment of the

Republic.[15] Starting from this, in order to understand how the Turkish nationalism emerged, how it flourished and what kind of symbols it bears, first of all it is essential to examine how the movement of nationalism, which was manifested in the 19th century, affected the Ottoman Empire.

2.1.1. Nationalism in the pre-Republican Period

From the second half of the 19th century to 1908

Nationalism claimed its place in the international politics during and after the French Revolution at first. As a comprehensive political ideology, it had deep impacts on the world and Europe, and gave shock to the multi-national empires of then in particular.[16] As it is known, the Ottoman Empire was one of the largest empires of then, the borders of which spread across a vast geography and which was made up of various ethnicities, religions and sects. The mechanism that provided the societal order in the Ottomans' lands was called "millet" system. The term "millet", whose origin is Arabic, roughly corresponds to "nation" in English, yet in Arabic it is used in the meaning of "community". Unlike its western interpretation or its present-day connotation, the Ottomans employed the term "millet" to define and categorize different groups on the basis of religion (here, I mean "religious communities").[17] Nevertheless, this inclusive understanding of "millet" system proved ineffective in view of the rising nationalist sentiments and consciousness, and the subjects of the Ottoman Empire began to define

[15] Selahaddin Bakan & Fikret Bırdıslı, "The Analysis of Nationalism, Statism, State Nationalism and State Economy in Turkey's Modernization Process: Comparing the nation State of Europe to the State Nationalism in Turkey", Suleyman Demirel University, The Journal of Faculty of Economics and Administrative Sciences, Vol.15, No.1, (2010) 357-376, p.360

[16] Yusuf Sarinay, İmparatorluktan Cumhuriyete Türk Milliyetçiliğinin Doğuşu ve Gelişimi, Turk Tarih Kurumu, (2002) 1-10, p.2 available at https://bit.ly/2SUkRrF

[17] Aysel Morin & Ronald Lee, Constitutive Discourse of Turkish Nationalism: Atatürk's Nutuk and the Rhetorical Construction of the "Turkish People", Communication Studies, 61:5, (2010) 485-506, p.490

themselves as Greek, Serb, Bulgarian, etc. rather than Orthodox.[18] In the face of this situation, the central authority and the Ottoman intellectuals tried to carve the ideology of Ottomanism through Reforms Movement (Tanzimat) in order to prevent the Empire's dissolution.[19] This new initiative was based on the idea of equality and solidarity for all components of the Empire. However, it became apparent soon that the idea of Ottomanism was of no use since the non-Muslim subjects of the Empire continued their rebellions; in response, the central authority and the intellectuals of then tried Islamism as a unifying element in the hope of at least holding all the Muslim subjects together.[20] Nevertheless, the fact that the non-Muslim subjects of the Empire (those in the Balkans) broke off from the Empire one after another also affected the Muslim subjects of the Ottomans such as Arabs and Albanians, and they started to define themselves on the basis of nationality and fostered their own national movements.[21] In the course of this period (the second half of the 19th century), the Russians gained ground in the Central Asia and the Turks in Turkmenistan asked for help from the Ottomans.[22] What followed was the 1877-78 War between the Ottomans and Russians, after which dramatic immigrations took place from Asia to Anatolia. These consecutive events caused the Ottoman and Turkish intellectuals to have a feeling that "the Empire is being partitioned and our motherland is lost". Since then, preventing the collapse and dissolution of the state, and saving the motherland became the main concern of the Ottoman-Turkish opposition

[18] ibid ; Sarinay, İmparatorluktan Cumhuriyete Türk Milliyetçiliğinin Doğuşu ve Gelişimi, Turk Tarih Kurumu, p.3

[19] Bakan & Bırdıslı, "The Analysis of Nationalism, Statism, State Nationalism and State Economy in Turkey's Modernization Process: Comparing the nation State of Europe to the State Nationalism in Turkey", p.361

[20] Morin & Lee, Constitutive Discourse of Turkish Nationalism: Atatürk's Nutuk and the Rhetorical Construction of the "Turkish People", p.491 ; Sarinay, İmparatorluktan Cumhuriyete Türk Milliyetçiliğinin Doğuşu ve Gelişimi, Turk Tarih Kurumu, p.3

[21] Emre Yıldırım, Nationalism and National Identity in Turkey: Manifestation of Turkism and Turkish National Identity During the Nation-State Building Period, The Journal of Academic Social Science Studies, No.28, (Autumn 2014) 73-95 p.75

[22] David Kushner, Türk Milliyetçiliğinin Doğuşu, 1876-1908, Translated by Şevket S. Türet, İstanbul, Kesit Yayınları (2009) (p.66).

movement.[23] Predictably, all of the above developments carved the Turkish nationalism, which had not yet been tried, in the center of official ideology by enabling it to eliminate the other ideologies such as Ottomanism and Islamism. One can argue that carving Turkish nationalism in the official ideology was intended for transforming the Ottoman Empire into Turkish state, whose pioneers were the Young Turks.

Turkism manifested itself first in the fields of language, literature and history. The notion of Turkishness which was defined in a humiliating way such as "rude, ignorant and nomad" by giving reference the Yoruk Turks, who were maintaining their nomadic lives in the Ottoman lands and who were not used to city life, was changed as a concept thanks to the studies during the period of Abdulhamid II.[24] In racial and lingual senses, this new concept embraced honour of which the Turks were proud. In the course of this period, the pre-Ottoman period was examined in terms of Turkish history, and the notion of Turkishness was broadened in time and space. The above processes are seen in Iranians' taking the Persian Empire and civilization as a reference in order to develop and indoctrinate their nationalist sentiments, and in Egyptian's taking the ancient Egyptian civilization as a reference to develop and indoctrinate the Egyptian sense of nationalism. First time in the Ottoman history, it was declared via the 1876 Constitution that the official language of the state was Turkish.[25] 1876 is the year when the First Constitutionalist Period was declared.

From 1908 to 1923

[23] Yıldırım, Nationalism and National Identity in Turkey: Manifestation of Turkism and Turkish National Identity During the Nation-State Building Period, p.76
[24] Murat Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, The Journal of Social Sciences, Süleyman Demirel University, Volume:16, (2007) 113-140, p.116
[25] Sarinay, İmparatorluktan Cumhuriyete Türk Milliyetçiliğinin Doğuşu ve Gelişimi, Turk Tarih Kurumu, p.3

In 1908, the Ottoman Empire went through a revolution, which is called the 1908 Revolution or 2nd Constitutionalist Period,[26] or can also be called the Young Turks Revolution.[27] The revolution resulted in the Committee of Union and Progress's (henceforth, the CUP) seizing the control of the government. The CUP founded in 1889 in Istanbul by five students of medicine, two of whom were Kurdish. It later transformed into a political party and aligned itself with the Young Turks in 1906.[28] The Young Turks Revolution replaced Sultan Abdulhamid II's Islamic vision with secularism and constitutionalism. A new understanding called "liberalism" by Arakon but can also be called westernization began to reign in the country.[29]

The Second Constitutionalist Period of 1908 introduced numerous and significant changes for the peoples of the Ottoman Empire and has often been credited with helping to advance the novel political activity of nationalism.[30] The revolution also introduced a sense of liberty and freedom into the Ottoman social and political life. The establishment of some Kurdish organizations such as "Society for The Rise of Kurdistan" (Kürt Teali Cemiyeti) took place at this date.[31]

When the tribal, in other words, ethnic belongings found a spirited way of expression during this liberal context, the Young Turks acted to limit this liberal environment.[32] The Young Turks' fears that these activities of ethnic origin, unless taken

[26] Jwaideh Wadie, (2012), The Kurdish Nationalist Movement: Its Origins and Development, Iletişim Publications, 7th Edition, (Istanbul, 2008) p.211
[27] Maya Arakon, Kurds at the Transition from the Ottoman Empire to the Turkish Republic, Turkish Policy Quarterly, Vol.13, No.1 (Spring 2014) 139-148 p.142
[28] ibid
[29] ibid
[30] Janet Klein, Kurdish nationalists and non-nationalist Kurdists: rethinking minority nationalism and the dissolution of the Ottoman Empire, 1908-1909, Nations and Nationalism, 13 (1), (2017) 135-153, p.138
[31] Ozan Örmeci, "Turkey's Kurdish Question Revisited", American Academic & Scholarly Research Journal, Vol.7, no:3, (May 2015) 121-133, p.122 ; Altan Tan, (2012), "Kurdish Question", Timaş Publications, 13th Edition, (Istanbul, 2012) p.134 ; Wadie, The Kurdish Nationalist Movement: Its Origins and Development, p.211
[32] Mesut Yeğen, From the Prospective Turk to So-called Citizen, İletişim Publications, 5th Edition, (Istanbul, 2014) p.122

under control, would bring with them the demands for local autonomy.[33] What was going to follow was that the western powers would interfere in the Ottomans and finally this situation would cause the Empire to lose territories frequently experienced in the near past. This was a great source of concern for them. The losing of territories experienced in the same way in the past (loss of Bulgaria and Bosnia-Herzegovina) was too recent to forget.[34] Therefore, The Young Turks began to exercise control over the liberals and all nationalist components, including the Kurdish nationalists, and adopted a policy of establishing a central administration system and of Turkification.[35] In the course of this period, such organizations as "Turkish Association", "Turkish Homeland Association" and "Turkish Hearts" were established.

The administration's restricting the liberties and exercising control over all the nationalist components led to the development of the consciousness of Kurdish identity, which was translated into Kurdish nationalism. On the other hand, Kurds fought against the imperial powers alongside the Ottomans in the course of the 1st World War and they again allied with the Turks against the western-sponsored Greece during the Independence War of Turkey.[36] Some factors played a crucial role in their allying with Turks.[37] These are; (1) their being co-religionists with Turks, (ii) possessing the same socio-political category with Turks under "millet" system implemented in the Ottomans, thus facing the rival nationalist movements such as Armenian and Greek nationalisms, and (iii) above all their solidarity and brotherhood having existed for hundreds of years.

[33] Wadie, The Kurdish Nationalist Movement: Its Origins and Development, p.210
[34] Wadie, The Kurdish Nationalist Movement: Its Origins and Development, p.211
[35] ibid
[36] Örmeci, "Turkey's Kurdish Question Revisited", p.124 ; Arakon, Kurds at the Transition from the Ottoman Empire to the Turkish Republic, p.124
[37] Murat Somer, Turkey's Kurdish Conflict: Changing Context, and Domestic and Regional Implications, Middle East Journal, Vol.58, No.2 (2004) 235-253

Two intellectuals in the development of Turkish nationalist discourse: Yusuf Akçura and Ziya Gökalp

Two important figures attract attention in the discourse of Turkish nationalism in the period from the late 19th century to the early years of the foundation of Republic. These intellectuals are Yusuf Akçura, who had to escape from Central Asia to the Ottomans' lands because of Russian oppression and violence, and Ziya Gökalp, who was originally a Kurd and also one of the members of the CUP, respectively. Akçura's importance for our purpose is his thoughts on Turkish nationalism and his article named "Three Style Politics".[38] In his article, Akçura concluded that of the Ottomanism, Islamism and Turkism, the Turkism was the most viable and the best option for Turks. As it is known, Islam rejects nationalism on the grounds that it destroys brotherhood. So, Akçura put forward that religions had to give in to the laws of the history, and thus Islam had to recognize nationalism. It can be said that Akçura's understanding of nationalism is similar to German style nationalism, the most important characteristics of which are ethnicity and cultural elements. It would not be wrong to argued that today, at least half of the people who support the Nationalist Action Party in Turkey shares this view. As for Ziya Gökalp, his understanding of nationalism bears elements from both Gellner and Anderson. According to Gökalp, nationalism was the result of socialization and thus different components within any multi-ethnic entity (here, he meant the Ottoman Empire) could be melted within the melting pot of nationalism.[39] He favoured the ideas of "being from Turkey, being a Turkmen and Pan-Turanism. Gökalp's envision of Turkish nationalism was not confined to Turkey, but it included the Central Asia at further stages.

[38] Yıldırım, Nationalism and National Identity in Turkey: Manifestation of Turkism and Turkish National Identity During the Nation-State Building Period, p.81 ; Sarinay, İmparatorluktan Cumhuriyete Türk Milliyetçiliğinin Doğuşu ve Gelişimi, Turk Tarih Kurumu, p.4

[39] Yıldırım, Nationalism and National Identity in Turkey: Manifestation of Turkism and Turkish National Identity During the Nation-State Building Period, p.82

Gökalp focused on the concepts of "Turkization, Islamisation and Becoming modernized" by saying his famous trilogy that "I'm from Turkish nation, from Islamic Ummah and from the Western Civilization".[40] Unlike Akçura, who relegates religion in the secondary position, Gökalp does not devalue Islam in his understanding of nationalism.

2.1.2. Nationalism in the Republican Period

The activities in favour of Turkism and the thoughts and ideas for Turkish nationalism having their roots in the mid-19th century remained still on the agenda within the Ottoman Empire in the early 20th century. Meanwhile, the state found itself in the 1st World War with the Central Powers headed by Germany.[41] In terms of the Ottomans, the War ended up with the signing of the Mondros Armistice Agreement with the Entente states in 1918. However, the Mondros Armistice Agreement seemed not only to end the Ottoman Empire but also to end the Turks as well in terms of the clauses it included (particularly the 7th clause). What's more, the Sevres Treaty, which was tried to be imposed on Turks after the Mondros Armistice Agreement, caused public indignation. Therefore, after the exhausting struggle of the 1st World War, the Turks had to launch a new struggle called National Struggle or Independence War (between the years of 1919 and 1922). In particular, the Sevres Treaty, which was tried to be imposed, contributed immensely to nationalist sentiments in Turks.

Atatürk, who led the Independence War, realized that the survival of the Turks could only be achieved by giving prominence to the national will. Such concepts as

[40] A. Riza Saklı, Osmanlı Döneminde Türk Milliyetçiliği, İktisat ve Girişimcilik Üniversitesi, Türk Dünyası Kirgiz, Türk Sosyal Bilimler Enstitüsü, Celalabat-Kirghizstan, The Journal of Academic Perspective, Volume.33, (November-December, 2012) p.9

[41] Faruk Ayın, Atatürk ve Milliyetçilik, T.C. Başbakanlık, Atatürk Kültür, Dil ve Tarih Yüksek Kurumu, Atatürk Araştırma Merkezi, Volume XVI, Issue 42, (1998) (Türkiye Cumhuriyeti`nin 75.Yılı, Özel Sayısı), available at http://www.atam.gov.tr/dergi/sayı-42/ataturk-ve-milliyetcilik

"*National Independence*", "*National Struggle",* "*National Action*", "*National Victory*", "*National Sovereignty*", "*National Forces*", "*National Oath*" and "*the Grand National Assembly*", were often employed by Atatürk and the administrators of then. The above respects are significant in terms of the fact that Turks were the ones who did never stress their ethnic origin in the Ottoman Empire and just considered themselves to be Ottoman. Nevertheless, Atatürk disclosed and activated the national sentiments in Turks by considering and employing each and every value of the Turkish society. As it is known, the Independence War resulted in the establishment of the Turkish Republic. The newly-founded Republic, instead of Yusuf Akaçura's political Turkish Nationalism, adopted Ziya Gökalp's nationalist idea emphasizing political and cultural unity, since it well suited the principle of national sovereignty.[42]

Ataturk`s understanding of Nationalism (Kemalist nationalism)

To be able to comprehend Ataturk's understanding of nationalism better, it will be useful to shed light on what the term "nation" suggests for Ataturk. Ataturk regarded nation as a community formed of unification of people who have rich history of memories, who have desire to live together and are sincere to accept this, and who have wishes and desire to protect and sustain this common memorial heritage.[43] From this, it is clear that people who are attached to each other on the basis of common history, memory, objectives and ideal fraternity constitute a nation. Departing from this, Ataturk's understanding of nationalism stresses the following; a) unity in political existence, b) unity in language, c) unity in motherland, d) unity in race and origin, e) historical affinity and f) moral affinity.[44] However, it should be noted here that while Ataturk considered race and origin

[42] Bakan & Bırdıslı, "The Analysis of Nationalism, Statism, State Nationalism and State Economy in Turkey's Modernization Process: Comparing the nation State of Europe to the State Nationalism in Turkey", p.362
[43] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.118
[44] Cemal Avcı, Atatürk'ün Milliyetçilik Anlayışı, Atatürk ve Atatürkçü Düşünce, Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, Genelkurmay Basım Evi (2003) p.76

to be one of the components constituting the Turkish nation, he never adopted any racial criteria or yardsticks for Turkish nation.[45] What's more, he stated that "those from Diyarbakır, Van, Erzurum, Trabzon, Istanbul, Thrace and Macedonia are all the veins of same essence".[46] As for the Kurdish people, Ataturk was more tender about them, and he regarded Turks and Kurds as "*ırk kardeş*" (brother-in-race).[47] Ataturk said that "those who founded the Turkish Republic are called the Peoples of Turkey" ("Turkiye Ahalisi"), which was included in the 1924 Constitution. This is his famous saying, and here he did not mean only those who were ethnically Turk. Here, the Peoples of Turkey included Arabs, Kurds, Circassians as well as Turks, who fought and helped establish the Republic of Turkey and who had the will and wish to live together conformably in this motherland.

Ataturk`s ideal was to found a French style, secular, unitary sovereign nation-state with emphasis on central administration. Here, I suggest French style because like Ziya Gökalp and many Ottoman intellectuals of then, Ataturk was also greatly affected from the French Revolution and the understanding of "nationalism" it introduced. The understanding of French style nationalism, also known as the early nationalism, is a state-based nationalism, according to which being one of the citizens of the state and sharing a common fate (here, we mean political unity) are just enough for belonging to that nation. The factors such as ethnic origin and religion are of secondary importance.[48] To be sure, to create a sovereign and nation-state out of a multi-ethnic, multi-cultural and multi-lingual entity was accompanied by a number of reforms and regulations. Some fundamental and drastic changes had to be introduced by the State into the political, cultural and social lives or habits of the society, a process some call *Ataturk's Principles*

[45] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.119
[46] Avcı, Atatürk'ün Milliyetçilik Anlayışı, Atatürk ve Atatürkçü Düşünce, p.77
[47] Andrew Mango, "Atatürk and the Kurds", Middle Eastern Studies, Vol. 35, No. 4, (1999) p.1-25 ; Arakon, Kurds at the Transition from the Ottoman Empire to the Turkish Republic, p.145
[48] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.117

and Reforms, some call *Turkish Modernization Process* and some other call *Kemalist Reforms*. A number of reforms called "republicanism, nationalism, etatism, secularism, populism and revolutionism-reformism"[49] were introduced by the administration. Of the reforms in question, the ones pertaining to creating a westernized secular nation-state were of primary importance. In creating a common identity, Ataturk aimed to melt the different components within the state under the supra-identity of "Turk Milleti", as are the cases in France and the USA, and adopted an understanding of a nationalism that grounded on culture rather than race and blood. In this national identity to be created, citizens were envisaged to be secular, civilized and virtuous enough to privilege state interests over their own interests. He placed a great emphasis on the notion of "homeland" and rejected any irredentist politics, who additionally adopted a secular understanding of nationalism and excluded the concept of religion from the notion of nation.[50] Nevertheless, since the society was not ready for such a quick transformation, the modernization and nationalization reforms were always "realized by the choice and preference of bureaucrats and elites rather than democratic demands of the people"[51], unlike as was the case in its French counterpart. At this point, the term "nationalism" appears in the form of Atatürk's Nationalism, a phenomenon which was erected by the state.[52]

2.1.3. Understanding of Nationalism in the Later Periods of the Republic

With the influences of the intellectuals, whose western and secular bearings outweighed anything that associated the traditional, tribal and Muslim culture of the

[49] E. Fuat Keyman, Rethinking the "Kurdish Question" in Turkey: Modernity, citizenship and democracy, Philosophy and Social Criticism, 38(4-5), 467-476 p.470
[50] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.120
[51] Bakan & Bırdıslı, "The Analysis of Nationalism, Statism, State Nationalism and State Economy in Turkey's Modernization Process: Comparing the nation State of Europe to the State Nationalism in Turkey", p.364
[52] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.118

Ottoman Empire, Kemalist / Reformist thought evolved to a new understanding of nationalism and modernism in the 1930s particularly after the death of Atatürk, which is defined by Kılıc as the Jacobin interpretations of the Kemalist nationalism.[53] It should be kept in mind here that the Republic of Turkey was structured for the purpose of establishing a nation-state based on the secular version of sovereign nation (millet-i hakim) on which system of nation nests, whose political legitimacy was set up on secular foundations and which aimed to reach or even surpass the contemporary civilizations.[54] During this period, the understanding of a "nation" prescribing that the people of the newly-founded Republic gather around the unity of language, culture and cause was officialised, and nationalism, on the other hand, aimed to ensure the national unity and came to ground on protecting the new Republic.[55] The two fundamental facts that attracted the attention most were (i) emphasis on ethnicity and (ii) orientation to positivist approach.[56]. This new understanding excluded Ziya Gökalp's intense religious, lingual and moral thoughts from the official nationalism and replaced them with ethnic themes. This understanding is clearly seen in several speeches of some leading figures of then;

"Legal and political rights are valid for all members of the nation. However, those who have ethnic origin or who think they have ethnic origin cannot participate in the national community. Because, the national community has only one ethnic origin, and it is Turkishness".[57] *(Recep Peker, the then-General Secretary of the Republican People's Party)*

[53] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.121
[54] Erol Turan, Milliyetçilik Teorisinin Gelişimi ve Türk Milliyetçiliği, Selçuk Üniversitesi Kadınhanı Faik İçil Meslek Yüksekokulu, Sosyal ve Teknik Araştırmalar Dergisi, Year:1, Volume:1, (May-2011) 135-147 p.142
[55] ibid
[56] Kılıç, Erken Cumhuriyet Dönemi Türk Milliyetçiliği Tipolojisi, p.121
[57] ibid

"Only the Turkish nation is entitled to claim ethnic and national rights in this country. No other element has any such right".[58] *(Ismet Inonu, former PM and former head of the Republican People`s Party)*

"I believe that the Turk must be the only lord, the only master of this country. Those who are not of pure Turkish stock can only have one right in this country, the right to be servants and slaves."[59]*(Mahmut Esat Bozkurt, the-then Minister of Justice)*

To be sure, the deviation from the principle of "The Peoples of Turkey" to "Turkish Race" required that ethno-cultural diversity be inevitably rejected, as a result of which the legitimacy and authenticity of denotations suggesting ethnic origins would not be recognized. At this point, it can be said that Turkish nationalism became hegemonic nationalism. In my opinion, this orientation of the rulers of then towards ethnicity is the most salient breaking point at which negation policies came to be observed and felt not only by the Kurds but by the other ethnic groups within the country as well. Following the Shaikh Said Rebellion against the Republic, the nation-building process was intensified, and by the end of the year, the actions taken by the government clearly indicated that the expressions of such identities as, or the use of such terms as Kurd, Circassian and Laz would be considered as divisive and would be perceived as a threat to the "indivisible unity of the state and nation.[60]

2.1.4. State-building Nationalism v.s. Peripheral Nationalism

Constructing a secular and modern national identity was meant to be an organic unity which referred to national and non-class based identity and which necessarily

[58] Ceng Sagnic, Mountain Turks: State ideology and the Kurds in Turkey, Information Society and Justice, Vol.3 No.2 (2010), 127-134 p.129
[59] Sagnic, Mountain Turks: State ideology and the Kurds in Turkey, p.130
[60] Somer, Turkey's Kurdish Conflict: Changing Context, and Domestic and Regional Implicatons, p.240

involved the subjugation of its Other, for example, the Kurdish identity, Islamic identity and non-Muslim minorities.[61] This situation is what Anderson calls 'fantastic, aggressive and exaggerated nationalism' and what Arakon calls 'Turkification'.[62] However, they fail to notice one point. This new identity, that is to say, Turkishness, referred to a new and more comprehensive meaning, which shifted from a relatively narrow ethnic group category to a national category, becoming more inclusive culturally and territorially. Here, Michael Hechter's typology of nationalism (cited by Al) is illustrative.[63] Hechter divides the notion of nationalism as (i) state- building nationalism and (ii) peripheral nationalism. Accordingly, state-building nationalism is 'nationalism that is embodied in the attempt to assimilate or incorporate culturally distinctive territories in a given state'. By contrast, peripheral nationalism refers to 'a culturally distinctive territory that resists incorporation into an expanding state and attempts to secede and set up its own government. Wimmer notes that in the case of nation-building, state elites either 'redefine an existing ethnic group as the nation into which everybody should fuse' or create a new national category through the amalgamation of a variety of ethnic groups'.[64] He also adds that while the first strategy is called 'incorporation', which captures the fundamental aspects of nation building in Turkey, the second is known as 'amalgamation'. While I find Wimmer's typology of ethnic boundary-making in nation-building illustrative, I do not agree with him in his claim that 'incorporation' captures the fundamental aspects of nation building in Turkey. As I will explain below, in the wake of its foundation, The Republic's practices in nation building suited amalgamation. The 1924 Constitution

[61] Keyman, Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, p.470
[62] Christopher Anderson, Kurds in Turkey: Building Reconciliation and Local Administration, (2009) p.2 ; Arakon, Kurds at the Transition from the Ottoman Empire to the Turkish Republic, p.147
[63] Serhun Al, Elite Discourses, Nationalism and Moderation: A Dialectical Analysis of Turkish and Kurdish Nationalisms, Ethnopolitics, 14:1, (2015) 94-112
[64] Andreas Wimmer, 'Elementary Strategies of Ethnic Boundry Making', Ethnic and Racial Studies 31 (6), (September, 2008) 1025-1055, p.1032

clearly explains this. The 1924 Constitution provides : "Without religious and ethnic difference, every person of *the peoples of Turkey* (*Türkiye ahalisi*) who is citizen is regarded as Turk". As can be understood from the 1924 Constitution, being a Turk is defined in terms of legal ties with the state. This definition reflected the legacy of the Ottoman Empire- everyone with Ottoman citizenship was considered as Ottoman.[65] However, after the two revolts, namely Shaikh Said (1925) and Dersim (1937) Rebellions, the 1961 Constitution gets rid of the expression of "*peoples of Turkey*" (*Türkiye ahalisi*) , and provides that every citizen is 'accepted as Turk regardless of ethnic and religious identity'.[66] Only from 1960 on can it be suggested that Turkey's nation-building relied on 'incorporation'.

From the late 1930s to the early 1990s, the Kurdish question was 'silenced', frozen into history as the 'Other' and 'assimilated' into the state discourse as a group of people who inhabited the same piece of land, who were bound by the same laws, and shared a common morality and language.[67] As Yeğen points out, "the exclusion of the Kurdish identity from the modernity project takes the form of 'concealment' which finds its clear expression in the 'striking silence' of the Turkish state as to the Kurdishness of the Kurdish question: Whenever the Kurdish question was mentioned in Turkish state discourse, it was in terms of reactionary politics, tribal resistance or regional backwardness, but never as an ethno-political question".[68]

[65] ibid
[66] M. HakanYavuz, Five stages of the construction of Kurdish nationalism in Turkey, Nationalism and Ethnic Politics, 7:3, 1-24 p.9
[67] Keyman, Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, p.471
[68] Mesut Yeğen, The Turkish State Discourse and the Exclusion of Kurdish Identity, Middle Eastern Studies 32, (1996) 216-230

The following section will start with a brief definition of the phenomenon of "conflict" in a general sense. Then, the section will move on by prioritizing the general notion of conflict to "intractable conflicts".

PART-III. THE PHENOMENON OF CONFLICT

It is impossible for humans, social beings, to live alone. Human beings are in need of the existence of others in order to meet their own needs. Their being in conflict with others while meeting their basic needs and maintaining their lives is a very natural situation, which exists in their creation. To be sure, human beings` different wishes and interests, from time to time, have conflicted with each other, and with the result that a number of disputes and conflicts have broken out.[69]

In general sense, the term "conflict" refers to a situation in which two or more actors, who interact with each other, pursue incompatible goals and are aware of this incompatibility, thus claiming to be justified in the pursuit of their particular course of action.[70] Conflicts can arise among couples, people, states, nations and among different factions, and according to Bercovitch and Houston, it is one of the pervasive and inevitable features of all social systems no matter how simple or complex they may be.[71]

With the above two paragraphs, I have made a philosophical and inclusive definition of conflict which can be applied to all social contexts and human relationships, and I have based its reasons on humanitarian relationships that are slightly relevant to

[69] Yusuf Şen, Mediation in Islamic Law, Hitit University, Magazine of Faculty of Theology, c. 11, issue:22, 2012/2, pages. 105-135.
[70] Ulrich Schneckener and Stefan Wolff, Managing and Settling Ethnic Conflicts, Palgrave MacMillan, New York, 2004.
[71] Jacob Bercovitch, and Allison Houston, The Study of International Mediation: Theoretical Issues and Empirical Evidence in "Resolving International Conflicts, Theory and Practice of Mediation" edited by Jacob Bercovitch, (Lynne Riener Publishers, Inc. Colorado, 1996) p.11

politics. However, for the purpose of this research, it is better to confine our perception of conflict and its reasons only to international relations and politics. To that end, I will draw on Levy's "Levels-Of-Analysis" approach, where he attributes the causes of interstate wars to (i) individual level, (ii) nation-state (national) level and (iii) systemic (international) level, and where he adopts this analysis to the causes of intra-state wars successfully.[72] According to this approach, causes of war at the individual level center principally on human nature and predispositions toward aggression and on political leaders and their belief systems, personalities, and psychological processes. The nation-state level, on the other hand, features both governmental variables and societal factors. Here, structure of the political system and nature of the policy-making process are key triggering agents pertaining to governmental variables. Additionally, structure of the economic system, the role of public opinion, economic and non-economic interest groups, ethnicity and nationalism, and political culture and ideology are crucial elements related to societal factors. In my opinion, this level fits perfectly well into gaining insight into the outbreak of Kurdish Question. As for the systemic level, it is based on the dominant realist paradigm. Accordingly, the major causes of wars can be listed as the anarchic structure of the international arena, the number of global powers in the system, their comparable military and economic capabilities, patterns of military alliances and international trade, and some other issues pertaining to international politics common to all states.

3.1. Intractable Conflicts as a New Phenomenon

Generally breaking out within the borders of one state or within a particular region, these new genres of conflicts have commonly come to be known as "ethnic / intra-state" wars, or sometimes they are called "intractable" conflicts. Crocker et. al, by

[72] Jack S. Levy, Theories of Interstate and Intrastate War: A Levels-of-Analysis Approach in "Turbulent Peace: The Challenges of Managing International Conflict" edited by Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C. 2001) p.4.

focusing particularly on the notion of their longevity and irreconcilableness, states that intractable conflicts are those conflicts which have persisted over time and refused to yield efforts- either by the direct parties, or, more often, with third party assistance, to arrive at a political settlement.[73] Gray et al. defines intractable conflicts as those that are persistent and destructive despite repeated attempts at resolution, while Burton (as cited by Gray et al.) and Goertz and Diehl (as cited by Gray et al.) focus more on their endurance.[74] Coleman et. al. stresses three aspects that differentiate intractable conflicts from the tractable ones: their persistence, destructiveness, and resistance to resolution.[75] On the other hand, Kriesberg postulates that intractable conflicts are protracted, are waged destructively and receive many attempts for resolution but they can hardly be transformed.[76] Bercovitch makes one of the most overarching definitions and lists the major characteristics of intractable conflicts as;[77]

(i) intractable conflicts tend to be long-lasting; many persist for twenty or more years,

(ii) the conflict is usually conducted through destructive means and is characterized by repeated acts of militarized activity and violence. Militarized activity may be sporadic (as it is in the Israeli-Palestinian and Indian-Pakistani conflicts) or suspended (as it is in the Cyprus conflict). The victims of violence in intractable conflicts include combatants as well as civilians (as is the case in the Turkish and Kurdish conflict),

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[73] Chester A. Crocker, Fen O. Hampson, and Pamela Aall, "Why mediation Matters: Ending Intractable Conflicts. International Studies Association Annual Meeting: International Studies Association, 2007, 1-18 p.2

[74] Barbara Gray, Peter T. Coleman and Linda L. Putnam, Introduction, Intractable Conflict: New Perspectives on the Causes and Conditions for Change, American Behavioral Scientist, Vol. 50. No.11. (2007) 1415-1429 p.1416

[75] Peter T. Coleman, Robin R. Vallacher, Andrzej Nowak and Lan Bui-Wrzosinska, Intractable Conflict as an Attractor, *A Dynamical Systems Approach to Conflict Escalation and Intractability*, American Behavioral Scientist, Vol.50. No.11, (2007) 1454-1475 p.1456

[76] Louis Kriesberg, Intractable Conflicts, The Oxford International Encyclopedia of Peace, Oxford University Press, Vol.2 (2010) p.486

[77] Bercovitch, Jacob in "Chester A. Crocker, Fen O. Hampson and Pamela Aall" (Ed) (2007) Grasping the nettle: analyzing cases of intractable conflict, United States Institute of Peace Press, Washington D.C., ps.100-101

(iii) There is a long set of unresolved or apparently irreconcilable issues at stake. This means that the parties in conflict feel that at best they may reach temporary cessations of violence and that they cannot reach a fundamental and genuine resolution of their issues, (iv) psychological manifestations of enmity and deep feelings of fear and hatred generally underlie the relationship between the parties in an intractable conflict. Continuous conflict tends to induce stereotypes and suspicions, and these reinforce antagonistic perceptions and behaviour (this feature is clearly observed in the conflict between Turkey and PKK, where I mean that there are stereotypes both in the republicans and in the nationalists and in the Kurdish people). In some cases, the parties develop a vested interest in the conflict's continuation, and

(v) intractable conflicts attract many actors and institutions that want to deal with, treat, manage, or resolve the conflict. Few of these actors or institutions are successful.

The following section will continue by providing a very useful theoretical background of how a conflict can turn gradually into an intractable one. Then, the remaining section of this part will focus in detail on the Turkish and Kurdish conflict through the lenses of intractability in its historical context. The theoretical background provided at the beginning of this section will serve as benchmark in ruling out why the Turkish and Kurdish conflict is intractable.

3.2. Why Is the Conflict between Turkish State and Its Kurdish Population Intractable?

Intractable conflicts arise generally from the governing structure`s incapability of addressing the basic needs (identity, religion, language, culture, etc.) of anyone of its constituencies. To what extent a certain group in society is systematically exposed to discrimination and/or has their basic needs denied by those in power is greatly likely to

sow the seeds of conflict, particularly if the disadvantaged group in question lacks any legitimate avenue to canalize those grievances through political process and thus fails to voice their demands. When the issues that are object of the conflict are interpreted by the disadvantaged group (or groups) as sufficiently negative, intentional and unjustified, there begins to develop a social unrest accompanied by reactions and responses that produce patterns of intensity (escalation) at increasing levels. Such patterns of interaction that are beginning to develop between the parties gradually trigger psychological, group-, and community level changes, as a result of which both communities lose trust in each other and communal polarization starts. At this juncture, we should note that this kind of loss of trust and communal polarization is what was experienced between the Turks and Kurds from the late 1920s to the late 1990s. These changes can give rise to "malignant" social processes that are deemed by disputants as irreversible but into which they are engulfed. In such conditions, it becomes almost impossible to ameliorate the conflict, and consequently, state of intractability emerges.[78]

Existing literature demonstrates that one can observe a great difference between the original cause or causes of the conflict and its present issues. As Kriesberg puts it, initial causes of any given conflict are accompanied by some or many issues during its course (wars over time create new issues and agenda), suggesting that these kinds of conflicts are dynamic.[79] So, in order to grasp and then to be able to comment on Turkish and Kurdish conflict, some of the overlapping issues should definitely be subjected to close scrutiny.

[78] Gray et. al., Introduction, Intractable Conflict: New Perspectives on the Causes and Conditions for Change, ps.1416-17
[79] Kriesberg, Intractable Conflicts, The Oxford International Encyclopedia of Peace, p.487

3.2.1. Land Reform and the Abolishment of the Caliphate in 1924

These two implementations were triggering agents in the Shaikh Said Rebellion of 1925, the first serious reaction to the Republic by the Kurds.

As a distinct ethnic group, Kurds had an autonomous life in the eastern provinces of the Ottomans' lands since the first quarter of the 16th century, when they were granted autonomy by Sultan Selim the Stern. Kurds used to maintain their lives with no interference by the Ottomans as long as they remained loyal to the Empire. However, this autonomous status changed when the Ottoman Empire was replaced by the Republic of Turkey in the wake of the 1st World War. Within the frame of Kemalist thought, founding principles of the Turkish Republic was to reach the contemporary level of civilization by creating an independent nation-state, reinforcing central authority, fostering industry and constructing a secular and modern national identity.[80] Reforms[81], which were imposed from above by new administration in the process of transition, caused a great unrest and disappointment among the Kurdish masses (as a matter of fact, not only among the Kurdish masses, but also among the other constituents of the Republic). Because, the past privileges enjoyed by the tribal chiefs under the Ottoman rule were being lost by stages due to what is called "the Project of Turkish Modernity" following the foundation of Turkish Republic".[82] As Keyman correctly puts it, Shaikh Said Rebellion was not due to the politics of identity, but contained references mainly to religion and the centralizing policies of the state.[83] Therefore, we can say that land reform project, which was meant to reinforce the central authority by eliminating the tribal structure, and the abolishment

[80] E. Fuat Keyman, Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, Policy and Social Criticism, 38 (4-5), (2012) p.470 ; Maya Arakon, Kurds at the Transition from the Ottoman Empire to the Turkish Republic, Turkish Policy Quarterly, Vol. 13, No.1, Spring 2014, p.144
[81] See the page 16 of the present chapter
[82]Klein, 2007 Kurdish nationalists and non-nationalist Kurdists: rethinking minority nationalism and the dissolution of the Ottoman Empire, 1908-1909, Nations and Nationalism, 13 (1) (2007) p.137
[83] Keyman, Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, ps.470-471

of the Caliphate with a view to founding a secular nation state brought the Kurdish land owners and religious groups together. In particular, I would like to draw special attention to the abolishment of the Caliphate with the words of Van Bruinessen:

"...with the abolition of the caliphate (March 1924) the most important symbol of Turkish-Kurdish brotherhood disappeared. It became possible to condemn the Ankara government as irreligious, an accusation that seemed to be confirmed by other measures it took. This argument carried more weight than any other with many of the Kurds, who were strongly committed to Islam".[84]

Considering the fact that Islam served for centuries as a cement keeping all the Muslim peoples of the Empire together, we can appreciate how crucial Bruinessen's argument is on this issue.

3.2.2. Economic Backwardness of the Region

From the early 1960s towards the end of 1970s, the Kurdish movement became secularized, and gradually included ethnic elements along with the economic backwardness of the region. The Kurdish unrest was voiced through leftist political parties in the squares.

In order to explain how the issue of ethnicity overlapped onto the existing issues of the conflict, we had better provide some background information that will also cover the initial years of the Republic.

During the initial years of establishment, nationalism, in my opinion, referred to common culture of different ethnicities within a newly-founded Republic, where ethnicity

[84] Martin V. Bruinessen, Agha, Shaik and State: On the Social and Political Organization of Kurdistan, (Utrecht: Rijksuniversiteitte 1978) p.281

and religion were of no significance.[85] Nevertheless, particularly from the late 1930s on, Kemalist understanding of nationalism was morphed into Jacobin nationalism by the intellectuals of then.[86]

From the 1960s on, the Turkish politics was greatly dominated by modern forms of social conflict between a widening working class and eager class of industrial bourgeoisie.[87] Economic inequalities and regional backwardness of the region was so acute in that period and these were key factors fuelling ethnic resentments particularly among the working class. In that period, the conflict between the working class and bourgeoisie paved the way for the rise of a massive left-wing opposition, through which the Kurdish unrest manifested itself as a segment of this opposition. It is interesting to note that the revolts of 1920s and 1930s in the southeast aimed at restoring Islam as the central organizing principle of the state that would embrace both Kurds and Turks, while in the uprisings of the 1960s and 1970s revolutionary politics preached solidarity between the oppressed among both Kurds and Turks for transformation to a single socialist state for all.[88] I should also emphasize the shift in both leadership and discourse in voicing the Kurdish unrest. The traditional Kurdish leaders, who were pious, were thought to fail to champion the Kurdish cause, and this led to the rise of a Kurdish elite, who adopted Marxist-Leninist discourse and were utterly attuned to secular ideologies.[89] Therefore, we can conclude that the 1920s and '30s Kurdish opposition was voiced via religious and traditional discourses, while the 1960s and '70s oppositions were voiced through Leftist (Marxist-Leninist) and extreme nationalist (pan-Kurdist) discourses.

[85] See the pages 15 and 16 of this chapter
[86] See the pages 17 and 18 of this chapter
[87] Mesut Yeğen, Turkish nationalism and Kurdish question, Ethnic and Racial Studies, 30:1, (2007) 119-151
[88] Keyman, Rethinking the "Kurdish question" in Turkey: Modernity, citizenship and democracy, p.473
[89] Gokhan Bacık & Bezen Balamir Coşkun, The PKK Problem: Explaining Turkey's Failure to Develop a Political Solution, Studies in Conflict & Terrorism, 34:3, (2011) p.250

3.2.3. The Torture the Kurds were subjected to in Diyarbakır Military Jail in the aftermath of the 1980 Coup

The issue developed into an ethno-political conflict, and hatred and animosity towards the state reached a peak. This event contributed largely to the Kurdish people`s joining the PKK.

The 1980 witnessed another military coup, the reasons of which –according to the military staff of then- were the political instability in the country and the sources giving rise to these. Approximately 600.000 rightest, leftist and Kurdish activists were arrested, and a number of executions were carried out. In addition, the Turkish nationalists (rightists of then) in Ankara Mamak military jail, Kurdish activists in Diyarbakır military jail and leftist activists in Istanbul Sağmalcılar jail were subjected to severe torture. Freedom of expression was heavily restricted and university students & faculty were banned from joining political parties. Öcalan and many other PKK members managed to flee from Turkey to Syria just before the 1980 coup.[90]

The 1980 military coup inflicted deep wounds on the social and political lives of Turkey and on people, and there are people who still bear the traces of this event. As for the importance of 1980 military coup for our purpose, this event had also profound impact on the Kurdish identity and nationalism. I believe that this is the point at which even an ordinary Kurdish person, as well as some modest Kurdish politicians who rejected violence, first felt the feeling of victimization. Thus, the following years witnessed a large number of Kurdish people's participations in the PKK cadres. Tan (2012) points out that most of those who were subjected to horrible tortures of the Diyarbakır military jail joined

[90] Ross Dayton, "Identity and Conflict: PKK vs. Turkey (1984-Present)". Student Research. Paper 2., (2013) available at https://bit.ly/2YLPCmJ

the PKK without a second thought, filling their hearts with full hatred against the state.[91] Tezcür (2010) asserts that the 1980 coup destroyed any chances of non-violent and legal expression of Kurdish demands, generated a spiral of radicalization among Kurdish activist, and contributed to the rise of the PKK by eliminating other competing Kurdish organizations.[92] So, we can conclude that the 1980 coup not only contributed to exhaustion of hopes for seeking a peaceful compromise to the issue but it also allowed the PKK to monopolize the Kurdish issue.

3.2.4. The ban on the use of Kurdish language in the 1982 Constitution

The ban on Kurdish language fuelled the conflict and contributed to the deepening of the fault lines between the state and the Kurdish masses.

The Army seized the power in the wake of the military coup in 1980 and the country was governed by an interim government under the supervision of junta until the first national elections to be held in November-1983. The Prime-Minister of interim government was Bülent Ulusu, a retired admiral. The 26th and 28th articles of the 1982 Constitution were related to mother tongue. The 26th article of the 1982 Constitution prescribed that "any language prohibited by law cannot be used in the expression and dissemination of thoughts", and the 28th article of it dictated that "no publication can be made in any language prohibited by law".[93] These provisions in the 1982 Constitution shaped in flesh and bones thanks to the act of "The Law on the Broadcasts to be made in Other Languages apart from Turkish", numbered 2932 and which was enacted by the

[91] Altan Tan, "Kurt Sorunu", (Timaş Yayinlari, 13. Baski, Istanbul, 2012) ps.380-381
[92] G. Murat Tezcür, When democratization radicalizes: The Kurdish nationalist movement in Turkey, Journal of Peace Research, 47(6) (2010) 775-789 p.778
[93] Dil Yasağı Dosyası, ya Türkçe Konuş ya da Sus!, March 28, 2015 (p.2), retrived from http://www.dusun-think.net/dosya/dgmadde/dil.pdf.

interim government under the control of the pro-coup mind- set.[94] The 2nd article of the 2932-numbered law prescribed that "it is prohibited to express, disseminate and publish the thoughts by any language except for the official languages of the states recognized by Turkey" (in the period in which this law was made, Kurdish was the second official language in Iraq), and again the 3rd article of the law numbered 2932 prescribed that " The mother tongue of the Turkish citizens is Turkish". As one can easily notice, even though the word "Kurdish" was not mentioned, it was obvious that those laws aimed at Kurdish, the second mostly used language following Turkish.

Following the military coup of September 12, 1980, in the areas where Kurdish population was dominant (here, we mean the eastern parts of Turkey), notice boards were on the walls in most of the public establishments, indicating that "It is forbidden to speak in any language apart from Turkish".[95] To illustrate, on the walls of Diyarbakır prison was written "speak Turkish, speak it a lot". During that period, the mothers who came to visit their children in the Diyarbakır prison and who did not know Turkish had to consume their visiting time looking mistily into their children's eyes and failing to speak even just a few words within a ten-minute visiting-period.[96] If you put yourself in place of one of those mothers and try to understand what she felt at those moments, then you may guess how deep wounds the laws in question inflicted at the grass-roots level.

3.2.5. The demand for education in mother tongue

>> This is still one of the driving impulses of the conflict.

[94] Kubilay Çağla, Türkiye'de Anadillere Yönelik Düzenlemeler ve Kamusal Alan: Anadil ve Resmi Dil Eşitlemesinin Kırılması, İletişim Araştırmaları, (2005) p.72 retrived from https://bit.ly/33CRVHM ; Dil Yasağı Dosyası, ya Türkçe Konuş ya da Sus!, (p.2)
[95] Dil Yasağı Dosyası, ya Türkçe Konuş ya da Sus!, 2015 (p.4)
[96] *ibid*.

The debates as to publication and education in mother tongue particularly occupied the political agenda of the country intensively in 1999, when Turkey's prospective membership to the EU became definite,[97] and they have been proposed for the agenda from time to time. The debates concerning the issues have generally been dealt with within the context of the unitary structure of the country and the EU membership. As a consequence, it became possible for radio and television broadcasts in various languages and dialects to be carried out by making additions to "The Law about the Establishment and Broadcast of Radios and Televisions", numbered 3984, on the 18th of Dec. 2002 so as not to miss the EU train.[98] Initially, it was only under the authority of TRT, the official TV channel of the State, to broadcast in different languages and dialects. However, this power was invested with private radio and TV channels thanks to "The regulations about the radio and TV broadcasts to be carried out in different languages and dialects Turkish Citizens use in their daily lives", which became effective on the 25th of Jan. 2004.[99]

It is possible to consider both the abolishment of the law in 1991, numbered 2932, and the release of broadcasts in mother tongue as turning points in terms of their causing a break in the discourse that only Turks live in Turkey and of coming to recognize the ethnic groups who were denied, particularly the Kurds. As for the issue of education in mother tongue, the State took important steps. These steps are as follows in content and years; [100]

[97] Çağla, Türkiye'de Anadillere Yönelik Düzenlemeler ve Kamusal Alan: Anadil ve Resmi Dil Eşitlemesinin Kırılması, (p.76)
[98] *ibid*, (p.77)
[99] *ibid*, (p.78)
[100] Peace Process and Sabotage, retrieved from http://hdpgerçekleri.com/cozum-sureci-ve-sabotaj/

2013 >>> Institutes of Kurdology and Departments of "Kurdish Language and Literature" were established in some universities in order to train teachers who will become Kurdish teachers.

>>> Kurdish was added to the curriculum in secondary high schools as an optional subject.

>>> Establishing Kurdish language courses was made possible.

2014 >>> Turkish Language Association published for the first time a dictionary from Turkish into Kurdish.

>>> Education in mother tongue, namely Kurdish, at private schools was released.

In my opinion, education in mother tongue is one of the basic human needs, so it is unreasonable and unwise to deny this fact. And, there are some countries providing this for their citizens from different ethnicities. On the other hand, there are also some other countries not providing this to their distinct ethnicities. In terms of Turkey case, on the one end of the continuum are the politicians from HDP (the political wing of the PKK) insisting on education in Kurdish at public schools, even in the public universities, on the other end of the continuum are those claiming that this would pose a threat to the indivisible unity of the country, since there also those ethnicities apart from Kurds whose mother tongues are Arabic, Circassian, Lazuri, Bosnian and Syriac. Some of the ethnicities above are locals and live in the lands densely populated with them for the most part, while some others are country-wide. As in the words of T.R. Gurr, democracies can better accommodate ethnic demands than autocracies, however it is also true that in newly-emerging democracies, ethnic demands may exceed the capacity of state

structures, thus leading to failure of existing states.[101] When compared to its western counter-parts, Republic of Turkey can be regarded as a new democracy and is not even a century old. So, I do not think that the state capacity is able to accommodate this for now. What we observe in Northern Iraq now is that Iraqi Regional Kurdish Government is going to make a referendum to secede from Iraq. However, this does not necessarily mean that education in mother tongue will never be realized. What I mean here is that just as the State's official channel (TRT) began broadcasting Kurdish for 24 hours after the permission was given by the government to private TV channels to broadcast in any mother tongue, so is the same likely to happen in future in terms of education in mother tongue. Therefore, I consider the above improvements in terms of Kurdish question to be taboo-breaking and also promising for future.

I strongly believe that it is this very feature, namely the issues overlapped in time, that makes intractable conflicts almost impossible to resolve. Because, these overlapping issues exacerbate the communal polarization and deepen the fault lines. As a result, each party considers its own position to be so vital and non-negotiable, whereas adversary is dangerous and poses a great threat to their existence. It is this very reason that they never seem ripe for settlement.[102]

Conclusion

The present chapter addressed three issues in main, and thus it was formed of three parts. The first part examined the Kurdish Question in its historicity with a strong emphasis on its regional parameters. The second part focused mainly on the rise and

[101] Barbara Harff and Ted Robert Gurr, Ethnic Conflicts in World Politics, (Boulder Colorado Press, 2nd Edition, 2004) p.8
[102] Linda L. Putnam, Guy Burgess & Rebecca Royer, We Can't Go On Like This: Frame Changes in Intractable Conflicts, Environmental Practice, 5 (2003) 247-255, p.248

evolution of Turkish nationalism from the late periods of the Ottoman Empire to early and later years of the Turkish Republic. The effects of Jacobinized Turkish nationalism accompanied by reforms in the newly-created Turkish Republic on the Kurdish people in particular were dealt with in terms of the emergence of Kurdish Question in Turkey. The third part briefly touched on the notions of conflict and intractable conflicts. This was followed by revealing why and how the conflict between the Turkish state and its Kurdish people is intractable.

The post-World War 1 period witnessed important developments in terms of the Ottomans and of the Middle East. The region threw up four nation-states in the following years in the aftermath of the 1st World war; and, the areas that were densely populated by Kurds remained within the confines of these four states; namely, Turkey, Iran, Iraq and Syria. The governing elites of these states adopted the policies of establishing French-style unitary and secular nation-state by attaching particular importance on central administration. This required the carving out of a unified and civic national identity that dismissed diversity in ethno-cultural terms. The oppressions by the ruling elites on those states were reacted by the Kurdish peoples in the region, and the region witnessed a number of revolts by the Kurds. So, when considered through the regional perspectives, it is easily comprehended that the Kurdish Question of the Middle East is a regional issue from the very beginning. Mountainous terrain and porous adjacent borders were greatly benefitted by the leading Kurdish actors and their organisations. These are two of the main reasons that strengthened the PKK`s hand in their insurgency against Turkey.

The French Revolution and the understanding of nationalism it introduced greatly affected international politics and the peoples that were living under the large empires of then. The subjects of the large empires started to stress their difference in ethnicity. It was the Ottoman Empire that was profoundly affected by this. The break-up of Ottomans`

subjects first in the Balkans and then in the Middle East one after another, adversely, triggered the nationalist sentiments in Turks as well. So, the late 19th century witnessed the rise of Turkish nationalism, while the later periods of the Turkish Republic witnessed its evolution to hegemonic one. The dismantling of the Ottoman Empire by its subjects in the Balkans due to nationalist movements instilled great fear in the ruling elites of the Turkish Republic. This moulded their understanding of Turkish nation and Turkish nationalism. Inevitably, this triggered the rise of Kurdish nationalism as a reaction. In my opinion, nationalism in the early years of the Turkish Republic (Kemalist nationalism) fits the idea of civic identity and attempts to gather peoples of Turkey under the supra-identity of Turk. However, the elites in the later years of the Republic had different interpretations of the Kemalist nationalism and featured Turkism. This understanding of nationalism along with the secular and centralized administration led to a great unrest in the Kurdish people of Turkey. Inevitably, these factors triggered the initial Kurdish uprisings.

Intractable conflicts commonly erupt within the confines of a state or within a particular region and are regarded as the "plague" of the second half of the 20th. These conflicts bear three distinct features: (i) they persist quite a long time (at least, two / three decades), (ii) they follow an extremely destructive path, and (iii) they resist resolution. Intractable conflicts create new issues and agendas during its course, for they last long. Like a snowball effect, these new issues magnify the scale of the conflict, which is why it is difficult to settle them. The conflict between the Turkish state and its Kurdish population went through a number of events that elevated this conflict to intractable category. These are; (i) Land reform and abolishment of the Caliphate, (ii) economic backwardness of the region, (iii) the torture the Kurds were subjected to in Diyarbakir military jail after the 1980 coup, (iv) the ban on the Kurdish language in the 1982

constitution, and (v) the demand for education in mother tongue. Admittedly, each one of these issues deteriorated the communal polarization and dragged the conflict to the point of no return.

Chapter-3 Theory of Mediation

Introduction

The term "conflict" associates us a phenomenon which is intrinsic to all human endeavours. Conflicts do not occur randomly. There has to be a source, be it material or spiritual, that creates them. So, any given conflict is rooted in one actor`s encountering an obstacle due to the interference by the other. This is a situation where the former tries to achieve a favourable outcome, yet the latter tries to prevent the former from attaining that outcome. In broad terms, conflictual cases are those in which two or more parties cannot compromise on a specific issue(s) and attempt to impose / dictate their ways of thinking and goals.

Conflicts should definitely be dealt with and resolved in the respect that they have adverse and destructive effects on groups, societies, and nations, such as creating hostility, violence and thus causing extreme human suffering. This situation accelerated the studies related to peace-making & conflict resolution. Mediation, which is the focus of present research, is one of the tools of first resort in settling the disputes between two or more factions.[1] In practice of mediation, making binding decisions by intermediaries on behalf of the parties in conflict is out of question. The basic tenet of mediation is that it allows the adversaries to make the ultimate decision pertaining to outcome of the conflict on their own. That`s to say, the parties to the conflict retain the control over the outcome of their conflict and are free to accept or reject mediation and/or mediator's proposal, which is why it is much preferable by the conflicting parties.

[1] C. M. Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, 4th Ed. (Jossey-Bass, A Wiley Brand, San Francisco 2014)

The present chapter will explore the three issues in main. To that end, it is formed of three parts. The first part will provide an in-depth analysis about mediation. This comprehensive analysis about mediation will cover the areas from its logic and historical evolution to its components and strategies. The second part of the chapter will be dealing with the issue of conflict ripeness which is of prime importance not only for the initiation of mediation, but also for the likelihood of success at the end. The third part is devoted to seeking an answer to why mediation is important in approaching violent intractable conflicts.

PART-I / THEORY OF MEDIATION

1.1. Definition

The fact that as one of the methods of conflict resolution, mediation has been employed for a long time almost in every region of the world where people lived in groups or societies makes it difficult for a generalization in terms of its definition to be made.[2]

Etymologically, the term "mediation" is of Latin origin and is derived from the word "to halve", which means (i) dividing something into two halves and (ii) reducing something to one half of the original amount. On the other hand, the term "mediation" today suggests something entirely different from its origin. The present-day lexical meaning of mediation is, briefly stated, a "friendly intervention to help find a solution to a dispute".[3] Furthermore, in literature, one can find plenty of definitions of mediations provided by a number of scholars involved in this field. According to Doob, (as cited by Bercovitch and Houston) mediation is the set of efforts of one or more persons to affect

[2] M. Polat, "Mediation on Law of International Civil Procedure," (Master's Thesis, Gazi University, Institute of Social Sciences, 2009, p. 34)
[3] The New Grolier Webster International Dictionary of the English Language, (p-592).

one or more other persons when the former, the latter or both perceive a problem that requires a solution, while Mitchell (as cited by Bercovitch and Houston) defines it as "any intermediary activity undertaken by a third party with the primary intention of achieving some compromise settlement of issue at stake between the parties, or at least ending disruptive conflict behaviour".[4] Similar to Mitchell, Young (as cited by Bercovitch and Jackson) regards mediation as "any action taken by an actor that is not a direct party to the crisis, that is designed to reduce or remove one or more of the problems of the bargaining relationship, and therefore to facilitate the termination of the crisis itself, while Blake and Mouton, (as cited by Bercovitch and Jackson) in a more detailed fashion compared to Young and Mitchell, describes mediation as a process involving "the intervention of a third party who first investigates and then usually approaches each group separately with recommendations designed to provide a mutually acceptable solution".[5] Dwelling more on the issue of impartiality of the third party (mediator), Moore (as cited by Bercovitch) defines it as " an extension and elaboration of the negotiation process that involves the intervention of an acceptable, impartial and neutral third party, who has no authoritative decision-making power, to assist contending parties in voluntarily reaching their own mutually acceptable settlement".[6]

Jay Folberg and Alison Taylor (as cited by Bercovitch) consider mediation as "the process by which the participants together with the assistance of a neutral person, systematically isolate the disputed issues in order to develop options, consider

[4] Jacob Bercovitch and Allison Houston, The Study of International Mediation: Theoretical Issues and Empirical Evidence in "Resolving International Conflicts, Theory and Practice of Mediation", edited by Bercopvitch, (Lynne Riener Publishers, Inc. Colorado, 1996) p.13

[5] Jacob Bercovitch and Richard Jackson (Ed), Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, (The University of Michigan Press, 2009) p.33

[6] Jacob Bercovitch, Mediation in the Most Resistant Cases in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C.,2007) p: 106

alternatives, and reach a consensual settlement that will accommodate their needs".[7] On the other hand, Crocker et. al. provide one of the most overarching and elaborative definitions and state that mediation is " a process of conflict management, related to but distinct from the parties' own negotiations, in which those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organization, a group or a state) to change their perceptions or behaviour, and to do so without resorting to physical force or invoking the authority of law ".[8] Admittedly, one can infer from the above definitions that mediation is broad in scope, which makes it difficult for us to make precise definition for it. On the other hand, the above definitions also provide us with enough information to derive a number of fundamental principles as to what the conceptual framework of it is.

In the light of the above definitions, it can be concluded that mediation is the inclusion of an acceptable and impartial third party in the process with the consent of the parties in conflict, in the event that the negotiations which two or more parties in the state of conflict carry out to solve the problem(s) giving rise to dispute come to grief, or at least one of the parties refuses to continue negotiations. In mediation, the third party (an individual, an organization, a group or a state) is not entitled to make binding decisions related to solving the problem(s) and leaves the ultimate decision to the conflicting parties. Main objective of the third party is to investigate and identify the problem or problems causing the crisis and to help terminate the conflict by trying to change the disputants' perceptions and behaviour to each other without resorting to violence or armed struggle.

[7] *ibid.*
[8] *ibid.*

On the other hand, the underlying reason of why human beings needs the act of mediation (here, I mean the philosophy of mediation, why human did and has been doing it) still remains to be explored. Mediation, employed by almost all societies and/or civilizations in the history, was deemed as a social mechanism of control of the human relationships in a friendly manner.[9] Bercovitch states that traditional approaches to mediation assume that a conflict's parties and mediator share one compelling reason for initiating mediation: a desire to reduce, abate, or resolve a conflict due to shared humanitarian interest.[10] In a similar vein, Şen argues that finding solutions for incompatible views and disputes among humans, for whom it is inborn to live in a social environment, is, at the same time, one of the most fundamental dynamics of societal development, because dissimilarities are auxiliary elements for people to evolve in every field.[11]

As a matter of fact, the Quran's order of "reconcile your brothers who are in the state of conflict", and the perceptions of reconciliation and maintaining peace in the society are issues on which the Islamic Law sensitively focuses in terms of its objectives. Because, not to come into conflict, to resolve the disputes and to ensure solidarity/unity in the society are the mandatory provisions of Quran.[12] Şen puts forward that to end conflictual issues in a way that both parties will be satisfied with and to eliminate disputes are significant for both the parties and the society in which they live.[13] The conclusion to be drawn from the above statements is that helping people resolve their conflicts through

[9] Polat, Mediation on Law of International Civil Procedure, p. 34
[10] Jacob Bercovitch, Mediation in International Conflict in Peacemaking in International Conflict: Methods & Techniques. Edited by I. William Zartman and J. Lewis Rasmussen, (United States Institutes of Peace, 1997) p. 133-134
[11] Yusuf Şen, Mediation in Islamic Law, Hitit University, Magazine of Faculty of Theology, c. 11, issue:22, 2012/2, pages. 105-135, p.106
[12] Şen, Mediation in Islamic law, p.114
[13] *ibid* p.115

a number of ways, one of the most important of which is mediation, is both moral and religious act of prime importance for human beings.

The following section deals with the historical evolution of mediation by categorizing it as customary and contemporary mediation.

1.2. Historical Background

Making use of mediation in the resolution of any conflict is indeed as old as the history of mankind itself. Bercovith and Jackson argue that as a method of settling disputes, the practice of resolving conflicts through intermediaries has had a rich history in all cultures, both Western and non-Western.[14] Polat asserts that the origins of mediation in traditional sense[15] can be based even on Egyptian, Sumerian, Babylonian and Assyrian civilizations.[16] As a matter of fact, one of the earliest examples of mediation took place in 4000 B.C. under favor of a Sumerian King's helping to prevent a war by concluding a treaty between two combatants over a land conflict.[17] Similarly, Moore states that Jewish, Christian, Islamic, Hindu, Buddhist, Confucian, and many indigenous cultures all have extensive and effective traditions of mediation.[18] Then, it can be professed that the fact that people started to live in communities, that a number of disputes arose among them and that their conflicts were settled via the intervention of a third person within that community is the period in which the earliest practices of mediation were observed. To be sure, it should be noted here that mediation is to be divided in two as customary (traditional) mediation and modern mediation. In the former one, the strength of mediator

[14] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 32
[15] The practice of mediation needs to be divided in two as customary/traditional mediation and modern mediation. This issue will be dealt with in the following pages.
[16] Polat, Mediation on Law of International Civil Procedure, p. 33
[17], Ç. Akça, "Of the Ways of Alternative Dispute Resolution, Mediation and Reconciliation," Hukuk Gündemi, Ankara Bar Association, (2009) p.30
[18] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.61

is in question since s/he is a highly respected person in the social environment, while in the latter, the dominance over the process is left to parties.[19]

1.2.1. The Practices of Customary Mediation

Here, it is worth noting that the practices of customary mediation contain in itself both religious and local cultural elements. Moore points out that "mediation in many societies has its roots in and is strongly influenced by religion and local cultural practices. Culture and religion provide norms and guidance to disputants".[20] One can find plenty of practices on customary mediation in the history. For example, friendly solving the disputes was of significance in the ancient Greek and Roman civilizations, while the primitive tribes in Africa and Latin America attached a great value on mediation as they deemed it as one of the tools of social control.[21] According to Moore, mediation as a customary dispute resolution is still actively employed in many areas of Africa, and 80 or 90 percent of all civil disputes are resolved by principal intermediaries there, who are chiefs, elders, headmen, religious leaders, or sometimes, leaders of secret societies.[22]

On the other hand, mediation was employed in Jewish communities by rabbis and rabbinical courts in settling disputes between the members of their faith.[23] Likewise, Christian community considered Christ as the supreme mediator between God and man, and to be sure, this point of view was taken as a reference by the clergy in defining one of their roles as mediators in their community.[24] Here, it is worth noting that the Catholic

[19] Polat, Mediation on Law of International Civil Procedure, p. 34
[20] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.62
[21] Polat, Mediation on Law of International Civil Procedure, p. 34).
[22] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.67
[23] Deniz Kite,_Mediation in the 21. Century, (Kayseri Chamber of Commerce 61, 2007) p.79 ; Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.62
[24] Kite, Mediation in the 21. Century, p.79 ; Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.62

Church in Western Europe and the Orthodox Church in the Eastern Mediterranean world are reported to have been central mediation and conflict management organizations in the late Roman and Medieval periods of history, during which Clergy mediated family disputes, criminal cases and diplomatic disputes among the nobility.[25]

As for Islamic way of its practice, mediation has a long history. The task of solving conflicts in many societies of the Middle East used to be carried out by a committee comprised of experienced people, while in the Ottomans, this task was performed by *kadis*, who also had judicial tasks.[26]

Other historically-practiced samples of mediation are seen in India, Sri Lanka, China, Japan, and a number of other Asian societies, in which Hindu and Buddhist religions and philosophy attach a strong importance to social consensus, moral persuasion, and seeking balance and harmony in human relations.[27] It is also put forward by Kite that mediation has a deep-rooted history in Hindu and Buddhist cultures and that there were some events in which Buddha acted as a mediator.[28]

On the other hand, those performing the task of mediation in any disputes were the people who were not trained on this matter but who were highly respected and influential in the society in which they were living.[29] Therefore, in some occasions, they were able to be granted to make binding decisions due to their positions in the society.[30]

1.2.2. The Practices of Contemporary Mediation

[25] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.62-63
[26] Kite, Mediation in the 21. Century, p.80 ; Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.63
[27] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.65
[28] Kite, Mediation in the 21. Century, p.80
[29] *ibid.*
[30] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.65

Contemporary mediators undergo professional training, and they are more focused on mediation. Nevertheless, in contemporary mediation, to be able to make binding decisions is out of question and the parties involved retain the control over the outcome of their conflict, as well as the freedom to accept or reject mediation and mediators' proposals.[31]

From the above, it can be concluded that mediation has been practiced throughout history, and the conflicts in which it was practiced is abundant. It is surprising, however, that despite this plenitude of the cases, scientific researches and systematic analyses are rather poor on this issue,[32] which leads most of the scholars to think that it is relatively a young field of science.[33] In my opinion, this hundreds-of-years delay in scientific researches and systematic analysis on mediation may be largely due to its not having been considered as a profession (with which one could make his/her living or from which any gains could be made) and thus due to its having been carried out as a secondary tasks of certain figures in the societies. In terms of international politics, on the other hand, this delay in scientific research and analysis may be due to its not having been resorted to by the states that placed great emphasis on the notions of "sovereignty" and "sovereign state" inspired by the French Revolution. What I mean here is that from the initial years after the French Revolution to the start of second half of the 20th century, states did not want to involve any third parties in the settlement of their disputed issues, for this might impair their sovereign images. This was due to their being "sovereign states", a notion that was

[31] Jacob Bercovitch, Mediation in International Conflict in Peacemaking in "International Conflict: Methods & Techniques", edited by Zartman and Rasmussen, p. 128

[32] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Bercovitch, p.11

[33] Kenan Dağcı and Efe Çaman, Approaches for International Conflict Resolution: Negotiation and Mediation, 10th International Conference on Knowledge, Economy and Management: 11th International Conference of the ASIA Chapter of the AHRD & 2nd International Conference of the MENA Chapter of the AHRD PROCEEDINGS, retrieved from http://www.kenandagci.com/files/dagci-caman.pdf on the 2nd of July, 2014, p.1138

introduced by the French revolution. Thus, they preferred to settle their conflicts on their own almost without resorting to mediation. For sure, this caused a delay in scientific research and analysis over mediation.

In literature, one can find ample references revealing that in real terms, the scientific and systematic researches on international mediation started in the second half of the 20th century. Kleiboer states that "used for hundreds of years, studies on intermediary intervention date mainly from the last 3 decades, starting with Young in 1967 and then by Burton in 1969 and Stenelo in 1972".[34] Focusing particularly more on recent history, Bercovitch attributes the rise of mediation to the challenges of post-Cold-War era, in which increased instability and sudden change in many of the accepted rules of the game took place, growing economic disparity and scarcity in the World's resources became evident, and the proliferation of intense ethnic and other identity-based conflicts and the threats posed by different forms of terrorism were observed.[35] What can be concluded from the above is that destructive capability of weapons has also made the international society feel obliged to resort to mediation to prevent huge human losses when compared to past, and for sure, this have proliferated the studies over mediation in the last two decades or so. In a similar vein, Dağcı and Çaman date the scientific analyses on mediation to the aftermath of the 1st World War, according to whom a group of academicians and practitioners started to apply scientific methods in order to investigate the causes and processes of conflicts and to develop methods so as to prevent the outbreak of, or if it has already broken out, to prevent the destructive consequences of it.[36] Another view as regards scientific studies of mediation is put forward by Moore, according to

[34] Marieke Kleiboer Understanding Success and Failure of International Mediation, The Journal of Conflict Resolution, Vol. 40, No. 2, June 1996 360-389 p.360
[35] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 32
[36] Dağcı and Çaman, Approaches for International Conflict Resolution: Negotiation and Mediation, p.1138

whom modern practice of mediation has expanded exponentially worldwide, especially in the last four decades.[37]

From the above statements, one may argue that the contemporary practice of mediation was relatively started to be practiced in the first half of the 20th century. However, this is not the case today. One can find ample sources about mediation, for the researches concerning it increased incrementally in the second half of the century in question. This increase in scientific research shaped, to a large degree, the contemporary practice of mediation.

The following section will provide a comprehensive analysis related to the components of mediation.

1.3. Components of Mediation

Bercovitch and Houston state that there should be four important criteria in order for there to be mediation, or for the act of mediation to take place.[38] These are (i) the parties in conflict, (ii) the issues or the nature of the dispute, (iii) the mediating agent (mediator), and (iv) a context in and/or during which the conflict occurs. One can, for sure, envisage how the phenomenon of mediation is a sophisticated and challenging process whose consequent it is difficult to predict. Admittedly, one should not expect for each and every attempt of mediation to result in success, for the above factors are of vital importance in determining the nature and quality of mediation and in explaining the reason why some attempts result in success and some others do not.[39]

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[37] Moore, The Mediation Process, The Practical Strategies for Resolving Conflict, p.69

[38] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Bercovitch, p.13 ; Jacob Bercovitch, Mediation in International Conflict in "Peacemaking in International Conflict: Methods & Techniques", edited by Zartman and Rasmussen, p.133 ; Jacob Bercovitch and Richard Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 35

[39] Jacob Bercovitch, Mediation in International Conflict in "Peacemaking in International Conflict: Methods & Techniques", edited by Zartman and Rasmussen, p. 130

1.3.1. Characteristics of the Parties

Characteristics of the parties in conflict are of significance in the implementation of mediation and in the likelihood of successful outcome. What it is meant by characteristics of the parties is (i) political context of the parties, (ii) parties' economic and political leverage and (iii) previous relationships of the parties.

Of the above components, the first one refers to political regime the parties represent, adopt or are bound up with, to their legitimacy in the name of being one of the parts of the conflict, to being able to make binding decisions and enforce the decisions to be made.[40] So, from the above statement, one can infer that lack of accord within one party will definitely affect first the course and second the success of mediation attempt in a negative way. This aspect is clearly seen in the resolution process conducted between Turkey and the PKK, since there is lack of cohesion among the PKK's political wing (HDP), Öcalan (the organization's leader in prison) and the organization's armed wing in the Qandil Mountains. Another important aspect on the part of the parties is whether they have same political origin and similar cultural norms and values or not. It is argued that mediation is easier when the parties share a same political system or have a basic adherence to the same set of cultural norms and values.[41] Then, it can be suggested that sharing same political systems and similar cultural norms and values will undoubtedly make it easier for both the adversaries and the mediator to initiate productive talks.

It is thought that the parties' relative balance of power is one of the points playing a role in the mediation attempt. According to Bercovitch, the smaller the power differences between the adversaries, the greater the effectiveness of international

[40] Jacob Bercovitch and Richard Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 35
[41] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch, p.21

mediation.[42] Siniver hypotheses that mediations where rough power symmetry exists between the parties are more likely to be successful than those where there is clear power asymmetry between the parties.[43] Yet, the above views are contradicted by Deutch, who argues that conflicts where there is mutually-recognized difference in power and legitimacy will be more easily resolved.[44] Logically, if one of the parties is superior to the other in terms of social, economic and military aspects, and have more influence in the international arena, they withstand to resolution until they obtain what they desire at the maximum level. As Thucydides's world-wide famous saying suggests: "The strong do what they can and the weak suffer what they must". This situation is seen in most of the conflicts of post-Cold War period. This aspect is supported by the discoveries of Bercovitch, who found that the chances of successful mediation are 51,4% in the disputes where the power disparities between the parties is small, and 33,3% where the otherwise is in question.[45]

Historical context of the dispute, where I mean the previous relations between the disputants, is also significant in managing the conflict and its outcome. It is almost unlikely to expect for there to occur conflict between the countries of different continents, save some exceptions. Conflict generally breaks out between the countries or factions having common borders or sharing the same territory. The parties' previous relationships may be friendly, antagonistic or conflictual; in addition, the parties may have experienced one or more conflicts in their relations.[46] In terms of Turkish and Kurdish conflict, the relationship between the Turks and Kurds were friendly and peaceful during the Ottoman

[42] *ibid*
[43] Asaf Siniver, Third Party Mediation in Arab-Israeli Conflict, Department of Political Science and International Studies, University of Birmingham, p.15, a.siniver@bham.ac.uk
[44] Morton Deutsch, The Resolution of Conflict. (New Heaven: Yale University Press, 1973) p.46
[45] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch, p.22
[46] *ibid*

rule,[47] saving some minor individual incidents. However, the relationship between the Turkish Republic and Kurds followed rather conflictual and antagonistic course from the mid-1920s to the late 1990s. Therefore, taking into account of their past relations is considered to be a useful guidance for managing and mediating the conflict. It was found that the likelihood of successful mediation is 80% in the conflicts in which the disputants had a friendly relationship in the past; however, percentage of successful outcome is less than 50% in the conflicts where the conflicting factions experienced one or more disputes in the past.[48]

1.3.2. Nature of the Conflict

Ott argues that there is a broad scholarly-consensus in the scientific world as regards the fact that nature of the conflict in any given dispute is of crucial importance in determining the success or failure of mediation attempt.[49] Siniver points out that the nature of disputed issues is considered in literature to have significant bearing on the success or failure of mediation.[50] When the nature of the conflict is in question, some other elements along with the reason of it should come to one's mind. Bercovitch lists the conditions constituting the nature of any conflict as (i) the issue(s) object of the conflict, (ii) timing and duration of the intervention, and (iii) fatalities and severity of the conflict at the time of intervention.[51] While accepting that all of these three respects are significant, the issue(s) object of the conflict is, for sure, the most important element, as

[47] The reader may refer to the following chapter, (p.81)
[48] *ibid*
[49] Marvin C. Ott, "Mediation as a Method of Conflict Resolution: Two Cases", International Organization, 26, (1972) 595-618, p.597
[50] Siniver, Third Party Mediation in Arab-Israeli Conflict, p.14
[51] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch, p.23-25

this affects the parameters such as the reason(s) of outbreak of the conflict, the parties' approach to a probable agreement and severity of the conflict.

The dispute may encompass one or more issues. These issues may not always be clear, on the other hand, the parties may perceive the issue(s) different from each other.[52] First of all, it is necessary that the issue(s) which is object of the conflict should be explicitly laid bare, that is, be defined clearly by the parties. To be more specific, such points as what the issue(s) is and why it is significant should be articulated well. Because, I believe that this is important in designing the attempt of mediation and in proposing options for solutions. Bercovitch puts forth that when vital interests are affected (for example, issues of basic needs [culture, identity, language, way of life] sovereignty or territorial integrity), intermediaries will be quite unlikely to have any impact.[53] This view is echoed by Siniver, who claims that should a dispute affect vital security interests of the parties, no amount of mediation by a third party is likely to prevent the outbreak of hostilities.[54] These are the issues that make reconciliation between the Turks and Kurds difficult. Therefore, one can conclude that resolving such issues as basic needs, territorial integrity, national security or independence is sure to be challenging and hard-to-resolve issues. What`s more, attempting to settle a conflict caused by these issues is sometimes considered time-consuming.

Even though there are contradicting views as to whether mediation should be attempted at an early stage or it should be tried after the dispute has gone through a few phases, which is referred to as "test of strength", it is believed that mediation efforts show

[52] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch, p.24
[53] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 35
[54] Siniver, Third Party Mediation in Arab-Israeli Conflict, p.14

the greatest degree of success when it is mediated at around 7 to 36 weeks.[55] In some conflicts, the conflicting parties miscalculate each other's power and think that they can escalate to victory in a short time, so they choose to war instead of trying to make peace. Therefore, the period of "test of strength", during which the adversaries test each other in terms of military capacity, allows them to realize their real capacity and is instructive for them in deciding whether to continue to fight or not. The period of testing each other should not be too long. Therefore, 7 to 36 weeks makes sense to me, because every single moment after a certain period adversely affect the course of conflict and drag it into intractability.

The phase of the conflict, that is, the course or severity of the conflict at the time when mediation is attempted undoubtedly affects the parties' approaches to mediation. According to Jackson and Young, the intensity of a dispute increases the possibility that mediation will be accepted and be successful, while others such as Brockner, Burton and Modelski (as cited by Bercovitch and Houston) regard intensity of the dispute as a negative agent in mediation's being accepted by the parties.[56] Here, there are again two contradicting views, as was the case in some other issues regarding mediation. I would like to emphasize again that this is due to each conflict's having different components and conditions, because conflicts are case-specific phenomena that can show great diversity even when the same issues are at stake. On the other hand, it is still possible to gain insight about this issue thanks to the statistical data provided by Bercovitch and Houston[57]; accordingly, mediation attempts produce successful outcomes in the cases of low-fatalities (100-500), but just the opposite in high fatalities (more than 10.000). Therefore,

[55] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Jacob Bercovitch, p.23
[56] *ibid.*
[57] *ibid* p.24

it is plausible to argue that mediation attempts will yield successful outcomes if there is low fatality at the time of intervention.

1.3.3. The Mediating Agent (mediator)

As for the issue of whether the identity and characteristics of the mediator is an important factor in the successful resolution of any conflict, two schools of thought exist on this matter. As cited by Bercovitch and Houston, and Bercovitch and Jackson, on one side of the argument are such scholars as Carnevale and Young, who consider mediator as a major determinant of success, while on the other side of it are Harbottle and Ott, who relegate him/her to a secondary position and lay a great emphasis on what the nature of the dispute is.[58] In my opinion, to place the mediator at the top and push the contested issue(s) into the background, or to relegate the mediator to a secondary position and put the contested issue(s) at the first place may lead us to miss one of the fundamental characteristics of conflicts -particularly the protracted ones- in their settlement. What I mean here is that each and every conflict has its own history, narrative and dynamics. Therefore, it can change from case to case whether it is the mediator or the issue(s) at stake that takes precedence over one another in having an impact upon the outcome of mediation attempt. Nevertheless, I am more inclined to take a stand for Carnevale and Young's argument. Because, taking the debate one step further, to be able to talk about mediation is out of question, let alone whether it is successful or not, if there is no mediator. What is observed in most of the protracted intra-state conflicts is that warring factions have cut off communication with each other. In such situations, the first contact between the adversaries can only be made through the helping hand of a mediator, which

[58] *ibid* p.25 ; Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 35

initiates the process of mediation. To be sure, I should also state that the process of mediation starts with the desire of disputing parties. The most significant thing that makes the adversaries lean towards mediation is who the mediator is, in the sense of acceptability. This is the sine qua non for the initiation of mediation. In other words, mediator should be acceptable to the parties in dispute. Identity of mediator is significant in terms of two aspects: It will not only affect the disputants' decision to accept him/her, but also will encourage or discourage them to cooperate with him/her. Therefore, this issue calls for a particular scrutiny, and I believe that it will be illustrative to analyse the identity and characteristics of the mediator. As mentioned before, mediator can be any actor, including states, individuals, international, regional and non-governmental organizations. Now, let`s take a look at their particular characteristics.

States:

States, along with the regional and international organizations, are the most familiar actors as mediators in the international relations. The act of mediation by a state is executed by one of its top decision-makers, such as mediation by Alexsei Kosygin, the premier of Soviet Union of then, in India-Pakistan conflict in Tashkent in 1966; by Colin L. Powel, Secretary of State of then, in Nagorno-Karabakh conflict in Key West, 2001; or by Muhammed Benyahia, Algeria's Foreign Minister of then, in Iran-American hostage crisis in Algiers in 1980.[59] As can be predicted, the U.S. and Russia –the big powers- are the countries that engage in mediation most, and they are followed by medium or small sized countries such as France, Norway, Switzerland, Algeria, Kenya, Libya and

[59] Warren Christopher and Richard M. Mosk, The Iranian Hostage Crisis and the Iran-U.S. Claims Tribunial: Implications for International Dispute Resolution and Diplomacy, 7 Pepp. Disp. Resol. L.J. Iss.2 (2007)

South Africa.[60] Such countries as Qatar, Turkey, Saudi Arabia, Malaysia and Brazil can be added to the above list as "emerging mediators", for they have intensified their mediation efforts since the mid-last decade.[61]

Bercovitch and Jackson's typology[62] is quite illustrative on this matter, who classify mediating states as "small states" and "large states". Both groups attempt to perform the act of mediation depending on their capacity, leverage and international clout. As can be observed, Norway, Switzerland or Algeria are the leading mediators of first group. They are small in size and are unable to exert pressure on adversaries, which make them appear non-threatening and ideal for the post in highly contested issues in particular.

On the other hand, large states such as the U.S.A. and Russia seek or create an opportunity to mediate.[63] Since, mediation, according to them, is a foreign policy tool thanks to which they are able to protect or promote their own interests. Owing to possessing plenty and great variety of resources, large states can get involved in many conflicts in various parts of the World, and they can put these resources into operation as carrots or sticks depending on the course of their mediation initiative and on the adversaries' responses towards it. One can claim that the above resources provide them with enough leverage by which to push the conflicting parties toward a settlement.

Individuals:

The act of mediation by individuals suggests intervention usually by a high-profile individual who regards his/her attempt as a private enterprise, thus executing the

[60] Simon J.A. Mason and Damiano A. Sguaitamatti, Mapping Mediators, *A comparison of third parties and implications for Switzerland*, (2011) (p.21), available at https://bit.ly/2KM71Sm
[61] *ibid*
[62] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 39 ; Jacob Bercovitch (Ed), Theory and Practice of International Mediation: Selected Essays, (Routledge, New York, NY 10006 2011) p.23
[63] *ibid.*

task independently of any governmental or institutional body. What is observed is a great variety of individual mediators with different backgrounds, from former political figures to competent scholars. Nelson Mandela, Marti Ahtisaari,[64] Bill Clinton and such scholars as John Burton and Herbert Kelman[65] are only few examples as individual mediators.

When compared to the states, it can be claimed that individual mediators lack material resources or leverage to convince the conflicting parties to settle their differences. However, this does not necessarily mean that their attempts will result in failure because of this. Far from it, the leverage that such people possess is associated with their experience, seniority, reputation, credibility and academic competence.[66] The moral legitimacy to which such mediators can contribute is viewed as another form of leverage which can be described as "strongly personalized" but at the same time which is likely to be more effective than the hard power of other mediators.[67] I can say that this is related to their self-devotion to peace and being independent of any outside actors, which makes it easy for them to earn the trusts of conflicting parties.

Even though individual mediators may hold different beliefs, values and attitudes due to having different professional background, one of the most striking features of them is their strong commitment to peaceful conflict resolution. This is, I believe, due to their having no attachment to any governmental or institutional body, thus focusing only on successfully settling the dispute in favour of the adversaries rather than of any other actors. Individual mediators are more prone to keeping the adversaries away from the

[64] Mason and Sguaitamatti, Mapping Mediators, *A comparison of third parties and implications for Switzerland*, p.23
[65] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 39 ; Bercovitch, Theory and Practice of International Mediation: Selected Essays, p.22
[66] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p:38
[67] Mason and Sguaitamatti, Mapping Mediators, *A comparison of third parties and implications for Switzerland*, p.23

media, so they take special care in sustaining the talks as much as they can. They also allow the parties to engage in dialogue upon a request by them or a necessity. Individual mediators mostly employ communication and facilitation strategies in their approaches.

International Organizations, Regional Organizations and NGOs:

Intractable conflicts are so complex and thus so difficult to mediate that in some instances, neither states nor high-ranking individuals can meet all the requirements. Moreover, they sometimes fail even to facilitate a settlement in the face of long-drawn out and intense conflicts. In such circumstances, other bodies and organizations step in to offer of help or to deliver different mediation services. Consequently, what has been observed is an unusual increase in the number of individual organizations (i.e. international, regional and non-governmental organizations) performing the act of mediation.

International organizations refer to entities of states expressing their intention to meet the obligations of membership in compliance with the formal treaty of the organization of which they are members. Of the existing international organizations today, it is the United Nations that is and has been the most frequently seen actor in the field of conflict resolution through negotiations and mediation.[68] The end of the Cold War paved the way for the United Nations as a mediator to reach the areas as diverse as Africa (Somalia, Angola and Rwanda), The Balkans (Bosnia and Kosovo), South-East Asia (Cambodia), etc. The United Nations derives its legitimacy from its Charter (article 33/1), which requires that member states seek a solution by peaceful means to any conflict of

[68] Bercovicth (Ed), Theory and Practice of International Mediation: Selected Essays, p.24 ; Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p:40

which they might be a part if the continuance of conflict is likely to jeopardize the international peace and security.[69] The U.N. holds a unique status, which not only makes it the largest and influential body but also endows it a dissimilar standing in the world politics. Such features as higher degree of legitimacy, distinct standing in the international arena, many years of experience and technical capabilities and for sure, the Secretary General –whose strong commitment to peace provides additional weight to peace-making efforts- are all reinforcing factors in terms of the U.N. and they enhance the likelihood of success in its peace initiatives. This is what all of us expect. However, in reality, this is not so. The UN's dependence on its member states, the five permanent members of the Security Council in particular, prevents the organization from acting independently and devising authentic policies in political affairs as well as its mediation efforts. Touval argues that the UN possesses inherent characteristics, which can be observed in all intergovernmental organizations and that it fails to pursue coherent, flexible and dynamic peace-making policies due to those characteristics.[70] The Secretary General's inability to act without taking into account of the views and interests of the Security Council's five permanent members impairs the UN's image, and thus its credibility as an impartial mediator. Also, the UN's ability to deploy military and economic resources depends entirely on member states, or at least, some of them, and this again creates an opportunity for member states to exploit the UN's mediatory operations. In mediation, particularly in intractable conflicts, the process should be dynamic. Here, I mean that the mediator should adjust his/her strategies to changing conditions during the bargaining process and sometimes s/he should be able to make instant decisions depending on the course of the negotiations. However, these are not easy to practice within the framework of the UN,

[69] Mason and Sguaitamatti, Mapping Mediators, *A comparison of third parties and implications for Switzerland*, p.19
[70] Saadia Touval (1994), Why the U.N. Fails?, Foreign Affairs; Vol. 73, No.5, (Sep-Oct.1994) p.45

since the UN's convoluted decision-making process dispossesses the organization of dynamism and flexibility in performing a successful mediation. On the other hand, one should keep in mind the fact that the UN has generally to deal with intractable conflicts from which state actors usually avoid intervening. The reason for this is that state actors do not want to take the of risks of (i) being unsuccessful and (ii) spending too much time and financial resources for such conflicts, which are inherently difficult to resolve. In my opinion, the UN's generally having to deal with these kinds of conflicts disfavours its diligent peace-making endeavours from time to time. So, one can conclude that the effectiveness of the UN is restrained not only by its constitutive properties and the systemic features of the international arena that features the state sovereignty, but by the contextual characteristics of the deep-seated intractable conflicts.

The UN, having considered the above factors, has started to hand over its authority of peace-making to regional organizations,[71] such as the European Union, the African Union, the Arab League, etc. In fact, the UN's decision of delegating its peace-making responsibilities to regional organizations is not an arbitrary one. Far from it, the UN Charter 1945, article 33/1, allows the parties to the conflict confer with regional arrangements or agencies in order to eliminate the threat posed by ongoing conflict, and article 52/2 shows how the parties can exercise this article: either on their own initiatives or by reference from the UN Security Council.[72]

The logic behind the devolution of dispute-settling responsibilities is predicated on several relative advantages, which can only be manipulated through the hands of regional organizations. Bercovitch and Jackson argue that as most conflicts take place

[71] Sinisa Vukovic, Security and Conflict Management, International Multiparty Mediation and Conflict Management, Challenges of cooperation and coordination, (Routledge, New York, 2016) p.22
[72] *ibid.*

between regional borders, these organizations have always had great latitude in the field of conflict resolution and they derive their strength undoubtedly from sharing common background, culture and experience.[73] Their views are echoed by Vukovic, who also adds that since these organizations are more sensitive to the realities on the ground, the adversaries may lean towards a regional organization's mediating their dispute when compared to an international actor.[74] In my opinion, sharing common cultural background and in some instances, even speaking same language and living in the same way as the adversaries do, are the major advantages of the regional organizations. These attributes have almost doubled their involvement in conflicts particularly for the last three decades. However, as observed in the case of the United Nations, regional organizations are also likely to experience problems related to credibility particularly when they are perceived to pursue the interests of the strongest actor within the organization rather than pursuing the adversaries' interests, or when the would-be mediator is suspected of supporting the rebel groups. ECOWAS mediation efforts in Liberia, hampered by Nigerian interests, and Tanzania's lead mediatory role in Burundi Civil War (Tanzania was suspected of supporting the rebels) are illustrative concerning this issue.[75]

In conflict settings where the destiny of mediation is dependent upon rigid confidentiality and a high degree of impartiality, due to which the offer of mediation by the above actors are not welcomed by the adversaries, NGOs are the best option. Aall, by taking the Carter Center's 1995 International Guide to NGO Activities in Conflict Prevention and Resolution as a reference, states that there are eighty-three organizations

[73] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p:40
[74] Vukovic, Security and Conflict Management, International Multiparty Mediation and Conflict Management, Challenges of cooperation and coordination, p.22
[75] *ibid.*

devoted to conflict management.[76] To name a few, The Center for Humanitarian Dialogue, The International Negotiation Network, The Crisis Management Initiative, Sant' Egidio, The Quakers and The Carter Center are among popular NGOs in mediation.

Conflict resolution NGOs operate principally in different layers of society. While some carry out their activities by focusing entirely on the grassroots level, some others center on opinion leaders or potentially explosive elements in the society.[77] I strongly hold the view that operating in diverse levels of the society allows the mediator to obtain first-hand accounts and thus to discover the conciliatory and/or inflammable elements within the conflicting parties. This is, I believe, of pivotal importance, since this is the best way of trying, perhaps to a large degree, making perceptional change happen between the adversaries towards each other. Most of the peace initiatives can be claimed to result in failure due to the inability to break taboos and that to eliminate the ingrained prejudices are the major impediments before peace. Therefore, I strongly promote the idea that perceptional change is the key that will pave the way for peace.

When compared to other types of mediators, NGOs adopt long-term approach and objectives, thus remaining in troubled zones more. For this reason, they can best predict the ripe moment for mediation. They can also function as a catalyst by manipulating their relationships with the adversaries, where I mean they can convince the disputing parties to perceive peaceful negotiations as an attractive alternative to more belligerent activities.[78] Therefore, the parties to a dispute that take a dim view of accepting the mediation offer of powerful actors may prefer to work with less demanding NGOs. The most advantageous aspects of NGOs on the part of the adversaries are their lack of

[76] Pamela Aall, What Do NGOs Bring to Peacemaking in "Turbulent Peace, *The Challenges of Managing International Conflict*", edited by Chester A. Crocker, Fen O. Hampson, and Pamela Aall, p.372
[77] *ibid*
[78] Vukovic, Security and Conflict Management, International Multiparty Mediation and Conflict Management, Challenges of cooperation and coordination, p.24

coercive power that will not harm the sovereign images of disputants and their being interested only in terminating the conflict itself. Mediator's personal characteristics and his/her predisposition to mediation also play a part in mediation and deserve a detailed scrutiny in terms of how s/he will manage the parties and process. So, I consider it useful to briefly touch on this issue.

The characteristics of mediators:

In terms of the parties, the very characteristic which the mediator should bear is that s/he should be a reliable person, that is, s/he should earn the parties' trust.[79] M.N. Ishan Jan argues that the mediator, who makes the entire mediation process work, has to be acceptable to the disputants, to enjoy their confidence, to be neutral and not to be involved with any of the parties.[80] His views are echoed by Stulberg (as cited by Carnevale and Arad), who argues that a mediator must bear the following attributes[81] :

(i) Neutral > a mediator must have no personal preference that the dispute be resolved in one way rather than another.

(ii) Impartial > a mediator must treat all parties in comparable ways, both procedurally and substantially.

(iii) Objective > a mediator must be able to transcend the rhetoric and emotion of the parties.

[79] Şen, Mediation in Islamic Law, Hitit University, p.125 ; Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Bercovitch. p.25 ; Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 35

[80] M. Naqib Ishan Jan, The Role of Mediation in the Pacific Settlement of International Disputes, International Islamic University Malaysianaqib@iiu.edu.my (2008) p.5, available at https://bit.ly/2Zbd4cJ

[81] Peter J. Carnevale and Sharon Arad, Bias and Impartiality in Inetrnational Mediation in Resolving International Conflicts, Theory and Practice of Mediation. Edited by Jacob Bercovitch, (Lynne Riener Publishers, Inc. Colorado, 1996) ps.40-41

As a matter of fact, the above attributes are of vital importance in successfully resolving the conflict. However, the first one (neutrality) deserves a particular attention, since if the mediator loses his/her neutrality and attempts to affect the outcome in accordance with his/her interests rather than the adversaries' interests, the sustainability and permanence of the attained peace will be in jeopardy. This is a case mostly observed in the mediation attempts by big powers. As for impartiality, in my opinion this is not the issue of great importance. A mediator may not necessarily be impartial as long as s/he makes the adversaries sure that s/he will treat them fairly and equally. Because, in any kind of dispute, the parties in conflict want to be sure that the mediating agent is fair and will approach the matter fairly. This can be found by odd by no one. Therefore, it can be claimed that mediator should be a figure in whom the parties can have absolute trust and that this is a necessary prerequisite for the act of mediation to start. What's more, mediator's partiality can play a significant role in the outcome in the cases in which partiality enhances the mediator's capacity and potential to deliver concessions from one of the adversaries s/he has access to.

The three characteristics of mediator, which I have mentioned above, should be regarded as a prerequisite for the act of mediation to start. From this point of view, they are of exceptionally significance. However, in order for a mediator to deliver an effective mediation service, s/he must possess some other characteristics with which s/he will manage the process efficiently. These are the features that are crucial during the mediation process and help attain a successful outcome at the end. The literature on this issue can offer us plenty of samples and ideas about them. Bercovitch and Jackson list the required attributes for successful mediation as follows; 1) knowledge about conflict situations, 2) an ability to understand the positions of antagonists, 3) active listening, 4) a sense of timing, 5) communication skills, 6) procedural skills, and 7) the ability to manage a

crisis.[82] On the other hand, experienced practitioners of international mediation state that intelligence, stamina, energy, patience and sense of humour are particularly important.[83] Şen argues that among the necessary attributes of any mediator should be reliability, neutrality, the ability to persuade people, fairness, intelligence, sharing the same culture and/or religion, being healthy physically, having knowledge of law, and being able to be patient.[84] On the other hand, Kite, by placing more emphasis on formal education over mediation and its social dimensions, puts forward that a good mediator is someone who received sufficient and required trainings, who has certain personal traits and experience, and who has adopted the phenomenon of peace-making as a way of life.[85] Kite also adds that a mediator should be a respected person who is aware of the cultural differences, and has a good personal background.[86] I think that the above-cited attributes are all significant, yet I can add two more attributes which I find important. A mediator should also have a high degree of emotional and practical intelligence. Mediation efforts performed by a mediator possessing the above attributes are greatly likely to result in settlement.

1.3.4. The Context in which conflict occurs

The final component to be dealt with regarding mediation is the setting in which it takes place. Bercovitch and Jackson argue that mediation attempt cannot be considered independent of the social and international context in which it occurs.[87] Contextual factors can be listed as the nature of the conflict, the parties to the conflict, the mediator, and the

[82] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p: 36
[83] Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Jacob Bercovitch. p.25
[84] Şen, Mediation in Islamic law, Hitit University, ps.123-124-125
[85] Kite, Mediation in the 21st Century, p.128
[86] ibid, p.129
[87] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.36

context.[88] In literature, what is meant by context remains vague. Bercovitch describes context as the notion that includes history of a conflict, the interaction between the parties, their relationship to mediator, and the nature of the international environment in which it occurs.[89] On the other hand, he elaborates the first three concepts of the above classification under the title of "elements of mediation".[90] Similarly, Siniver names this last notion as "contextual factors" and includes the first two concepts of the above definition in it.[91] So, from the above, I find it worthy to deal only with international environment / external factors in terms of their likely effects on the mediation initiative.

The external factors, where I mean the role of outside actors, are significant parameters in the mediation efforts. The involvement of outside parties that have interests in the conflict may have destructive effects on conflict management efforts.[92] As Bachar and Weiner correctly put it, outside states acting in the pursuit of their own interests might furnish political, economic or other forms of support that provide incentives for at least some actors involved in conflict to continue to fight.[93]

At this point, one may get confused as to what is the difference between the argument by the above scholars related to contextual factors (i.e. international actors and external factors that may affect mediation attempt) and the argument about the "regional dynamics as spoiler", which this thesis put forward. Here, the argument by Bercovitch,

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[88] Jacob Bercovitch, J. Theodore Anagnoson and Donnette L. Wille, Some Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations, Journal of Peace Research, Vol. 28, No.1, Special Issue on International Mediation, (Feb., 1991), ps.7-17 ; Sinisa Vukovic, International Mediation as a Distinct Form of Conflict Management, International Journal of Conflict Management, Vol. 25 No.1, (2014) ps.68-69; Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.36

[89] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.36

[90] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.35-36

[91] Siniver, Third Party Mediation in Arab-Israeli Conflict, (ps.13-16),

[92] Vukovic, International Mediation as a Distinct Form of Conflict Management, p. 68

[93] Gilat Bachar & Allen S. Weiner, Governments, publics, and enemies: Intragroup dynamics as barriers to conflict resolution, Dynamics of Asymmetric Conflict: Pathways toward terrorism and genocide, p.206

Siniver, and Bachar and Weiner refers to inducements by outside actors to at least one of the conflicting parties to make them continue to fight with a view to protecting their own interests. Their works lack a case-specific example, like the Oslo Peace Process to end the Turkish and Kurdish conflict with immense cross-border extensions. The argument of this thesis is different. To be more elaborative, for sure, consecutive events that started with the Arab Spring and its spread to Syria leading to civil war did not aim to undermine the peace process and ongoing negotiations between the Turkish and Kurdish sides. Turkish state and the PKK were in the negotiation process and there was a cease-fire, while the Syrian branch of the PKK was expanding its sphere of influence in the northern Syria for the purpose of attaining autonomous structure. In my opinion, Kurdish movement of Syria was not in need of any external inducement to pursue an autonomous structure when considering the oppressive government policies since the World War 1. Besides, it is almost the dream of all Kurdish groups in the Middle East to acquire autonomy since when they geographically split between four nation-states. Even though one may argue that throughout the history of the conflict, the external support the PKK have enjoyed is a promotive driving force enabling them to continue the fight and also there was tacit co-operation between the Syrian regime and the PYD, the peace process between the parties was going on until the ISIS`s siege of Kobane. However, it was Kobane Crisis and the events its aftermath that ended the peace process. For this reason, Kobane Crisis is a crystal-clear example in terms of the argument of this thesis regarding "regional dynamics as spoilers".

The section below lists and discusses the mediation strategies third parties can employ in their services to their clients. The section concludes with a brief assessment of the strategies that have been dealt with.

1.4. Strategies of mediation

1.4.1. The Taxonomy of Mediation Strategies

Mediation strategies, which are mainly formed of mediator roles, functions and behaviour,[94] have attracted considerable attention of the scholars, since these strategies are viewed as the most useful criteria thanks to which the success of mediation can be assessed.

In literature, one can see a number of typologies of mediation strategies, all of which, according to Siniver, in essence offer similar insights into the strategic choices mediators face.[95] According to Carnevale, a social psychologist, (as cited by Bercovitch) a mediator can employ from among four fundamental strategies, including integration (searching for common ground), pressing (reducing the range of available alternatives), compensation (enhancing the attractiveness of some alternatives), and inaction (which means allowing the parties to go their own way.[96] On the other hand, Kressel (as cited by Bercovitch and Jackson) regards the mediation strategies as (i) reflexive, (discovering issues, facilitating better interactions), (ii) nondirective (producing a favourable climate for mediation) and (iii) directive (promoting specific outcome).[97] The most favourable typology, according to Bercovitch and Jackson, is the one put forward by Touval and Zartman, which encompasses three discrete categories of behaviour; namely,

[94] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p:43 ; Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Jacob Bercovitch. p.29 ; Siniver, Third Party Mediation in Arab-Israeli Conflict, (p.16)
[95] Siniver, Third Party Mediation in Arab-Israeli Conflict, p.23
[96] Bercovitch, Mediation in International Conflict in Peacemaking in "International Conflict: Methods & Techniques", edited by Zartman and Rasmussen, p.135
[97] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.44

communication, formulation and manipulation.[98] Touval and Zartman (as cited by Bercovitch) list the content of above three strategies as follows[99];

Communication (Revealing Information)	Formulation (Coordination)	Manipulation (Carrots & Sticks)
*make contact with the parties *gain the trust and confidence of the parties *arrange for interactions between the parties *identify underlying issues and interests *clarify the situation *supply missing information *transmit messages between parties *fact finding *offer positive evaluations *allow the interests of all parties to be discussed	*control the pace and formality of the meetings *control the physical environment *ensure the privacy of mediation *highlight the common interests *control timing *help devise a framework for an acceptable outcome *help parties save face *keep the process focused on the issues *make substantive suggestions and proposals *suggest concessions parties could make	*keep parties at the table *change parties' expectations *take responsibility for concessions *make parties aware of the costs of non-agreement *supply and filter information *help negotiators to undo a commitment *reward concessions made by the parties *press the parties to show flexibility *promise resources *threaten withdrawal of resources *offer to verify compliance with the agreement *add incentives *threaten punishments *threaten to withdraw mediation

Communication strategy requires a comparatively passive and procedural stance in nature, where mediator serves as channel of communication among disputing parties and concentrating on the maintenance of talks and dialogue.[100] According to Savun (as

[98] *ibid* p.44
[99] Bercovitch, Mediation in International Conflict in Peacemaking in "International Conflict: Methods & Techniques", edited by Zartman and Rasmussen, ps.137-138
[100] Siniver, Third Party Mediation in Arab-Israeli Conflict, p.24 ; Vukovic, International Mediation as a Distinct Form of Conflict Management, p. 70

cited by Duursma), improving the flow of information among the disputants and providing them with the relevant information are of pivotal importance in reducing the uncertainty among the conflicting parties, since lacking information by the mediator may lead the warring factions to overestimate their own capabilities and to make an offer below the opponent's expectation.[101]

The second widely-preferred mediation strategy is called "formulation", also termed by Carnevale as "integration strategy" and by Bercovitch as "procedural strategies".[102] It is argued that unlike communication strategy, mediation via formulation involves an active participation of the mediator in the process where s/he puts forward his/her own agenda and drafts parameters and reference.[103] This active stance towards the process is thought to arise from the need felt by mediators in some cases where parties perceive negotiations in zero-sum terms and may adopt hard-line bargaining process.[104] In such circumstances, it is generally considered reasonable for the mediating agent to assume the role of a formulator, to define the issues at hand again and to propose some other alternatives. In this strategy, it is observed that more formal control by the mediator over the mediation process is in question, which enhances his/her contribution to the process.

The final mediation style in this framework is manipulative mediation, also termed as "directive strategy" by Kressel[105] and "mediation with muscle" by Vukovic.[106] This

[101] Allard Duursma, Department of Peace and Conflict Research, Upsala University, A Current Literature Review of International Mediation, International Journal of Conflict Management, Vol. 25 No.1 (2014) ps. 81-98
[102] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.44 ; Bercovitch and Houston, Resolving International Conflicts, Theory and Practice of Mediation, edited by Jacob Bercovitch, p.29
[103] Siniver, Third Party Mediation in Arab-Israeli Conflict, p.24 ; Vukovic, International Mediation as a Distinct Form of Conflict Management, p. 71
[104] Kyle C. Beardsley et. al., Mediation Style and Crisis Outcomes, Journal of Conflict Resolution, Vol.50, No.1 (2006) 58-86 p.63
[105] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p.44
[106] Vukovic, International Mediation as a Distinct Form of Conflict Management, p.71

strategy involves the most active range of mediator behaviour, where mediator aims to affect and shift the content and substance as well as the process of mediation.[107] Similar to formulation style, this strategy also enables mediators to make substantial contribution to negotiation process, yet it differs from the previous one in that in manipulative mediations, mediators exert influence on the bargaining process by using his/her position and leverage. Leverage here refers to all available means mediators possess, including his/her rank, rewards and punishments. To facilitate the parties' accepting the proposed solution, mediators offer "carrots" (rewards) that may cover direct compensation, the enactment of favourable economic policies towards the actors or other diplomatic concessions, while in the event of non-agreement mediators can also employ "sticks" (punishments) which may include economic and/or diplomatic sanctions as well as the threat of direct military intervention.[108]

1.4.2. Assessment of Mediation Strategies

Such factors as time pressures, mediator rank and previous relations between the parties, the issues at stake etc. can well determine which strategy to choose. For example, Möller et al. argues that facilitative (communication) and formulative strategies are more useful in territorial (secessionist) war.[109] Beardsley et al. postulates that formulation strategy may be especially effective at overcoming stalemated negotiations.[110] Some scholars including Burton and Kelman favour the communication / facilitation as the most likely to achieve successful outcome, while others such as Touval and Zartman call for a

[107] Beardsley et. al., Mediation Style and Crisis Outcomes, p.64
[108] *ibid*
[109] Peter Wallestein, and Isak Svensson, "Talking peace: International mediation in armed conflicts", Journal of Peace Research, Vol. 51 No.2, (2014) ps.315-327
[110] Beardsley et. al., Mediation Style and Crisis Outcomes, p.64

more forceful approach to mediation involving formulation and/or manipulation.[111] One can profess that this is due to the complex and unique nature of each and every conflict.

On the other hand, Siniver argues that choosing a mediation strategy is generally bound up with the objectives of mediation process.[112] However, the most promising solution was suggested by Bercovitch and Gartner, whose classification is based on the intensity of conflict, which is divided in two as high-intensity and low-intensity; accordingly, strategies pushing the parties towards a settlement appear to be more effective in high-intensity conflicts, but less effective in low-intensity conflicts where, instead, communication/facilitation seems a more viable option.[113]

Choosing a strategy by taking into consideration the nature of the conflict is believed to produce more successful outcomes than the other methods. For example, employing formulative or manipulative strategy in the low-intensity conflicts may initially bring about immediate settlement, yet the parties may not comply with this settlement, since they may think later that the imposed solution does not accommodate their needs and expectations. Similarly, high-intensity conflicts (particularly the intractable ones) generally require communication/facilitation strategies. Third parties, prior to adopting their behaviour or choosing a strategy, should keep in mind that primary target of a mediator or mediation process is to allow the conflicting parties to devise their own solution so that the attained peace can be permanent.

On the other hand, adversary's trying to devise a solution and settle their differences means that they have enough motivation for and are willing to compromise

[111] Bercovitch and Jackson, Conflict Resolution in the Twenty-first Century, Principles, Methods, and Approaches, p:44
[112] Asaf Siniver, Third Party Mediation in Arab-Israeli Conflict, Department of Political Science and International Studies, University of Birmingham, p.25, a.siniver@bham.ac.uk
[113] Wallestein and Svensson, Talking peace: International mediation in armed conflicts, p.319

and that they will exhibit their will in this way. This is what should be inferred from these developments. However, the feelings of motivation, willingness and common will to end the conflict do not spring on their own, particularly in intractable conflicts. The above feelings manifest themselves during the period when the "protracted" nature of the conflict delivers pain to both sides.[114] This is the stage when the conditions for peace are most conducive to settlement, which is called "ripe moment" by Zartman.[115] I consider the concept of "ripeness" to be one of the key parameters in the resolution of conflicts, as any untimely attempted peace effort is doomed to fail. Therefore, timing of mediation is of crucial importance and deserves to be looked at in detail.

The following part will provide insight into conflict ripeness and its importance in terms of detecting the most opportune time to initiate mediation.

PART-II / THE ISSUE OF "RIPENESS"

"Ripeness is one of the absolute essences of diplomacy. You have to do the right thing at the right time" (John Campbell-1976, cited by Zartman)[116]

As can be seen from the above expression, waiting for or detecting the right time to act is of paramount importance in every sphere of politics, yet when it does come to intervene in ethno-political intractable conflicts, this issue becomes vital. Therefore, a great deal of time and a particular scientific endeavour have been devoted to the notion of ripeness. Existing literature pertaining to ripeness reveals that the theory has been approached with suspicion and received some criticisms from a number of scholars.

[114] Albert W. Harris, Coming to Terms with Separatist Insurgencies, Negotiation Journal, July-2010, 328-356, p.328
[115] I. William Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, Global Review of Ethnopolitics, Vol. 1, no. 1 (2001) 8-18 p.8
[116] *ibid*

Kleiboer, for instance, asserts that assessing "when is the most propitious time for mediation" is a difficult task.[117] O'Kane applies the theory in the Northern Ireland conflict and in a similar vein, argues that the issue of ripe moment is contestable.[118] Amer examines the theory in the context of Cambodian conflict and continues the debate by implying that the theory needs further development to encompass all the complexities of intractable conflicts.[119] What's more, such questions raised by Kleiboer as "Does a ripe moment just present itself, or can it be created? Does the notion of ripeness have predictive values? Who is supposed to recognize it? Is the idea of ripeness a fruitful notion in the discussion of third-party intervention? and finally What happens with unripe conflicts?"[120] have called the practicality of the concept into question. The two major criticisms directed to ripeness theory can be listed as;

- It is tautological: Its stipulation as a necessary condition for successfully settling conflicts provides a perfect excuse in the event of failure: it was not ripe, and
- It is non-falsifiable: If it does not exist, then it can be a good excuse for inaction by the potential third parties, as well as justifying the failed action, making it non-falsifiable.[121]

In addition, Amer, by taking the Cambodian conflict as a reference, states that the theory has explanatory value at domestic level, yet it falls short of explaining the ripeness at the regional and international levels.[122] At this point, I consider it necessary to provide brief

[117] Marieke Kleiboer, "Ripeness of Conflict: A Fruitful Notion?", Journal of Peace Research, 31:1, (1994) 109-116.
[118] Eamonn O`Kane, When Can Conflicts be Resolved? A Critique of Ripeness, Civil Wars, Vol.8, No. 3-4 (Sep-Dec, 2006), 268-284 p.271
[119] Ramses Amer, The Resolution of Cambodian Conflict: Assessing the Explanatory Value of Zartman's "Ripeness Theory", Journal of Peace Research, Vol.44, No.6, (2007) 729-742 p.740
[120] Kleiboer, "Ripeness of Conflict: A Fruitful Notion?", p.109
[121] Eamonn O`Kane, When Can Conflicts be Resolved? A Critique of Ripeness, p.271 ; Harris, Coming to Terms with Separatist Insurgencies, p.328 ; Kleiboer, "Ripeness of Conflict: A Fruitful Notion?", p.109
[122] Amer, The Resolution of Cambodian Conflict: Assessing the Explanatory Value of Zartman's "Ripeness Theory", p.740

information about the notion of ripeness both for having a grasp of it and for seeking answers for the above questions and criticisms.

Zartman, founder of the ripeness theory, puts forward that there comes a period in the cycle of a conflict during which parties experience a painful deadlock and are unable to impose unilateral solutions.[123] He calls this period "Mutually Hurting Stalemate (MHS)", suggesting a past, recent or imminent catastrophe. According to him, it is this period when the adversaries are in the pursuit of an alternative policy or "way out". His views are echoed by Haass and Stedman, who regard MHS as a period when circumstances are most conducive for third parties to attempt to initiate mediation.[124] Zartman further continues that detecting a ripe moment requires research and intelligence studies with a view to identifying the objective and subjective elements, where he defines subjective elements as expressions of pain, impasse and inability to endure the cost of further escalation, by contrast objective determinants as data on numbers and nature of casualties and material costs, and expressions of a sense of Way Out.[125] He also makes a good point by touching on the bulk of objective evidences and saying that the greater the objective evidence, the greater the subjective perception of the stalemate and its pain is likely to be.[126] To my way of thinking, this is quite plausible. Because, as the pain increases, the conflict will become a counter-productive phenomenon with the potential of pushing the adversaries to seek for non-violent alternative ways. The issue of perceiving stalemate is one of the important matters in this debate. Conflicting parties may not perceive the stalemate, or only one of them may perceive it, or they may both perceive it, but only not concurrently, or they may not perceive it at the same level. On

[123] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.8
[124] Kleiboer, "Ripeness of Conflict: A Fruitful Notion?", p.110
[125] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.10
[126] *ibid* p.10

the other hand, stalemate may not be perceived, be it concurrently or otherwise, by all factions within a party. Also, it may sometimes be perceived by leadership/top-cadres, but not by society, or vice versa. Stedman argues that military capabilities of the parties are crucial factors in making them realize that they are in stalemate.[127] I consider this important, since military capabilities can best inform the parties on how long they can endure fighting. Therefore, in my understanding stalemate should be first realized at the military and, in conjunction with it, governmental levels. In addition to stalemate is the prospect for settlement which is as significant an element as it since the disputants may well regard the alternative solutions arranged as a result of negotiations as a victory. The parties may sometimes need an outside help (mediator) to perceive the stalemate, since an objective third-eye -distant watcher of the battle field- can easily detect the stalemate and work for the realization of it by the parties.

Crocker even argues that by assuming the role of manipulator rather than communicator / facilitator, mediators may actively engage in ripening process of the conflict if there is no objective indicator to refer.[128] This issue is also related to the question of "what happens with unripe conflicts"? As can be inferred from the Crocker's statements above, the absence of ripeness does not necessarily advise us to do nothing and walk away. Far from it, it can guide us to detect hurdles and can inspire us to contrive novel strategies in dealing with them until a way out becomes foreseeable. As for one of the most important questions by Kleiboer,[129] which is "Is the idea of ripeness a fruitful notion in the discussion of third party intervention?", Zartman, in order to clarify the subject, draws our attention to the fact that ripeness is not always lead to or should not always be expected to lead to negotiations, though there are some instances where it

[127] *ibid.*
[128] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.15
[129] Kleiboer, "Ripeness of Conflict: A Fruitful Notion?", p.109

played its part. He concludes that the notion of ripeness is applicable and useful in pointing the most propitious moment for successful initiation of negotiations or their failure.[130]

Personally, I am of the opinion that when considering the complex nature of intractable intra-state conflicts, detecting the ripe moment or right entry point is as vital as it is challenging. This should be acknowledged. On the other hand, whether the notion of ripeness is fruitful or not in terms of third-party interventions depends on what is expected from it in the face of intra-state wars. It does not have a predictive value when it comes to the outcome of negotiations. However, in my understanding, it does have a predictive value in the sense of offering us a number of insights into whether to launch peace initiatives or not. This is the point to which Zartman wants to draw our attention. To be able to get the warring parties to lay down the arms and sit on the negotiation table, though for a while, means saving many civilians' lives when approaching the issue particularly in the context of intractable intra-state wars. This is the context that hardly tolerates mistakes. Therefore, I firmly believe that the notion of ripeness deserves credit.

The following part will attempt to seek an answer to why mediation should be the tool of first resort in violent intractable conflicts.

PART-III / WHY IS MEDIATION IMPORTANT IN INTRACTABLE INTRA-STATE CONFLICTS?

Peace-making is one of the most important undertakings in the contemporary international politics and has gained prominence since the collapse of the bipolar World

[130] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.10

system. We say so, because the end of the Cold War not only led to drastic changes in the social, economic and political environments but also changed the nature of conflict. In the minds of many, the turbulent conflict-ridden twentieth century would be superseded by an era of enduring peace and tranquillity. The great powers, having terminated the ideological rivalry between themselves, would work together for the international community and effectively arrest the outbreak of conflict that characterized the twentieth century.[131] However, what the humanity has been witnessing since the end of the Cold War is an increase in the number and intensity of violent conflicts.[132] Add to that, these conflicts (protracted intractable conflicts) do not break out among the states, but among the ethnic and/or ethno-political groups, majority of whom claim to be justified in their pursuit of autonomy within or independence from an existing state. Bercovitch and Derouen Jr`s explication on this matter is crystal clear, who argue that the post-Cold War period is marked by an outburst of nationalism, the emphasizing of contested national identities, and the outbreak of violent conflicts in places as various as Angola, Myanmar (formerly Burma), Sudan, Iraq, Russia, Turkey, Kashmir, Ethiopia, Bosnia, and many other places.[133] The reason for this, according to many including Mason and Sguaitamatti, is that many deep-seated enmities which had been kept under the lid by one of the superpowers broke out among the societies after the bipolar system had collapsed.[134] It is this very event that changed our perception of conflict. When the conflicts of pre- and post-Cold War periods are examined, it is observed that the ones which erupted after the

[131] Jacob Bercovitch and Karl Derouen Jr. Mediation in Internationalized Ethnic Conflicts: *Assessing the Determinants of a Successful Process*, Armed Forces & Society, Vol.30, No.2, (Winter-2004) pp.147-170 ; Chester A. Crocker, Fen O. Hampson and Pamela Aall, Introduction: mapping the Nettle Field in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C., 2007) p:3

[132] Violent intractable conflicts, see the pages 22-23 of the previous chapter.

[133] Bercovitch and Derouen Jr. Mediation in Internationalized Ethnic Conflicts: *Assessing the Determinants of a Successful Process*, ps.147-170.

[134] Mason and Sguaitamatti, Mapping Mediators, *A comparison of third parties and implications for Switzerland*, (p.13),

end of the Cold War are locally or regionally-based. As it is in the words of Levy, "over the past five centuries, wars between the great powers have significantly increased in severity but diminished in frequency; over the past five decades, wars have shifted away from the great powers and away from Europe to other actors in other regional systems, and away from interstate wars to intrastate wars".[135]

This changing nature of conflicts has raised the issue of how such conflicts should be approached and dealt with. The section below will briefly discuss basic approaches in going about intractable conflicts and then will go on to demonstrate distinct features of mediation in dealing with such conflicts.

3.1. Basic Approaches to the Resolution of Intractable Conflicts

Intractable conflicts have been plaguing the humanity for more than a half century. However, the increase in frequency particularly from the early 1990s on is catastrophic. According to Bercovitch and Derouen Jr, by one account only seven out of 111 militarized conflicts in the twelve years after 1989 were of the traditional interstate kind, and even these may have had strong internal or communal dimensions.[136] Another statistic provided by Kemper is as horrifying as this. According to Kemper, in 2005, 178 of the 249 counted crises were intra-state conflicts, which present themselves as extremely brutal and devastating, particularly when the issues of ethnic diversity are involved.[137]

For all that such conflicts break out and take place within the borders of a state or a particular region, they are greatly likely to have negative and destabilizing effects in terms

[135] Jack S. Levy, Theories of Interstate and intrastate War: A Levels-of-Analysis Approach in Turbulent Peace: The Challenges of Managing International Conflict. Edited by Chester A. Crocker, Fen O. Hampson, and Pamela Aall (United States Institute of Peace Press, Washington D.C. 2001) p.3.
[136] Bercovitch and Derouen Jr., Mediation in Internationalized Ethnic Conflicts: *Assessing the Determinants of a Successful Process*, ps.147-170.
[137] Barbara Kemper, Mediation in Intrastate Conflicts, *The Contribution of Tract-Two Mediation Activities to Prevent Violence in the Aceh Conflict*, Institute for Development and Peace, University of Duisburg-Essen (INEF Report, 88/2007, p.8).

of neighbouring countries, even of distant countries as well due to globalization of World`s politics. Such conflicts as Sri Lanka, Iraq (vis-a-vis the Kurds), Kashmir, Israel, or Afghanistan are illustrative of how any given conflict broke out within a state or a region, but then how quickly they spilled over to involve more than one state. Admittedly, international dimensions and spill-over effects of intra-state wars motivate the potential third parties to intervene in such conflicts particularly when humanitarian crisis and extreme violations of human rights are in question. But, how should such kind of conflicts be approached and dealt with? This is a difficult task, since we all know that the issues in such conflicts are for the most part intangible and intractable, like identity or ethnicity, so they do not lend themselves easily to political compromise or a negotiated settlement. In such situations in which inflamed feelings, hostility and violence are the norms of conduct, the third-party mechanism emerges as the most viable option. At this juncture, I find it illustrative to briefly highlight the types of third-party interventions in intractable intra-state conflicts in order to make comparisons and show why mediation has precedence over the other ways of third-party intervention. I will employ Fisher and Keashly`s typology, since I believe that it covers all the methods of third-party intervention (conciliation, arbitration and adjudication, consultation and problem solving, peace-keeping and mediation) in intractable ethnic conflicts in a concise manner.[138]

- **Conciliation:** This can be considered as an unofficial mediation effort. A trusted third-party engages in the process to establish and provide an informal communication link between the parties. The aim of this is to identify the issues, reducing tensions, and encourage the parties to alter their stances.

[138] Ronald J. Fisher and Loraleigh Keashly, The Potential Complementary of Mediation and Consultation within a Contingency Model of Third-Party Intervention, Journal of Peace Research 28, 1(1991) p.29-42

- **Arbitration and Adjudication:** A legitimate and authoritative third party enters in the process and concludes it by rendering a binding judgement to the parties (a very unlikely scenario in the intractable intra-state conflicts).
- **Consultation or problem-solving:** This can also be considered as a part of unofficial mediation efforts. Based on his/her own diagnosis and analysis pertaining to conflict, the third-party assumes the role of facilitator in the analysis of the conflict and in the development of alternatives.
- **Peace-keeping:** Here, the third-party (or parties) provides military personnel and acts as supervisor and observer of a cease-fire. In a way, this approach bears generally upon the post-conflict situations. The third-party undertakes the humanitarian activities and prevent open hostilities between the parties.
- **Mediation:** It is the extended version of negotiation and aims to encourage the parties for a negotiated settlement by addressing the substantive issues of the conflict. Since the central focus here will be on the role and relevance of mediation in intractable conflicts, a special emphasis has been placed on it below.

3.2. Why Mediation

I will try to deal with the above question by dwelling on mediation's two distinct attributes that deserve credit for conflict resolution in general and for resolving intractable conflicts in particular. The first one is "tangible & functional" practicality of mediation. The second one, in the words of Böhmelt,[139] is "The Tracks of Diplomacy" which, in my opinion, promotes mediation at the top of the list among all the conflict resolution methods.

[139] Tobias Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, Journal of Peace Research, 47(2), (2010) 167-178, p.167

3.2.1. Tangible & Functional Practicality of Mediation

a) As we have mentioned in the first chapter, mediator is a catalytic agent. When s/he steps into the conflict, a code of conduct develops by itself, or by the demand of the mediator, which leads to a change in the disputants' behaviour towards each other. In other words, involvement of a mediator in the negotiation process disciplines and reshapes the mutual relationship for the good of adversaries. This promotes better behaviour in terms of both sides, thus the parties to the conflict abstain from the rude, irritating and underestimating acts. This situation will make them take each other seriously, thus facilitating their developing empathy towards each other. I consider this significant because it is the very first step where the adversaries try to understand each other.

b) When considered in terms of the adversaries' disinclination to start direct communication, mediation allows mediator to initiate or at least facilitate communication, especially in situations in which emotional involvement of political leaders make it impossible to initiate rational face-to-face negotiation.[140] In intractable conflicts in particular, the disputants are incapable of reaching out each other due to such reasons as high fatality and deep animosity, and it is almost impossible to open a dialogue without the helping hand of a mediator. In addition to easing communication, mediation, herein, allows for screening out the issues to be negotiated and arranging them in new and acceptable ways that will open the way for a peaceful settlement.

c) Mediation allows the intermediary to function as a translator, where I mean that mediator can clarify the facts about the conflict in its all aspects, thus eliminating

[140] Ott, Mediation as a Method of Conflict Resolution: Two Cases, p.598

misunderstandings and miscalculations by the disputants. The crucial thing here is that mediator makes the adversaries be aware of their and their opponent's exact capabilities in the event of deciding whether to seek for peaceful settlement or to insist on fighting. In some cases, we have observed that overestimating your own capabilities and underestimating the opponent's power can be misleading, and this contributes to additional human suffering and deepening of intractability.

d) Initiation of mediation means that communication between the adversaries has been cut off, so from then on, the communication will be provided via the mediator. Mediators act as go-between, and this can pause reciprocal hostile attitudes exhibited face to face by the adversaries. This is important because it means a break in hostilities for a while, if at all, during which the mediator will be able to screen out their messages to each other, will have a chance to defuse the tension among them and will greatly likely to restore the communication. This will make the adversaries feel as if they were just starting the negotiations.

e) Involvement of a mediator in the conflict turns the dyad relationship of adversaries into triad one, where the neutral and impartial third person deals with the conflict in a solution-oriented way. This will make the mediator design and offer a plethora of solutions that may include or exclude the alternatives which the disputants have been unable to perceive on their own. The reason why this is important is that mediator can feature one of the proposed solutions, and that can function as a point of reference and departure in negotiations. This is not only instrumental but also essential particularly in coping with the vacuum of indeterminacy that might otherwise paralyze the negotiations.[141]

[141] Thomas Schelling, The Strategy of Conflict, Cambridge, Massachusetts: (Harward University Press, 1963) p.71

f) The process of mediation can also be seen as a process of saving face when it comes to make concessions which may not be welcomed by the parties' constituencies. Mediators can help the antagonists make difficult decisions regarding the concessions to be made by simply assuming the role of scapegoat. Thus, the concessions made by favour of a mediator will not be perceived by the constituencies of both sides as an image of weakness when compared to those made directly between the chief negotiators. I consider this very significant because this tactic helps overcome, in Ott's terminology, the "bargainer's dilemma", that is, how to offer concessions while retaining the appearance of toughness.[142]

g) We cannot simply think that once the conflict was peacefully terminated, all the problems among the conflicting parties were settled and that the attained peace would be enduring. On the contrary, the moments after which the peace agreement has been signed are so critical that the conflict might broke out again due to the incompliance of one party with any articles included in the agreement or due to spoilers. There should be an authority to check whether the adversaries comply with the conditions of the agreement or not. Mediating agent can serve as a tool thanks to which cease-fire, withdrawal of armed-groups from the conflict zones, disarmament of the insurgent groups, and inspection of anything related to the agreement can be supervised.

We have, so far, examined practical benefits of mediation, which are valid almost for all kinds of conflict. Nevertheless, we have still not touched on why mediation is instrumental in the resolution of intractable conflicts. Just as intractable conflicts are case-specific requiring special treatment in their own rights, so does mediation allow the practitioners to address any given conflict by employing various tools to tame and resolve it depending on its distinctive features.

[142] Ott, Mediation as a Method of Conflict Resolution: Two Cases, p.598

3.2.2. Multiple Ways of Intervention Modes: The Tracks of Diplomacy

Mediation offers practitioners an intervention kit which comprises distinct, target-specific ***"modes of intervention"*** and within which they can pick up depending on the pathology of given conflict. These are "track-one" (also known as "official diplomacy"), "track-two", "track one and a half", "track three" (also known as "unofficial diplomacies") and "back-track" (also known as "back-channel") diplomacy, respectively. "Tracks of Diplomacy", according to Böhmelt's definition, are diplomatic initiatives launched sometimes by states or sometimes by non-state actors with the intent of alleviating or terminating conflicts by using any means possible from coercion to incentive.[143]

In my understanding, selection of any track for a certain kind of conflict is of pivotal importance in terms of the outcome of peace attempt, as it not only launches the initial contact but also shapes the triad dialogue process during the negotiations to be conducted. For this reason, an in-depth analysis is required pertaining to all modes of intervention/tracks to see which track fits into what sort of conflict setting. My focus will be to some extent on unofficial tracks, but I will be dwelling more on "back-track" diplomacy to be able to demonstrate how instrumental and efficacious it is in protracted intractable conflicts. Nevertheless, my analysis will start with the track-one (official diplomacy), for it is the choice of first resort in the conflict settings in which extreme human suffering is observed.

3.2.2.1. Official Track / Track-One

[143] Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, p.167

Track-One diplomacy, in other words, official intervention can be considered as the conventional form of mediation that has been resorted to throughout history. Mediators of this kind of intervention are generally diplomats and high-ranking officials of states such as the U.S.A. or Norway, or generally intergovernmental organizations such as the U.N., The EU and the African Union.[144] Here, addressees of the mediator are the official government representatives of the conflicting parties. This suggests us that this form of intervention is the formal implementation of mediation efforts taking place at the state-to-state level. Its main feature is its capability of employing rewarding or punitive (carrots & sticks) power necessary to push the leaders of both sides to step back from their uncompromising stances.

Some strengths and weaknesses of the track-one are as follows;[145]

Strengths

> Track-one efforts are capable of employing political power (carrots & sticks) to manipulate the direction of bargaining process.

> It offers plethora of material and financial resources that provide mediators with high leverage and flexibility in negotiations.

> This track enjoys the support of various intelligence sources in obtaining in-depth knowledge in grasping what the nature of the conflict is.

> Track one mediators have the authority to make use of broad knowledge of their states' foreign policies and also the foreign policies of the adversaries.

[144] Diana Chigas, Negotiating Intractable Conflicts in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson and Pamela Aall, (United States Institute of Peace Press, Washington D.C. 2007) p:127 ; Diana Chigas in Leashing the Dogs of War, Conflict Management in a Divided World, edited by Chester A. Crocker, Fen O. Hampson and Pamela Aall (USIP Press Books, 2007) p: 554 ; Jeffrey Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, Culture of Peace Online Journal, 2(1), (2006) 66-81, p.67 available at https://bit.ly/2Vawdt5

[145] Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, p.67 ; Böhmelt The effectiveness of tracks of diplomacy strategies in third-party interventions, p.169

Weaknesses

> Mediators of official intervention can pursue their governments' or their organizations' interests, rather than giving priority to resolving conflict. In other words, they can corrupt process.

> Employment of coercion is likely to suppress underlying issues of weaker parties, thus undermining the sustainability of peace agreement.

> In periods in which conflicts are at their peak, diplomatic missions are ceased, meaning loss of communication when it is needed most.

> Track One diplomacy is affected by electoral cycles.

Track-One is generally resorted to by the powers such as the US or Russia, or by the major intergovernmental organization, the UN. As its main feature, its reliance on sharp positive/encouraging (carrots) or negative/punitive incentives (sticks) is what distinguishes it from the other tracks. In other words, it involves the employment of political leverage within the context of directive/manipulative mediation strategy. Its main objective is to make the adversaries sit on the negotiation table by radically having an impact on the course of conflict through leverage. That is to say, it aims to find an instant solution to conflicts. This is, in my opinion, due to excessive human sufferings experienced, or due to the possibility of conflict's culminating in nuclear confrontation. The US involvement in Indo-Pakistani War of 1965, and the UN involvement in the Bosnian War of 1995 are cases in point.[146] On the other hand, as we have mentioned in the first chapter, official mediators do not necessarily employ directive / manipulative strategy. They can also resort to communication/facilitation or formulative / procedural

[146] Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, p.170

strategies. Yet, the above strategies did not produce the desired outcome in Indo-Pakistani and The Bosnian Wars. As has been mentioned before, this shows differences from case to case. While I accept that employment of coercive diplomacy may be convincing in making the combatants start negotiations, it may be detrimental in terms of conflict dynamics and may adversely affect a likelihood of bargaining process. What I would like to emphasize here is in two-fold: (i) mediation is generally deemed by super powers as an effective foreign policy tool thanks to which they are able to extend their sphere of influence or they can prevent their rivals from extending their sphere of influence. This malignant point of view makes a likelihood of peace process vulnerable to exploitation and corruption, and (ii) both the adversaries or one of them can perceive any dictate or imposition by an outsider as a threat or as an interference in their sovereignty, thus refusing to sit on the negotiation table. This suggests that political power or leverage through directive strategy cannot be used in all conflictual situations. For instance, in my understanding, it could not and cannot be used in Turkish & the PKK peace process. Because, on the one end of the continuum is the Republic of Turkey, a sovereign state, having always been governed by popular governments; on the other end of the continuum is the PKK (a terrorist organization) and its political wing, HDP, supposedly claiming to represent the whole Kurds in Turkey, yet failing even to secure the majority of the Kurdish votes in the elections (in terms of the recent parliamentary elections held on November 1, 2015, total valid vote of Kurdish voters throughout Turkey was 6.250.894; and AKP received 2.869.230 votes / %45,90 ; HDP received 2.698.813 votes / %43,16; the rest of the remaining votes were shared among CHP, MHP and others).[147] I believe that power mediation can best produce results in conflict settings in which two or more factions fight

[147] Cuma Çiçek, 1 Kasım 2015 Seçimleri: Politik Kürt Bölgesinde Ak Parti, Birikim Dergisi, 12 Kasım, 2015, available at https://bit.ly/2ZkSnrJ

against each other in a territory where there is no legitimate state authority; or in conflict settings where an insurgent group fights against a dictator. For sure, in both settings there must be extreme human rights violations or excessive number of casualties that will necessitate an external intervention.

Track-one (official) interventions are likely to be implemented in the conflicts arising generally from concrete issues such as land, natural sources and economic disparities, yet we cannot deny that they have also been employed in conflicts stemming from abstract issues. Intractable conflicts stemming generally from abstract issues require distinct approaches and methods in terms of their settlement and of securing peace. We should make it clear what is the most crucial point, the major stumbling block, before the peace in such conflicts.

3.2.2.2. Unofficial Tracks

The concept of unofficial tracks/interventions, considering long history of mediation, is relatively a new approach to mediation in intractable conflicts and thus it may be found complex to some degree, nevertheless, it is basically a tool that allows informal actors and/or citizens to become involved in the conflict resolution process. To some, it is defined as a complementary method[148], while to some others it can be described as citizen diplomacy, supplemental/complementary diplomacy or interactive conflict resolution.[149] Personally, I would not define it as a supplemental/complementary method, since it directly aims at ending the conflict, but through a different way only. Therefore, we can see it as an efficient alternative to track-one diplomacy. Initially known as track-two with a tenuous concept in theory, later, the concept eluded from its vagueness thanks

[148] Bruce W. Dayton and Esra Çuhadar, Oslo and Its Aftermath: Lessons Learned from Track Two Diplomacy, Research Report, Negotiation Journal, (2012) p:157

[149] Chigas, Negotiating Intractable Conflicts in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson and Pamela Aall, p:128

to the scholarly studies carried out as of today[150] and was divided into three as "track-two, track one and a half and track three" depending on the mediator (be it religious institutions, academics, former government officials, nongovernmental organizations, opinion leaders) and the quality of representatives of the parties.

Track-two diplomacy:

The term "track-two" was first used in 1981 by Montville in his quest for emphasizing the distinction between mediation efforts conducted by government to government or the efforts by people to people.[151] This track can be best described as a mediation attempt designed and conducted by an unofficial third party between the non-official yet influential figures of the conflicting parties.[152] Its relevance to protracted conflicts lies in its shedding light on and approaching the root causes of conflict. In other words, it identifies the overlapping issues of the conflict and offers an opportunity to deal with them, which are quite significant in terms of intractable conflicts. The key point about track two efforts is that it does not employ coercion to influence the conflicting parties, nor does it impose any sanctions or consequences in the event of failure of the talks.

Some strengths and weaknesses of the track-two are as follows;[153]

Strengths

[150] *ibid* ; Kemper, Mediation in Intrastate Conflicts, *The Contribution of Tract-Two Mediation Activities to Prevent Violence in the Aceh Conflict*, p.12

[151] Naidoo, Sagaren (2000), The Role of Track Two Diplomacy in the Democratic Republic of Congo Conflict, African Journal on Conflict Resolution, Vol.1 Issue.1, available at https://bit.ly/2XnXCVY

[152] Dayton and Çuhadar, Oslo and Its Aftermath: Lessons Learned from Track Two Diplomacy, p:157 ; Chigas, Negotiating Intractable Conflicts in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson and Pamela Aall, p:134 ; Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, p.170 ; Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, p.68

[153] Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, ps.68-69

> There are no political or constitutional constraints on the mediator and negotiators, so they can express their opinions freely.

> Since they are also the constituencies themselves, the actors are free of the fear of losing their constituencies.

> Track two makes it possible for all disenfranchised groups to voice their opinions freely on how to achieve peace.

> Track two can also be employed before or post conflict situations.

> It encompasses grassroots as well as middle leadership who are in direct contact with the conflict.

> It is free of the negative effects of electoral cycles.

Weaknesses

> It is difficult, what's more, almost impossible to resort to Track Two at the war stage of the conflict.

> In this track, it is almost impossible to derive positive results in the authoritarian regimes in which leaders ignore the opinions of grassroots.

> The actors in track two may be regarded as not accounted, since they do not possess political power in true sense when it comes to make decisions.

> There can occur coordination problem due to their multiplicity.

Inter-societal and particularly psychological aspects of protracted violent conflicts are the biggest stumbling block before resolution, and unless they are taken into account and addressed in any mediation attempts, securing a peace agreement is almost as difficult as Prometheus's endeavour. One of the benefits of track-two diplomacy is that it enables mediator to include all the parties to the conflict in the peace process. This not only allows

each conflicting party to voice their demands but also prevents any of them, in the case of exclusion, from spoiling a likely agreement. The context of mediation conducted through track-two is that under the supervision of a non-official but well-respected mediator, negotiators of the parties who are also non-official but respected and influential in their societies, convene at a neutral, safe and non-judgemental atmosphere in which they are able to share their opinions, fears, etc. off-the-record and try to explore ways out freely.[154]-[155] I find this quite significant, since in such an atmosphere with non-official figures any issues related to conflict can easily be discussed in good faith. In terms of mediator, this is significant for the success of his/her efforts in that this allows him/her not only to be able to prioritize the issues but also ensures him/her not to ignore or miss out anyone of them which s/he might consider to be of no importance. Mapendere notes that the representatives of adversaries in track-two initiatives do not have the fear of losing constituencies since they are the constituency.[156] This is also a significant point worth considering in terms of bargaining process. One of the obstacles that official representatives often experience is the pressure by or fear of losing their constituencies due to the concessions to be made on the negotiating table. However, if you are the constituency yourself, you do not have this kind of fear, because you know the tolerable limits of your society as to making concessions. This provides easiness during the negotiations and speeds up the decision-making process, which can be crucial particularly if the continuance of conflict is greatly likely to exact a heavy toll on human life. Another important issue is the carrying out of negotiations in an off-the-record way. This is also significant, since it allows mediator and negotiators themselves to test out proposals and ideas as to whether they can be viable and gain public acceptance or not. The fundamental

[154] Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, p.170
[155] Dayton and Çuhadar, Oslo and Its Aftermath: Lessons Learned from Track Two Diplomacy, p.158
[156] Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, p.68

aim of track-two diplomacy is to bring the parties together for interaction, which seems quite arduous considering the destructive nature of violent intractable conflicts. Here, we can understand why communication/facilitation strategies are commonly employed in track-two missions. Principal purpose of the mediator here is to keep the adversaries stay on bargaining table until any progress, be it minor or major, is made. Feeling free of governmental constraints at such an atmosphere and focusing just on common good, non-official actors can convey information and exchange views pertaining to settling their differences. On the other hand, if they cannot make any progress, they can walk away without any sanctions or punishments, which is called by Kydd and Snidal as "cheap talk strategy".[157] This kind of trust provided by the mediator is, in my opinion, by far the best feature that we should take into account when assessing track two diplomacy.

Even though it is considered to be a fairly recent tool in practice, track-two diplomacy has exhibited some successes.[158] The 1993 Oslo Peace Accord is a quintessential track-two mediation effort which started in the form of unofficial talks between Israeli academics and PLO affiliates and then was transformed into official peace agreement, which is regarded as a major breakthrough in the field.[159] The Carter Center's 1995 efforts in Guinea-Worm Ceasefire negotiations can be an example to track-two efforts. Nevertheless, we should keep in mind the fact that track-two initiatives should be backed up politically by the primary political leadership and financially by states and international institutions when necessary. Even though official representatives (I mean politicians) have political advisors, they may not have in-depth knowledge regarding what grassroots thinks about any particular topic, particularly if it is related to compromise with

[157] Kydd, Andrew and Duncan Snidal, Progress in game-theoretical analysis of international regimes in Andreas Hasenclever, Peter Mayer & Volker Rittberger (eds) Theories of International Relations, Cambridge, MA: Cambridge University Press, 1997), ps.123-124
[158] Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, p.68
[159] Dayton and Çuhadar, Oslo and Its Aftermath: Lessons Learned from Track Two Diplomacy, p.159

its adversary in an intractable conflict setting. On the contrary, if the representatives of adversaries are comprised of academicians, retired politicians, journalists or intellectuals who are in touch with common people, they can make great contributions to resolving conflicts. Track-two initiatives make it possible for us to exploit such a strategy. Therefore, in my opinion, this particular feature of track-two diplomacy definitely enhances the efficiency of mediation attempts in protracted conflicts.

Turkish and Kurdish conflict experienced a kind of civilian initiative that was called "The Wise People Commission / Akil Insanlar Heyeti".[160] Even though this initiative was attempted through civilian figures, I would not say that this initiative fits into track-2 diplomacy for two reasons. First, the Commission was not assigned to discuss or negotiate the possible solutions pertaining to the conflict. Rather, the Commission was charged to comprehend the expectations and overall views of the Turkish public from the resolution process. Second, there was already an ongoing peace process between the parties.

Track one and a half diplomacy:

It is a diplomacy in which unofficial intermediaries get together with the official representatives of disputing parties with a view to terminating the conflict. We can still regard it as an unofficial mediation, as there is an unofficial actor (the mediator) in the process, although the parties are official representatives of their governments. This track suggests us the combination of track-one and track two mediation efforts. The key point about track one and a half efforts is that mediators may influence balance of power

[160] Talha Köse, Rise and Fall of the AK Party's Kurdish Peace Initiatives, Insight Turkey, Vol.19, No.2, (2017) pp.139-165 (p.145)

between the adversaries without being suspected to act on behalf of any governmental political agenda.[161]

Some strengths and weaknesses of the track one and a half are as follows; [162]-[163]

Strengths

> Track one and a half diplomacy provides mediator with manoeuvrability by allowing him/her to switch between track one and track two approaches depending on the situation encountered.

> Track one and a half is considered to be complementary of track one and track two, thus its actors filling the gap between the two tracks.

> It directly influences the power structures between the parties (which the strong parties do not generally desire), but it is not motivated by governmental political agendas.

> In the situation in which direct high-level approach is impossible, track one and a half intervener can resort to lower-level indirect approaches such as the use of humanitarian interventions, thus gaining the trust of the parties.

> Mediators of track one and a half are generally nationally and internationally respected figures such as former President Carter, Nelson Mandela and Martti Ahtisaari.

Weaknesses

> Track one and a half mediators lack inducements enabling them to pursue directive mediation techniques when needed.

[161] Böhmelt, The effectiveness of tracks of diplomacy strategies in third-party interventions, p.171
[162] *ibid*
[163] Mapendere, Track One and a Half Diplomacy and the Complementarity of Tracks, p.71-74

> Sometimes, mediators of this track are discredited due to the suspicion by the adversaries of trying to materialize their countries' foreign policy objectives.
> The activities of track one and a half mediators may not be in line with what their countries' foreign policies are, this may undermine their peace efforts.

First introduced by Nan (as cited by Heiling) as a mode between track one and track two diplomacies, track one and a half diplomacy enables third parties to combine the positive aspects that will be derived from track one and track two efforts.[164] I consider this as one of the advantages of track one and a half diplomacy. Because, it strengthens third party's hand when there is a need for alternative moves depending on the course of conflict and bargaining process, thus providing him/her with strategic dexterity. This manoeuvrability in tactical moves is clearly manifested in mediation strategies mediator can employ during the peace/bargaining process.

One may argue that mediators are unofficial figures in this track, so they do not exert leverage in true sense. This is considered as a drawback in track two diplomacy and here in this track. Nevertheless, figures of mediators in track one and a half, though unofficial, are those such as President Carter, Nelson Mandela and Martti Ahtisaari (as we noted above), who owing to their international reputation and international respect shown to them, can bring in their personal leverage. As a matter of fact, they can bring in not only their personal leverage but also material resources to be provided either by regional (The EU) or by international organizations (The UN) owing to their international prestige. International prestiges of mediators allow them to enter at the highest level, but since they are unofficial and free of any pressure by any states or institutions, they are

[164] M.Robert Heiling, Conflict Resolution in Aceh in Light of Track One and a Half Diplomacy, ASEAS 1(2) (2008) 171-186 p.182 available at https://bit.ly/2QMt3bZ

able to implement their plan freely towards peace. Ahtisaari's role in Indonesia / Aceh peace process is a case in point.[165] In addition to Ahtisaari's initiatives in and contributions to Aceh peace process, the contributions of the Community of Sant'Egidio in Mozambique peace process and former US President, Jimmy Carter's mission in defusing the crisis between the US and North Korea can be given as good examples for successful track one and a half peace initiatives.

Track Three:

It is a diplomacy in which all the peace-making operations take place at the grassroots level. In other words, unofficial intermediaries get together with the people from all walks of life to attain peace in the violent conflict environment. The key aspect about track three is that it is instrumental in helping warring societies relieve psychological trauma arising from violent conflict.

Some strengths and weaknesses of the track three are as follows;[166]

Strengths

> In track three diplomacy, intermediaries come together with people from all walks of life to promote peace-making efforts.

> Its primary target is to remove the fault lines between the societies and to restore the broken relationships.

[165] Heiling, Conflict Resolution in Aceh in Light of Track One and a Half Diplomacy, ps.179-181

[166] Chigas, Negotiating Intractable Conflicts in "Grasping the nettle: analyzing cases of intractable conflict", edited by Chester A. Crocker, Fen O. Hampson and Pamela Aall, ps.135-136

> It includes a broad range of activities such as peace education, social mobilization, joint business projects, economic and social development projects, collaboration with media and religious organizations.

> It is instrumental in facilitating the sustenance of attained peace.

Weaknesses

> Track three's main drawback is its inability to reach and influence the decision-making mechanism of both sides.

> It is dysfunctional especially when communication between the adversaries is cut off due to conflict's reaching its peak in terms of severity.

> Track three diplomacy lacks leverage to force or encourage the parties for peace.

The reasoning in track-three diplomacy, according to Chigas is that peace can and must be built from the bottom up as well as from the top down. She grounds her claims on the assumption that protracted intractable conflicts have a deep impact on a broad spectrum of people and penetrate into many aspects of a society's life, so the parties and mediator must create a "peace constituency".[167] Personally, I support this view, since intractable conflicts require that any peace attempts should address the needs of grassroots. In other words, if the grassroots is excluded from the process, settlement is almost impossible. Two critical questions arise at this point; (i) how will this unofficial process be transformed into official one? and (ii) can this be applied even at the times when there are severe clashes between the adversaries? These questions still remain to be answered. In respect of track-three diplomacy, I would say that it can best be fruitful at the times of cease-fire or in post-conflict settings, during which third party and adversaries

[167] *ibid* (136-137)

endeavour to eliminate or at least soothe the ingrained inflammatory feelings and to rehabilitate the broken relationships between the parties by bringing common people together across conflict lines for some activities and projects. Track three diplomacy can also be applied in the situations in which sporadic clashes take place between the parties. In this sense, track-three diplomacy was implemented in Turkish & Kurdish peace process under such names as "Democratic Opening" and "Project of National Unity and Brotherhood". Even though, as one of the features of this track, the initiatives were not able to be translated into an official agreement, they still did help rehabilitate the past sufferings to some extent.

3.2.2.3. The "Merit" of Mediation: "Back-track/Back-channel" Diplomacy

Back-track diplomacy or back-channel negotiations are one of the most important tools of diplomacy employed by diplomats or other actors in international politics probably since when peoples, nations and states had dealings with each other.[168] De-Wei contends that there have been considerable number of scientific studies in terms of its use in interstate relations in a conventional way.[169] However, scientific literature in terms of its instrumentality in the settlement of intractable conflicts is still insufficient, which can be ascribed to intractable conflicts' being almost a recent phenomenon.

We can conceptualise back-channel diplomacy as an officially sanctioned diplomatic initiative or, in terms of intractable conflicts, bargaining process which is conducted by the designated representatives or top cadres of opposing groups in an

[168] Anthony Wanis-St. John. An Assessment of Back Channel Diplomacy: Negotiations Between the Palestinians and Israelis, PON Paper, 00-7, (p.1) available at https://bit.ly/2IJcg6b
[169] David W. De-Wei, Detecting Back-Channel Diplomacy Through Discursive Change? A Theoretical Framework (p.2) available at https://bit.ly/2XNQOCa

attempt to foster settlement of a conflict between them.[170] As can be inferred from the term "back-channel", such negotiations are conducted deliberately in secrecy (away from public attention or scrutiny) in parties' attempt to delve for a possibility of common ground for compromise under the supervision of a third-party (or parties). Since it is conducted in secrecy, it generally does not jeopardize the status of the parties and the personal dignities of negotiators. With this aspect, it is contrary to traditional open negotiations (also called front-channel talks/negotiations) that are publicly known to occur.[171] Existing literature on back-channel negotiations informs us that such kind of a dialogue can take two forms: (i) direct communication which is launched by the decision-makers or official representatives of the adversaries and (ii) indirect communication in which initial dialogue between the parties is launched and has been sustained by a third-party until when they are ready for direct communication.[172] Existing literature also provides a number of conflictual cases in which both direct and indirect communication were used; for instance, Henry Kissinger's secret negotiations with the North Vietnamese in Paris while side-lining the U.S. ambassador to France and the rest of the U.S. State Department.[173] The latter sessions of the 1993 Oslo Talks between Israeli and PLO officials in Norway are an example of direct communication.[174] On the other hand, the back-channel communications between Sinn Fein, the political wing of IRA, and the British officials during 1980s and 1990s through intermediaries, and the initial five sessions of the 1993 Oslo Talks between Israeli and PLO officials in Norway are good examples of indirect communications between the conflicting parties.[175]

[170] G. Dean Pruitt, Back-channel Communication in the Settlement of Conflict, International Negotiation, Vol. 13, (2008) 37-54 (p.37) ; Anthony Wanis-St. John. In Theory Back-Channel Negotiation: International Bargaining in the Shadows, Negotiation Journal, Vol. 22, No.2, 119-144 (p.119)
[171] *ibid*
[172] Wanis-St. John, In Theory Back-Channel Negotiation: International Bargaining in the Shadows, p.121
[173] *ibid*
[174] G. Dean Pruitt. (2006) Negotiating with Terrorists, International Negotiation, Vol. 11, 371-394 (p.381)
[175] Pruitt, Back-channel Communication in the Settlement of Conflict, p.38-39

According to De-Wei, the rationale behind back-channel talks on the part of the adversaries is to break a diplomatic impasse being experienced in the front channel negotiations.[176] In a more comprehensive fashion, Wanis-St.John argues that as well as breaking the stalemate in negotiations or in the absence of front-channel negotiations, to de-escalate the intensity of the conflict with the potential for culminating in extreme violence is the other driving force in terms of the parties.[177] Even though both of the arguments are quite plausible and true, De-Wei's argument falls short of answering the question of "what if the given conflict has never undergone any mediation or negotiation process" and Wanis-St.John's argument falls short of answering the question of "what if the given conflict (like Turkish & the PKK), though bloody, is sporadic and low-intensity one?" I, therefore, argue that the most important rationale in resorting to back-track diplomacy is and should be to initiate the first dialogue. In other words, the rationale behind it is to trigger the first action in delving for the potential for any negotiations in the conflict settings in which (i) grassroots of both societies have been extremely polarized, (ii) thus they consider any talks with the enemy as a deadly taboo and (iii) the risk of undermining the peace attempts by the spoilers is rather high (like the ones between Israel and PLO or between Turkey and the PKK). As a matter of fact, the employment of back-track negotiations both in Israel-PLO and in the U.K.-IRA peace processes in breaking the stalemate are crystal-clear cases supporting our argument. Some strengths and weaknesses of back-channel diplomacy are as follows;[178]

Strengths

[176] De-Wei, Detecting Back-Channel Diplomacy Through Discursive Change? A Theoretical Framework p.4
[177] Wanis-St. John. An Assessment of Back Channel Diplomacy: Negotiations Between the Palestinians and Israelis, p.5
[178] Pruitt. (2008) Back-channel Communication in the Settlement of Conflict, ps.40-49 ; Wanis-St. John. An Assessment of Back Channel Diplomacy: Negotiations Between the Palestinians and Israelis, ps.6-10

> *Flexibility and Future Orientation*: In front channel talks, the adversaries, be it deliberately or impulsively, try to maintain their rigid positions and are more inclined to make prepared statements, reiterate demands and arguments, rehash the past and accuse each other of earlier misbehaviour during the negotiations. For sure, by exhibiting such behaviour, the parties greatly please their constituencies and stereotypes, whereas such modi operandi are definitely to the detriment of a newly-started process, making it almost impossible to take the process to a further stage. Back-track negotiations, on the contrary, take place in a quite different atmosphere which dismisses formality and instead promotes informality and sincerity. For sure, this reflects on the talks as a stimulating agent, whereby the parties can enjoy negotiating comfortably freely in a more inventive and brainstorming atmosphere. They can throw out tentative ideas for compromise without feeling obliged to commit to them. In doing so, they gauge their responses to their proposals, needs and demands as to which ones of them are firm and which ones can be modified.

In front channel talks, the negotiating teams of both sides are generally formed of heterogeneous people and are more in numbers, which bears the risk of disaccord within the parties themselves. Any term approved by one of the members of a team may be disapproved by another member of the same team. Back-channel communications are carried out with reduced number of people and the concerned sub-group representatives. In back-channel talks, negotiators of each side are more focused, more competent and most importantly more aware of the seriousness of situation. This makes them act prudently and consider all aspects of the conflict. In my understanding, negotiators empowered to conduct back-channel talks have more powerful motives for settlement. I strongly believe that negotiators of this kind and with this motive definitely accelerate the process, which is significant particularly in violent conflict settings.

Back-channel meetings are likely to be more of an interpersonal and less of an intergroup owing to reduced numbers of people and sincerity-encouraging informality, which may make the attendees begin to see each other as fellow human beings rather than simple as members of their opponents. As a matter of fact, this is the point where harsh rhetoric and rigid positions are gradually replaced by positive feelings, respect and trust and empathy. From the leaked minutes of the 5th Oslo Talks, this atmosphere can easily be seen between the Turkish and Kurdish delegates. This leads the adversaries to erode the feelings that nothing can change because of demons on the other side and instead, to sow the seeds of feelings that there are people on the other side whom one can work with. This "*perceptional change*" that occur between the high-ranked figures of both sides is extremely important, for these positively changed perceptions and feelings will reflect on the discourses of both sides. By this way, this will resonate also with the grassroots of both sides. This will also make it possible for a positive atmosphere to prevail in the talks and secure the further meetings and negotiations. This instils the hope that a negotiated settlement is likely.

> *Secrecy*: As has been discussed earlier in this chapter, the societies having been subjected to violent intractable conflict for a decade or so are so polarized and assume such a rigid and uncompromising attitude that any contact with the enemy is considered a betrayal, treason or even a deadly taboo. Therefore, any open dialogue with the adversary is likely to risk leaders' reputations, their positions, or even their lives. Undoubtedly, such a mind-set leaves no room for peace. Whereas, the element of secrecy, which is the **"main feature"** of back-channel talks, helps leaders who are in the pursuit of dealing with the conflict in a peaceful way minimize these risks. With this feature, back-channel talks provide leaders with political cover. The phenomenon of "political

cover" can also work in helping leaders manage their domestic and external political opponents who oppose negotiation. In addition to this is the lack of public scrutiny during the bargaining process. As we have mentioned above, this is another factor also motivating negotiators to abandon non-compromising stance and instead to adopt a more realist and accommodating manner. Nelson Mandela of ANC, Gerry Adams of IRA and Yitzhak Rabin of Israel are among those who resorted to back-channel talks and played key roles in the settlement of their intractable conflicts.

> *Free from the uneasiness of legitimising the other side*: In the conflict settings where any insurgent group is waging a war against a sovereign state, states are hesitant, and thus they avoid from front-channel talks. The first reason here is that this will mean that the complaints and demands made by the adversary are valid. The second reason in terms of states is that by conducting open negotiations with the insurgents, you make them gain legitimacy in both domestic and international political environments. On the other hand, it is not always the insurgents who are in the pursuit of recognition, far from it, in some cases states may pursue legitimacy in the eyes of public and the World with a view to securing their support. Owing to secrecy, back-channel talks eliminate or at least reduces the discouraging unfavourable effects of this problem.

> *Concurrent employment of back-channel and front-channel talks*: Back-channel talks can be carried out synchronically with front-channel talks depending again on the given conflict setting. This tactic can particularly be useful in the respect that it cancels out any possibility of misunderstanding or distortion regarding the content of the messages. In other words, it can function as the insurance of negotiations. Considering the complicated nature of intractable conflicts with their multi-faceted overlapping issues which are the

object of bargaining process, misunderstanding or missing out of any item, article or issue having been negotiated will have an adverse effect on negotiations or maybe will cease the process, or perhaps will spoil the resolution having been agreed. Therefore, we can consider this phenomenon as the "safety valve" of the process.

Another benefit of this practice is that any new and instant information obtained in the former (let's suppose that the back-channel is the former, and front-channel is the latter) can be transmitted to latter in the following meeting. And, thanks to the newly-obtained information, the following meeting may witness an advancement towards settlement. In this way, each meeting may support one another, the process accelerates and the psychological burden on the shoulders of the negotiators is reduced. These aspects make us consider the simultaneous utilization of both ways to be of strategic importance if implemented carefully and prudently.

> *By-passing the futile contestation over "preconditions"*: In violent conflicts, sometimes states and sometimes insurgents set preconditions that must be met to launch front-channel talks. One of the most common pre-conditions is the cessation of hostilities, in other words, laying down the arms. We can profess that such a precondition may not be in question in the low-intensity conflict settings where the struggle between the parties is about even (i.e. equal as each other). Nevertheless, this precondition is quite prevalent in violent intractable conflicts, particularly in those where great power asymmetries exist and one of the parties has been suffering from this asymmetric war on a large scale. It is generally the weaker side who stipulates a cease-fire as a precondition to commence negotiations. If the conflict is between a powerful sovereign state and an insurgent group, here the weak part is generally the insurgent group. And insurgents reject sitting on the negotiating table when the state's gun is pointed at them. They feel as if they were sitting

on the negotiating table with a gun at their head. One of the reasons behind this is that this will definitely serve as an encouraging example for the states and as a bad example for the other insurgent groups who are in the same or similar conflict contexts in some other parts of the world. The other reason here is political prestige. By doing this, leader of the insurgent group can lose the support of his constituency. On the other hand, it may be states that stipulate a cease-fire in the violent intractable conflicts where none of the parties are superior to each other. The fact that the insurgent group maintains its power and will be to sit on the negotiating table as if being an entity equivalent to state means a loss of prestige for states. Therefore, state stipulates in order to exert its influence and protect its sovereign image that the insurgent group should lay down the arms. State wants to show its constituency and the outer world that the process is under her control. Interestingly, state may lay cease-fire down as a condition even to launch back-channel talks. The logic here is that state makes an effort to persuade the public if they are not ready for negotiations. State shows that the first step has come from the insurgents, and this will be perceived by public as a sign of weakness on the part of the insurgents, so they will not discredit those on the power.

> *Practical and cost-effective*: Front-channel talks can generate internal disaccord in the planning phase of negotiations due to inherently involving formality and participants' being high in number. In addition, it is not only costly but also risky to ensure the comfort and security of the members of the negotiating parties during the bargaining process anticipated to last a long period of time. Whereas, back-door communication minimizes such costs and risks and can also inform the parties and the mediator on whether it is worth taking the process to front channel talks or help them project when it is best to do it.

Weaknesses

Wanis-St.John lists the weaknesses of back-channel diplomacy as; (i) matter of narrow participants in the talks, (ii) alienation of the interlocutors in the likely front-channel talks, (iii) confusing the messages in the case of multi-channel negotiations, (iv) sacrificing too much to reach an agreement and (v) confirmation of the ingrained feelings that the adversary is evil.[179] On the other hand, Pruitt (2008) classifies them as; (i) publicity of the secret talks, (ii) involving narrow set of people, (iii) possibility of missing out an issue (or issues) to be settled, (iv) excluding civil society from the process and (v) parties' failure to prepare their constituencies for an eventual agreement due to secrecy.[180]

If we are to examine the both approaches, matter of narrow participants is a common element. As a matter of fact, I consider the issue of narrow participation in the process and publicity of the secret talks to be vitally crucial issues that are likely to invalidate the peace efforts. Therefore, I will start with the issue of narrow participation in the process. This section will also account for the issue of excluding civil society from the process since it is also related to narrow participation.

> *The matter of narrow participation in and exclusion of civil society from the process*:

Unlike front-channel negotiations, back-channel negotiations are carried out with a narrow set of people, and we have explained above why it is so. Nevertheless, this also bears the risk of impairing intra-party unity particularly when one of the factions within one side feels that they were excluded from the process or they can claim that their interests have not been satisfied (even if they do not make an issue of it). Such factions which can be seen in both parties at the same time may work against the process or any settlement and may well become spoilers. Such a condition is likely to jeopardize the

[179] Wanis-St. John. An Assessment of Back Channel Diplomacy: Negotiations Between the Palestinians and Israelis, ps.8-10

[180] Pruitt, Back-channel Communication in the Settlement of Conflict, ps.48-49

future viability of a negotiated outcome, since a long-term permanent peace requires that all groups within the parties should be committed to the settlement that was negotiated and agreed.

We can prevent the issue of narrow participation from becoming a problem in two ways. The first is that the parties can agree before the talks start that the final agreement will be reached on in front channel talks, where the parties can include as many groups as possible including the members of civil society. In so doing, they can ensure that the agreement be widely approved and address to broad set of interests on both sides. The second, in my opinion, is related to the formation of negotiating cadres that will carry out the bargaining process. What we mean here is that if the selected interlocutors are fully aware of the stakes of all interest groups in the conflict and can address their needs in the settlement, then narrow participation will cause no uneasiness to anyone.

> *The publicity of back-channel talks*: By its very nature (secrecy), back-track communications can be disowned if they are in any way revealed by any outsiders. In such a condition, leaders can put forward that those carrying the talks were not authorized to do so, or they can contradict the reports about the talks and claim that the allegations are trifling. This can work particularly well if the leaders sustain their angry public rhetoric and hostile attitude against the adversary during the talks. Here, additionally we can offer another option: a counter-argument. What is meant here is that if the talks are revealed during a cease-fire period, the leaders can devise a counter-argument asserting that peace was so close, and both sides were determined to end the violence and bloodshed, yet the peace was undermined by the spoilers. I am absolutely aware that this is a difficult situation and such an assertion requires courage. However, strong emphasis on such terms as “peace”, “bloodshed”, “undermining/sabotage” and “spoilers” (those

who prefer bloodshed to peace) may help them overcome or at least soften the situation, for sure depending on the given conflict setting. I am sure that in both communities are peace supporters who may support this argument and favour peace efforts. Let's suppose that they neither support this argument nor favour the process, they may at least remain silent due to their commitment to peace. From this point of view, the leaders may at least reduce or mitigate the public reaction. Now, I would like to touch briefly on the rest of the weaknesses put forward by Wanis-St. John and Pruitt above respectively. We can clarify them as follows;

> *Alienation of the interlocutors in the likely front-channel talks*: This is about the disaccord between back and front channel negotiators of one side that might be experienced during the transmission of information from the former to the latter. This problem can arise if back and front channel talks are conducted simultaneously. Nevertheless, this can be overcome if the back-channel negotiators of both sides can precisely inform those carrying out the front-channel talks. In addition, in protracted violent intra-state conflicts, it is a rare case that both back and front channel talks are launched concurrently because of the reasons we mentioned earlier in this chapter. Therefore, it is a precedent to start the process with back-track and then transform it to front channel.

> *Confusing the messages in the case of multi-channel negotiations*: This drawback also arises if back and front channel talks are held simultaneously. So, the above explanation applies here too.

> *Sacrificing too much to reach an agreement*: Informal setting with reduced number of people accompanied by the lack of public scrutiny may inspire exorbitant feeling of confidence in the negotiators. And this may bring about improper concessions too

removed from the parties' real-life interests. This problem can be overcome by concluding the final agreement in front channel talks. Or, the back-track process can give way to front-channel one when the parties are ready for this. Another method here is about the preparation of bargaining agenda before the talks start. If the parties make good preparations, pay attention to each aspect of the conflict having potential to spoil the process and assign really good teams, this issue will no longer be a problem.

> *Confirmation of the ingrained feelings that the adversary is evil*: We should accept that this may happen. However, this may also happen in front-channel talks. Actually, this is more likely to happen in front-channel talks because of the pressure by the constituencies of both sides and by likely external actors. In my opinion, this depends on what kind of a mind-set the adversaries are sitting on the negotiation table with. If they are on the table just to justify their negative perceptions about one another, then this issue greatly materializes. This also shows us that the conflict is not ripe for any peace initiative to be launched or even if it is ripe, the parties are unable to seize it because this time they are not ready for it. Whereas, resorting to back-channel talks by the conflicting parties should tell us something as to which phase the conflict is going through in terms of its ripeness and readiness.[181] In the context of intra-state intractable conflicts, if the adversaries resort to back-channel talks despite a number of risks we are mentioning here, this means that the time for a settlement is ripe and the parties are ready for dialogue. As a matter of fact, Pruitt's illustration and explication of the atmosphere of very first meeting between the parties is extremely satisfactory and instructive;[182] He states that the adversaries start back-channel talks with a quite hesitant and exploratory manner at the beginning due to

[181] Pruitt, Back-channel Communication in the Settlement of Conflict, p.45
[182] *ibid*

having already de-humanized and demonized each other during their intense conflict. So, as one might guess, it is an extremely difficult and uncomfortable situation for both sides to utter the first words. Indeed, this is why mediators are of paramount importance in conflicts of this kind. What is usually observed on both sides is the little interest in terminating the conflict. What follows is that they send through an obscure channel or voiced subtly in an otherwise fiery speech. If the other side is similarly motivated and reciprocates this signal (which is why they are there), optimism flourishes. These reciprocal positive steps taken translate into conciliatory statements, actions, and concessions that enable the parties to get gradually closer to negotiation and settlement. Therefore, in my opinion, it is rather unlikely to witness confirmation of negative feelings in such an atmosphere.

> *possibility of missing out an issue (or issues) to be settled*: As we have discussed above, this issue is related to the preliminary preparations the parties to the dispute made before the talks start. One of the characteristics of intractable conflicts is matter of overlapping issues, which are for sure known to conflicting sides and which must be taken into consideration both while preparing for the negotiations and before the signing of final agreement just to make sure. So, we can profess that if the issues that are object of the conflict are specified sufficiently meticulously, none of the issues in question is missed out. As one of the advantages of back-track talks, it is secrecy that makes the negotiating environment pleasantly informal and flexible. This allows the conflicting sides to handle any issues comfortably, even those that might be regarded as taboo or non-negotiable. Therefore, in my opinion, a perfect preliminary preparation readily invalidates the possibility of missing out any issue (or issues) to be settled.

> *Parties' failure to prepare their constituencies for an eventual agreement due to secrecy*: This issue also deserves to be taken into account, for selling the negotiated settlement to the public is not an easy task. If it is not reciprocated by the public, this will provide a fertile ground for potential spoilers to trespass up it for the purpose of spoiling the peace. Pruitt, in order to show how to overcome this, cites Northern Ireland peace process, which culminated in a referendum on the Good Friday Agreement.[183] He also adds that the leaders of the parties launched an effective campaign in its favour to achieve a positive vote. This is quite plausible, since holding a referendum does not necessarily mean that the public will accept the negotiated settlement. They should be convinced and made aware of what are the acquisitions of peace. This process should also include the media, intellectuals and opinion leaders of both sides, as well as political leaders of them. What I mean here is that peace should be embraced by all.

We can profess that both the strengths and weaknesses of back-channel diplomacy are owing to its being conducted in secrecy. When all aspects of the back-channel diplomacy are analysed, it can readily be observed that its strengths far outweigh its weaknesses. I strongly believe that this instrument of mediation is the most promising tool that can counterbalance all the complexities of protracted intractable conflicts. The conflicts which are between IRA and the U.K., between the ANC and South Africa, and between the PLO and Israel of 1994 Oslo Accord and which marked the second half of the 20th century were terminated thanks to back-channel diplomacy. For sure, this has inspired greater confidence in conflict-resolution practitioners in treating violent intractable conflicts and has made us think that this kind of diplomacy should be the tool of first resort in violent intractable conflicts.

[183] Pruitt Back-channel Communication in the Settlement of Conflict, p.50

Conclusion

This chapter dealt with three issues. These are in-depth analysis about mediation, conflict ripeness, and importance and efficiency of mediation in approaching violent intractable conflicts.

Mediation, in a broad sense, is defined as a process of conflict management, related to but distinct from the parties' own negotiations, in which those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organization, a group or a state) to change their perceptions or behaviour without resorting to violence or armed struggle. In mediation, making binding decisions on behalf of the parties in conflict is out of question, and the parties involved retain the control over the outcome of their conflict, as well as the freedom to accept or reject mediation and mediator's proposal. This allows warring parties to protect the sovereign images of their states, which mediation much more preferable than the other forms of conflict management.

The act of mediation is related to the overall context in which it occurs. Thus, it can be concluded that mediation both affects and is affected by the context. Contextual factors are: a) the parties in conflict (the regime types, economic and political leverage, and previous relationships of the parties), b) the issues or nature of the dispute (the issue(s) object of the conflict, timing and duration of the intervention, and fatalities and severity of the conflict at the time of intervention), c) the mediating agent/mediator (states, individuals, international, regional and non-governmental organizations), and d) a context in and/or during which the conflict occurs (internal > societal dynamics and external > role of international actors). It is clear that democratic regime types, symmetry in power,

economic and political capabilities, and historical friendly relationships of the parties contribute to peaceful outcome. The issues not including any basic/vital needs, right entry-point by the mediator and low fatalities / severity are the driving forces in terms of successful outcome. It is the mediator who is crucial for mediation. Because, it is through his/her helping hand that initiates mediation. This is possible only with neutral, impartial and objective mediator. Of the three features, neutrality is the most important one. Mediator must have no personal or organizational preference that the conflict be settled in one way rather than another. This is crucially important in the respect that it allows disputants to fashion their own solution, in which case the attained peace will be long-lasting.

As for mediating agents, regional and non-governmental organizations have advantages over the other types of mediators because of regional organizations' sharing the same culture with the disputants, and NGOs' long-term stay in the conflict zone, their lacking coercive power over the adversaries and being solely interested in terminating the conflict. Therefore, I believe that they stand a good chance of concluding the mediation attempt in success.

Any mediation attempt can be deemed successful if it has achieved any form of settlement (full or partial) or ceased the violence. It would be unrealistic to expect for each mediation-intervention in intractable conflicts to end in success. This is due to each conflict's possessing its own history, narratives and dynamics. In terms of mediation strategies that can be employed by mediators, communication-facilitation strategies are the best option in high-intensity conflicts. Whereas, in low intensity ones, namely the tractable ones, formulative or manipulative strategies can be employed depending on the conflict dynamics themselves.

Mediation should take place at such a moment that adversaries should not only accept the mediation offer but also should be ready and willing to co-operate in the triad relationship towards peace. This can materialize only if the conflict is ripe and can be recognized by the parties and third parties. Zartman's "theory of ripeness" is of predictive value and can well inform us as to whether any given conflict is ripe or not. With this aspect, it deserves credit.

The ending of the Cold War paved the way for the outbreak of destructive violent conflicts among ethnic/ethno-political groups on diverse regional systems. Commonly known as intractable conflicts, these kinds of conflicts bear catastrophic consequences in terms of warring factions, for in most cases they follow rather damaging and destructive paths. The adversaries in intractable conflicts claim to have moral and intangible vested interests in the perpetuation of the conflict, for the sake of which they risk destructing themselves and the things they value for the purpose of destroying "the other". From this point of view, this kind of conflicts are paradoxical, and this is what drastically changed our perceptions of "conflict".

In such conflicts, an exact polarization is in question, and adversaries adopt a rigid attitude, which makes them stay well clear of communicating with each other. Therefore, they can rarely settle, if at all, their dispute on their own without outside intervention. This is what makes peace–making very significant, but also a very complicated human endeavour considering the main features of protracted intra-state wars. Additionally, international dimensions and spill-over effects of such kind of conflicts leave the potential third parties no choice but intervene in it either upon the request of adversaries or via their own initiative. Of the types of third-party interventions, mediation has become the mostly-resorted tool in recent years to approach and terminate these extremely violent and destructive conflicts. I believe that even though mediation has gained prominence recently

as a means of conflict resolution, it still does not get the credit it deserves. In my understanding, mediation is particularly the best option in intra-state protracted conflicts.

Mediation has two distinct attributes. These are ***"tangible & functional"*** practicality of mediation that benefit all kinds of conflicts in general, and the ***"Tracks of Diplomacy"*** that are particularly efficacious in long-standing violent conflicts. The former is all about the practical role of a third party in any conflict, be it tractable or intractable. The latter one is about the "Tracks of Diplomacy", which involves track-one, track-two, track-one and a half, track-three and back-track diplomacies. Each of these tracks refers to a distinct "mode of intervention" hired when intervening in any given conflict. The pathology of conflict is the governing factor in deciding which track fits best into that conflict.

Track-one (official) is, for the most part, resorted to in conflict settings in which multiple non-state actors fight against each other in a territory; or in conflict settings where an insurgent group fights against a dictator. Extreme human rights violations or excessive number of casualties are compulsive reasons for track-one to be employed. Track-two, on the other hand, signifies a process initiated and conducted by non-official actors. Non-official nature of the negotiation process liberates conflicting parties from both government and grassroots pressureIt does not employ coercion to influence the conflicting parties, nor does it impose any sanctions or consequences in the event of failure of the talks. Nevertheless, the agreements reached at track-two level may not be translated into official ones due to lack of political and financial back-up. For this reason, track-two initiatives should be backed up politically by the primary political leadership and financially by states and international institutions when necessary. As for track-one and a half, its main advantage is that it allows third party to switch between track-one and

track-two depending on the course of conflict. This, for sure, strengthens third-party`s hand when urgent shift in mode is needed. Nevertheless, this switch between tactical moves can be done in any intervention mode depending on the course of conflict. A separate track is not needed for this. Further to this, the selection of mediator at the beginning of this track seems a bit problematic in that there may be split in opinion as to whether the third-party will be an official representative or unofficial one. In either case, what difference this will make from track-one or track-two is a bit vague. In track-three, the whole peace process takes place at the grassroots level. This is of paramount importance in healing the psychological trauma of both societies rooted in violent conflict. However, this track can best produce results at the times of cease-fires or in post-conflict situations, since it involves some workshops, activities and projects. So, it is unlikely to implement this track in the ongoing violent conflicts.

The final intervention mode of mediation is "back-track" or "back-channel" diplomacy. Back-track diplomacy, as obvious from the term itself, is carried out deliberately in "secrecy", which is the main feature of it. Secrecy is crucially important for the conflicting parties in their attempt to initiate negotiation process and seek for a possible common ground under the supervision of a third party. The compelling reason behind secrecy is related to the emanation of a set of norms (conflict norms) during the conflict cycle. These norms, necessarily, instruct and praise militant and uncompromising behaviour towards the opponent, yet they punish any expression that the enemy may not be as bad, aggressive or inflexible as assumed. This prevailing mind-set by both sides is extremely discouraging and arrests any peace attempt even before it starts. Even if adversaries experience mutually-hurting stalemate, to sit on the bargaining table and negotiate is impossible. So, diplomatic impasse can only be managed through back-track talks. To be able to break the diplomatic impasse, achieve cease-fire in violent intractable

conflicts and whatever accomplished during this process should be seen as a "success" in assessing the peace initiative.

When the strengths and weaknesses of "back-channel" talks as one of the mediation-intervention modes are closely scrutinised, it can readily be concluded that its strengths far outweigh its weaknesses. "Back-track" diplomacy emerged as the merit of mediation that can counterbalance all the complexities of protracted intractable conflicts. The most persistent cases of the 20th century, that`s to say, the ones between IRA and the U.K., between the ANC and South Africa, and between the PLO and Israel of 1994 Oslo Accord, were all arrested through back-track diplomacy. These cases are enough to evidence that instrument of mediation via back-channel should be the tool of first resort in dealing with violent intractable conflicts.

The following chapter will mainly deal with the secret Oslo Talks or the Oslo Peace Process that was initiated through back-track diplomacy. As the focal point of this dissertation, the focus of attention will be on the whole process within the frame of mediation. In other words, what have been discussed throughout the Second and Third chapters from theoretical perspectives pertaining to "mediation-modes of intervention" will be tried to be invested in the Turkish and Kurdish peace process that took place in Oslo under the supervision of a third party. Prior to the Oslo Process, however, the following chapter will provide a brief summary of the previous peace attempts between the parties, for they both triggered one another and in the course of time, they provided body of knowledge for Oslo. For this reason, they are seen as ripening agents in terms of Oslo Process.

Chapter-4. Oslo Peace Talks and the Mediation Process

Introduction

Inflamed feelings, hostility and violence that capture the common-senses, wisdoms, and minds of the conflicting parties are the norms of conduct. These factors lead the conflict to follow an extremely destructive path which makes it rather arduous for any political compromise or negotiated settlement through a peace initiative to be achieved. This brings before us a formidable and disheartening question of "how best we should approach and go about such conflicts". For any reason, even with a slightest excuse or with any provocative act, be it domestic or external, intractable conflicts can easily sacrifice any peace effort, thus challenging and resisting settlement. Contradictorily, like a magnet, they attract quite a lot of mediators. As Bercovitch and Kadayifci correctly put it, intractable conflicts have a demonstrably higher potential to attract third-party efforts.[1] Admittedly, their hard-to-tame features and deep-seated hatred and enmity make it almost impossible for the adversaries to launch peace initiatives on their own, which qualifies the third-party intervention in the form of mediation ("mediation as intervention") as a tool of first resort. Intervention can take the shape of or take place in the form of "mediation", having a long history as a conflict resolution strategy.[2] Even though we can readily justify mediation as the best tool of first resort in intractable conflicts in particular, the timing of mediation-intervention, as we have discussed in the second chapter, is as crucial as peace initiative itself.[3]

I consider intractable intra-state conflicts as malignant living organisms in the state of perpetual dynamism and evolvement, in some phases of which adversaries may

[1] Jacob Bercovitch and Ayse S. Kadayifci, Conflict Management and Israeli-Palestinian Conflict: The Importance of Capturing the "right Moment", Asia-Pacific Review, 9:2, (2002) 113-129 (p.116).
[2] The reader may recall the pages between 6-9 of the second chapter.
[3] The reader may recall the page 22 of the second chapter.

become more inclined to compromise and assume more accommodative behaviour towards each other. So, any mediation-intervention to be attempted has to definitely consider the dynamics of given conflict with a view to detecting the most opportune time to do it.

Existing literature pertaining to timing informs us that conflicts are best settled when the conflicting parties are ready for compromise [4] and that ill-timed initiatives will, without a doubt, end in failure.[5] This is the time when the parties think that the conflict has become too costly and counter-productive to perpetuate and that it is better to have an alternative "Way Out" than without having one.[6] This is the manifestation of adversaries' bona fides, will and desire to settle their conflict peacefully, a moment that is called "ripe". This state of mind-set by the adversaries is a crucial element which not only has an impact on the outcome of peace initiatives in a positive way but also promotes the issue of "timing" of mediation-intervention to primary position.

The present chapter consists of two parts and our focus will be on two main issues. The first one is the previous peace attempts between the parties. The second one is "Oslo Talks and the Mediation Process". The reason why I would like to touch on the previous peace attempts is that in addition to the ingredients that contribute to conflict's ripeness, I consider previous peace attempts of the conflicting parties as "*conflict-ripening agents*" depending on the conflict at hand. Within the context of Turkish and Kurdish conflict in particular, we will see in this chapter how the first peace initiative, though it failed,

[4] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.8 ; Richard N. Haas, "Ripeness and the Settlement of International Disputes, Survival: Global Politics and Strategy, 30:3, (1988) 232-251, (p. 237).
[5] Bercovitch and Kadayifci, Conflict Management and Israeli-Palestinian Conflict: The Importance of Capturing the "right Moment", p.116
[6] Zartman, The timing of peace initiatives: Hurting stalemates and ripe moments, p.10 ; Amer, The Resolution of Cambodian Conflict: Assessing the Explanatory Value of Zartman's "Ripeness Theory", p.731 ; Bercovitch and Kadayifci, Conflict Management and Israeli-Palestinian Conflict: The Importance of Capturing the "right Moment", p.116

triggered the succeeding one that caused to happen the following, like a domino effect. As a matter of fact, my argument in referring to the previous peace attempts is four-fold:

(i) By their very nature, protracted intractable conflicts are subjected to more than one peace attempt. In my understanding, each and every peace process furnishes an occasion for the adversaries to understand and empathize with each other. This undoubtedly instils hope and confidence in the parties for prospective processes if they really want to settle their differences. This means even if they cannot settle their issues in one round, the hope and confidence they developed towards each other will surely encourage them for another round of talks. In reverse situations, the adversaries are unlikely to meet in another round. I, therefore, consider previous peace attempts as ripening agents in terms of prospective initiatives.

(ii) They can inform us about the parties' mind-sets to peace efforts and negotiation behaviours. Previous peace attempts are instructive in capturing what the parties' general attitude toward peace is. Here, I mean these attempts can inform us if disputants project any peace process in future or how they can respond to another peace process likely to be initiated by a third-party. If parties are always open and positive about such initiatives, then another initiative can be attempted without much hesitation. Another thing is that previous peace attempts will provide us with information as to what sort of attitude the parties assume during the negotiations or how they negotiate. Here, we mean what is their psychology when they are sitting on the negotiation table; are they constructive or destructive, trustful or distrustful, or realistic or day dreamer?

(iii) Assessing each attempt within the frame of mediation will enable us to draw some conclusions in terms of form and practice of mediation in general terms. In addition, this assessment will also inform us about how the tool of mediation has been practiced within the context of Turkish-Kurdish conflict. That is to say, we will seek answers to the

questions of “how did the theory of ripeness function in the initiation of the processes?” ; “who were those who initiated the peace processes?” ; “who were the mediators?” ; “how was mediation implemented in the processes?” ; “what were the implemented mediation strategies?” ; and “what were the outcomes of these processes?”. I find this assessment important in that it may provide an insight into the mediation efforts likely to be carried out in similar cases by practitioners.

(iv) This assessment will make it possible for us both to trace how security-based state approach has gradually changed in the course of years and to observe how this change reflected on the Oslo Process; in addition, this will make it easy for us to appreciate the Oslo Process that was also conducted within the principles of back-track mediation.

In the second part of this chapter, I will try to explore how mediation was implemented in the Oslo Peace Talks between the Turkish and Kurdish delegates. First, I will provide a brief summary of the process. Then, I will focus on how mediation was instrumental in the Oslo Talks. As we know, the process in question ended in failure in June 2011. Since the process was launched and conducted through back-channel diplomacy, there is no comprehensive information, thereby no scholarly literature, as to how mediation was implemented in the process. Therefore, what is available pertaining to Oslo Process is the minutes of the 5th meeting that were leaked to the public through a PKK-affiliated news agency just three months after the talks had collapsed. Nevertheless, these minutes include sufficient data that can allow us to draw some conclusions regarding the practice and instrumentality of mediation in the process.

Within the context of leaked minutes, I will try to seek answers to the questions of;

>>> How the theory of ripeness functioned in the initiation of the process in terms of both sides?

>>> How did the process start?

>>> Who was the mediator, how was s/he selected and was s/he acceptable for the parties?

>>> What mediation strategy the mediator employed during the process?

>>> How was mediation instrumental in the Oslo Peace Process (what were achieved in Oslo thanks to mediation)?

I find it important to include some of the dialogues that took place in the 5th meeting. I believe this will help practitioners capture what the likely atmosphere of a bargaining in a back-channel negotiation is, how the parties negotiate, what attitudes they assume and why, and what the role of the mediator is during the talks. I will try to comment on the dialogues in order to clarify, decipher and provide background information. To explain why the process could not be concluded with an agreement is not within the scope of this chapter.

PART-I / PRELUDE TO OSLO

As it has been covered in the theory chapter, one of the crucial elements that govern the mode of any peace attempt and its outcome is the start and historical tenor of the dispute. In my understanding, it would be unfair to claim that the relations between the Turkish and Kurdish communities have always been problematic. However, it is plausible to argue that the relations of both communities from the foundation of Turkish Republic on and till the late 1990s are problematic, and at times even traumatic.[7] However, the conventional approach of the state to the Kurdish issue started to change in the early 1990s.

[7] The reader may refer to the 2nd Chapter, (ps.38-43)

1.1. The First Peace Attempt in 1993: Turgut Özal's Initiative

There is a broad scholarly consensus that the Turkish state's conventional approach towards the Kurdish question until the PKK was established had been generally the one of concealment/negation, assimilation, containment/repression,[8] depending on the political atmosphere and social events that were developing in the country at the time. However, governments started to go about the issue through security lenses in the year 1984, when the PKK launched its first armed actions by attacking Şemdinli and Eruh.[9] I believe that the early 1980s deserve close examination in terms of the Republic's history in that (i) the country experienced a military coup in September-1980, (ii) Kenan Evren, full general and the top player of the coup, became the President and assigned the retired admiral Bülent Ulusu as PM, leaving the ruling of the country to the government the military junta formed, (iii) rise of Turgut Özal in the Turkish political scene, who initiated the first peace attempt, and (iv) why the first peace attempt was unsuccessful.

The administration of junta government lasted approximately two years and the first democratic elections after the coup were able to be held in 1983, which resulted in the landslide victory of Anavatan Partisi (Motherland Party) under the leadership of Turgut Özal. Turgut Özal, having become the PM of Turkey in 1983, directed his attention only to overcoming the economic bottleneck and foreign exchange issues, and left the issue of "maintaining law and order" to law-enforcement officers under the patronage of generals.[10] Later, Özal explains this situation, on his own words, as follows;

[8] Mesut Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, May 2015 Working Paper 11 İstanbul Şehir University, 2-15 (p.3) ; G. Murat Tezcür, When democratization radicalizes: The Kurdish nationalist movement in Turkey, Journal of Peace Research, 47(6) (2010) 775-789 (p.778) ; Yılmaz Ensaroğlu, Turkish Kurdish Question and the Peace Process, Insight Turkey, Volume 15, No. 2 (2013) p.10

[9] Fuat Uçar and Osman Akandere, Turgut Özal'ın Kürt Sorununa Yaklaşımı, Ankara Üniversitesi Türk İnkılap Tarihi Enstitüsü Atatürk Yolu Dergisi, Sayı.61, (Güz 2017) 365-392, (p.367)

[10] Uçar and Akandere, Turgut Özal'ın Kürt Sorununa Yaklaşımı, p.369

"In the first ruling period of Anavatan, there was a struggle to shift from military regime to civil regime. Approximately 1.5-2 years some of my ministers paid attention to Kenan Pasha (Kenan Evren) rather than me… They refrained from him rather than me… Another thing, we had to cope primarily with the economic problems and foreign currencies… In a country that had just eluded from the military regime, we had to do so in order to prevent the future military coups."[11]

To my understanding from the above situation, this was what was expected by the general staff of the time from the parties on power to act and what was implied or made understand by them to the political parties of the period; namely, "deal with the economic problems of the country, and leave the matters related to defence and security of it to us". I, nevertheless, find Özal's policy in directing his attention to the economic matters proper and wise in terms of two aspects: (i) economic matters were and most of the time have been the realities of the Turkey's political agenda and (ii) more importantly, economic improvement would also make it possible for the country to become normalised after the coup, which meant coup plotters' retreating to their military posts. At such a political atmosphere, the prevalent view adopted by the bureaucracy with respect to the Kurdish issue was to deal with it within the frame of security particularly from the mid-1980s to the early 1990s, which led most of the bureaucrats of the time to the misconception that settlement of the question was impossible unless the PKK terror was disposed of.[12] Unfortunately, this narrow point of view ruled out any chance or any other option that would make a room for discussing the issue in terms of its social dimensions. This status quo constituted the major stumbling block before resolution for years and exacerbated the conflict. As Özhan and Ete correctly put it, the bureaucrats of the time did not consider

[11] *ibid*

[12] Taha Özhan & Hatem Ete, A New Agenda for the Kurdish Question, Insight Turkey, Vol. 11, No. 1, (2009) 97-117 p.103

the societal dimensions of the problem and implemented an anti-terror strategy, reducing everything to security and safety.[13] In the course of this period, the establishments of Village Guard System, and then Governorship of the State of Emergency of Region and in parallel with this, Peace Corps Command are crystal-clear examples pertaining to State's approach to the Kurdish issue. Here, we cannot overlook the fact that the inability of law enforcement officers to distinguish ordinary citizens from the PKK terrorists and even acting arbitrarily at times when implementing security measures made the environment conducive for the PKK to justify its cause, thus public support for it considerably increased.

When we scrutinise the period from the Şemdinli-Eruh sudden attacks of 1984 to the stirring Newruz celebrations of 1992, during which the PKK employed violence efficiently for its political aims, we see that no government achieved the desired success, and despite this, they still interpreted the issue from security perspective. At such an atmosphere in which security measures against the PKK terror reached a peak, it was Turgut Özal who criticised the oppressive policies of the past (towards the end of his office as PM in 1989),[14] who was the first stateman to use the word "Kurd" and who tried to bring a new political understanding to the Kurdish issue by changing the tough discourse of the state.[15]

Özal took over the portfolio of Presidency from his predecessor, Kenan Evren, on the 9th of November 1989 and carried out this post for almost three and a half years until his sudden death in 1993. I consider this period to be of crucial importance on course to take positive steps in terms of the Kurdish question. Özal's using the word "Kurd" for the

[13] *ibid*
[14] Uçar and Akandere, Turgut Özal'ın Kürt Sorununa Yaklaşımı, p.372
[15] *ibid* p.376

first time in the state discourse, his revelation to the journalists in 1990 that his grandmother was a Kurd and lifting of the ban on Kurdish thanks to his efforts are crucial paradigm-shifts.[16] As a matter of fact, Ünal argues that Özal first mentioned in 1991 that he would resolve the Kurdish issue as his last service to his fellow citizens.[17] Özal became convinced that this issue could not tolerate any loss of time after the stirring Newroz celebrations in Diyarbakır in 1992, during which over 100 people lost their lives, and in fact, he launched the peace initiative under the mediation of Jalal Talabani, who was the leader of "Patriotic Union of Kurdistan" (henceforth PUK) at the time.[18]

The first contact of the Turkish state with Abdullah Öcalan took place in Damascus, where Öcalan was living then, in 1992-1993.[19] These contacts were made through Jalal Talabani, the-then leader of "PUK". Talabani, with Özal's implicit approval and wish, meets with Öcalan and tells him that Özal wants to solve this problem, but there should be de-conflict environment for some reforms to be made, and he asks if he is ready to cease the fight. Upon Öcalan's reply that he is willing to cease fighting and to make peace, Talabani conveys his messages to both PM of then, Süleyman Demirel and Turgut Özal via telephone. Then, Özal asks Öcalan through Talabani to express his thoughts in the presence of media. What follows is that Öcalan accepts Özal's request and holds a press conference in March-1993 (allegedly, on the 16th or 17th of March) and declares a cease-fire, stating that the PKK is ready for a political compromise and they will spend

[16] *ibid*
[17] Mustafa C. Ünal, , Is it ripe yet? Resolving Turkey's 30 years of conflict with the PKK, Turkish Studies, 17:1, (2016) 91-125, p.98
[18] Cengiz Çandar, Dağdan İniş-PKK Nasıl Silah Bırakır, Kürt Sorunun Şiddetten Arındırılması, TESEV, (2012) 1-103, (p.45), available at http://tesev.org.tr/tr/yayin/dagdan-inis-pkk-nasil-silah-birakir/
[19] Mehmet A. Güller Hükümet-PKK Görüşmeleri, (Kaynak Yayınları, 5.Basım No.610, 2015) p.26 ; Harun Ercan Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, Dialect Anthropol, 37 (2013) 113-122, p.117 available at https://bit.ly/2kzyFp7 ; Çandar, Dağdan İniş-PKK Nasıl Silah Bırakır, Kürt Sorunun Şiddetten Arındırılması, (p.45)

upcoming Newroz Festival in peace.[20] Öcalan, later, narrates this event to his lawyers in an interview he made in Imralı island, where he is still kept, as follows;

"Talabani told me that Özal wanted to solve this conflict within the framework of democratic principles. Özal also told Talabani that Eşref Bitlis, the full general and commander of the Turkish Gendarmerie Forces who was also a Kurd from the city of Malatya, was on his side and he would solve this problem. Talabani told me that this could happen only if a cease-fire was declared. Özal asked me to gather the armed forces of the PKK at a certain location and declare a cease-fire. I did not break him for the sake of solution. They were saying that the resolution would flourish in this way. We declared a cease-fire."[21]

Another contact with the State and Öcalan took place just 2 or 3 weeks after the declaration of first cease-fire.[22] Talabani comes to Turkey again at the beginning of April. He meets with Turgut Özal. Özal asks Talabani to persuade Öcalan to extend the cease-fire. Özal states that he wants to solve the problem and to do this, the cease-fire needs to be extended. Talabani asks Özal to allow some deputies in the parliament to join him and to participate in the meeting to be held with Öcalan. The chairperson of HEP, pro-Kurdish/PKK party, Ahmet Türk, the deputies Sırrı Sakık, Feridun Yazar, Sedat Yurttaş and Hatip Dicle accompany Talabani with the special permission by Özal. Talabani and Ahmet Türk persuade Öcalan to extend the cease-fire. Abdullah Öcalan, Jalal Talabani, Ahmet Türk, Sırrı Sakık, Feridun Yazar, Sedat Yurttaş, Hatip Dicle and Kemal Burkay hold a press conference together. Öcalan declares that they have extended the cease-fire. Hatip Dicle, the then-HEP deputy of Diyabakır who took part in the delegate that met

[20] Güller, Hükümet-PKK Görüşmeleri, p.27
[21] Çandar, Dağdan İniş-PKK Nasıl Silah Bırakır, Kürt Sorunun Şiddetten Arındırılması, p.46
[22] Güller, Hükümet-PKK Görüşmeleri, ps.27-28

with Abdullah Öcalan in Beqaa, narrates this meeting to ANKA news agency on the 20th of August 2009 as follows; [23]

"Özal was really decisive in the resolution of the conflict, and a cease-fire was declared in the period. Özal wanted the cease-fire to be turned into indefinite cease-fire. In our meeting with him, he said: "actually I have convinced many generals, but there are still some that I need to convince. Dear Demirel, the-then PM of the country, experienced a few coups, so he is scared of the Army. But, we must absolutely solve this problem, and I need to do my part whatever it is. Öcalan has complied with Özal's call of extending the cease-fire and that the cease-fire in question was declared to be turned into indefinite one on the 16th of April, 1993. However, they received the news that Özal died on the 17th of April before their turning back to Turkey. Dear Talabani, upon hearing Özal's untimely death, said: "Alas! It is over, because it was Özal who was behind this project".[24]

It can be said that Özal's death stroke a heavy blow against the process.[25] However, the major event that ended the process was that just 40 days after Özal's death, the PKK's death squad ambushed and killed 33 un-armed soldiers who were deployed from Malatya Provincial Gendarmerie Command to Bingöl.[26] This event decisively terminated the peace attempt for that period.

1.1.2. Assessment of the Process in terms of Mediation

How the theory of ripeness functioned before and during the process > As it is clear from the above, the process was initiated by the highest authority of the State, office of the

[23] Güller, Hükümet-PKK Görüşmeleri, ps.28-29
[24] Güller, Hükümet-PKK Görüşmeleri, p.29
[25] Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.117
[26] Ensaroğlu, Turkey's Kurdish Question and the Peace Process, p.11

President, namely, the President Turgut Özal. One of the ripening agents that led Özal to launch the process was his realization that the problem could only be solved through democratisation and economic development of the region. The Southeast Reports first by late Eşref Bitlis and then by late Adnan Kahveci, the-then Minister of Finance and advisor to Özal, played a key role in Özal's becoming fully aware of the situation. The other factor for Özal was the stirring Newroz celebrations of March-1992, which claimed the lives of more than 100 people. In my opinion, this event made Özal become convinced that the Kurdish issue could no longer tolerate any loss of time on the way to peace. On the part of Öcalan, two factors played a crucial role in his realisation of considering a political solution to the problem. The first is that Öcalan was unable to secure the support of majority of Kurds due to the fragmented nature of Kurdish population, which arises from the self-apparent tension between Zaza and Kurmanci, Alawite and Sunni, conciliatory and radical, western and eastern and religious and Marxist Kurds in Turkey[27], thus failing to achieve a unilateral victory in the conflict. The second ripening agent for Öcalan is the paradigm shift in the State's approach to Kurdish question, which was introduced by Turgut Özal.

Initiation of the process > The President Turgut Özal initiated the process by asking Jalal Talabani to come into contact with Öcalan and convey his messages. There was no face to face talks between the adversaries. The talks were conducted through Talabani, the mediator, and they were kept confidential from the public scrutiny. And as such, we can define the negotiation process as "indirect back-channel diplomacy".

Mediator > As it is clear from the above, Jalal Talabani acted as the mediator. The demand for his service came from one of the parties, from the State. However, his service

[27] Durukan Kuzu, Multiculturalism in Turkey: The Kurds and the State, (Cambridge University Press, 2018) p.98

as a mediator was also accepted by the leader of the insurgent group. This shows us that the parties had confidence in Talabani. Öcalan is a Kurd and Özal was a Kurd on the maternal line. Talabani was also a Kurd from the same region, and since he himself grew up in the same conflictual environment, he was fully aware of the narrative of the conflict. His having amicable relations with both Özal and Öcalan and his being independent of any outside actor made him a perfect candidate as a mediator. Even though he was a low-profile mediator when compared to the individuals representing the UN or super powers, the above attributes promoted him to the primary position for this job. He was highly trusted by the parties for his sincerity and self-devotion to peace.

The mediation strategy implemented by the mediator > As being a low-profile mediator, and as we understand from his bilateral dialogues with the parties during the process, Talabani employed communication / facilitation strategy. Yet, it is not only because he was a low-profile mediator that he employed communication / facilitation, but dynamics of the conflict required this as well. He acted as go-between (shuttling diplomacy) and by this way, he conveyed the messages of parties towards each other. When Özal sent Talabani to Öcalan first, Öcalan was hesitant and his initial response was doubtful;

>>> Öcalan to Talabani: "Özal cannot solve this, .. can he?

>>> Talabani to Öcalan: "Özal told me that he wants to solve this problem." "Only if a cease-fire is declared."[28]

Here, Talabani, by uttering the second sentence, employs his close relations with Öcalan as a leverage. This is quite striking in terms of mediation and mediatory skills; that is to say, to be able to know at what point and how a mediator should use whatever s/he

[28] Güller, Hükümet-PKK Görüşmeleri, p.29

possesses as a leverage. I believe that this was a crucial move that played a part in convincing Öcalan for cease-fire.

Why did the peace process fail? > I believe that it was not the ripe moment for any peace process to be launched. Even though the time was considered to be ripe by Özal and Öcalan, it was not so in the eye of Turkish public on the whole, from public to politicians and from bureaucrats to the army. Because, in the course of the peace initiative, there are two critical expressions which demonstrate that it was not the most opportune and proper time to initiate the peace attempt at that time. One of them is Özal's statement during his meeting with Jalal Talabani and the Chairperson and deputies of HEP that;

"actually, I have convinced many generals, but there are still some that I need to convince".

The second one is Abdullah Öcalan's statement after the ending of the process that;

"We declared a cease-fire. However, the state was not ready for resolution in that period. Özal, had not prepared the state, the army and his party for peace, he could not convince them for peace."[29]

Even though it failed, the first peace attempt was of crucial importance in that it gave the parties a chance to get to know themselves in pursuing peace and also in that it cleared the way for future peace attempts. Indeed, the subsequent peace processes and cease-fires below were able to be attempted thanks to the confidence inspired by this initiative.

[29] *ibid*

1.2. The Second Peace Attempt in 1995: Tansu Çiller's Initiative

Tansu Çiller was the chairperson of The True Path Party [Doğru Yol Partisi (DYP)] and the PM of the 50th government formed thanks to a coalition created with The Social Democratic Populist Party [Sosyal Demokrat Halkçı Parti (SHP)] in June-1993.

In this peace attempt, we come across to a two-stage peace initiative. The first one was conducted by Tansu Çiller. Tansu Çiller, sends his Minister of Defence, Ercan Vuralhan, to Europe in the first week of March to meet Jalal Talabani and conveys her message to him.[30] In her message, Çiller makes a request from Öcalan that he should declare a cease-fire. Talabani, with a letter he wrote, conveys Çiller's message to Öcalan, he also adds that Çiller was pursuing a political solution to the problem. There were also some demands of Çiller in this letter; accordingly, PKK should declare a cease-fire to last for a year. During this period, the organization should not attempt acts of violence and announce that they give up terror. In response, Öcalan sends a letter to Çiller via Talabani. In his letter, Öcalan points out that he was ready to declare a cease-fire on condition that the state abstains from assaults aimed at public and from operations aimed at the PKK. He said that he first asked for dialogue.[31]

In the second stage, Hikmet Çetin, the Foreign Secretary of coalition government from SHP, was involved in the process. Çetin chose Kamuran Karadağ, a journalist living in London at the time, as a mediator. On behalf of the state, Çetin asks Öcalan to "terminate the war for a political resolution". Öcalan sends a letter to Çetin on the 11th of May 1995, in the content of which he iterates his wish for "dialogue" and states that "I will respond

[30] Güller, Hükümet-PKK Görüşmeleri, p.31 ; Güney Aslan, Apo`ya Genelkurmay faksı, T24, July 07, 2010. available at http://t24.com.tr/haber/apoya-genelkurmay-faksi,83416
[31] Güller, Hükümet-PKK Görüşmeleri, p.32 ; Katliamı PKK Değil JİTEM Yaptı!, Tevhid Haber, February 18, 2009, available at http://www.tevhidhaber.com/katliami-pkk-degil-jitem-yapti-video-49952h.htm

to your attempts regarding resolution in a meaningful way".[32] Following these messages and letters, Abdullah Öcalan, participating in Günay Aslan's program on Med TV via telephone, declares a cease-fire on the 15th of December 1995.

1.2.1. Assessment of the Process in terms of Mediation

Initiation of the process > As it can be understood from the above, the request for a cease-fire was again made by the state (by the coalition government). First, the PM of the coalition government initiated the process by resorting again to Talabani's mediation. Then, approximately two months later the Foreign Secretary of coalition government iterated the state's wish for peace by employing a mediator, a journalist. In this initiative too, there was no face to face talks between the adversaries. The communication was provided thanks to mediators. Since the process was kept confidential from the public, the negotiation process can be defined as "indirect back-channel diplomacy".

Mediator > In this peace attempt, we observe two individual mediators. One is again Jalal Talabani, and the other is a journalist who was living in London at the time. Having recourse to Talabani's mediation service once again justifies the parties' trust in him. Here, we also see a journalist acting as a mediator in the second stage of the initiative. We can consider him as an intellectual too. Both mediators were free of any outside influence, which increased their credibility.

The mediation strategy implemented by the mediator > We can describe both individuals as low-profile mediators, and as we understand from the process, both employed communication / facilitation strategy. They conveyed the parties' messages to each other

[32] Güller, Hükümet-PKK Görüşmeleri, p.32 ; Güney Aslan, Apo`ya Genelkurmay faksı, T24, July 07, 2010. available at http://t24.com.tr/haber/apoya-genelkurmay-faksi,83416

via the letters they had written. Here, the mediators may have also used telephone diplomacy.

Why did the peace process fail? > This second peace initiative was attempted about two years after the first one. The process was launched by the coalition government, the total vote percentage of which reached 47% country-wide. Unlike the first initiative, which was led by Özal, there was a broad-based support for this attempt when considering the pro-peace politicians from the other political parties. However, on the 15th of January 1996, which is just one month after Öcalan declared the cease-fire, Turkey was shaken by a dramatic news that a minibus carrying former and the-then village guards of eleven villagers was attacked by unknown perpetrators in Güçlükonak district of Şırnak. The minibus was intercepted by the perpetrators on its way and was raked and then it was burned down with those eleven people in it.[33] This event is known as "Güçlükonak Massacre". General Staff made an immediate explanation and held the PKK responsible for this event. However, the PKK, eager to claim responsibility of such actions and attacks, did not claim it. What's more, the PKK stated that they had nothing to do with this attack.[34] This event, which went and still remains unsolved, was more than enough to undermine and break the cease-fire at the time. Thus, the second peace attempt ended in failure like the first one.

[33] Hasan Cemal, 11 köylünün yakıldığı Güçlükonak katliamının üstünü örtmek… Milliyet, February 14, 2009, available at https://bit.ly/2XimC1h ; Katliamı PKK Değil JİTEM Yaptı!, Tevhid Haber, February 18, 2009, available at http://www.tevhidhaber.com/katliami-pkk-degil-jitem-yapti-video-49952h.htm ; Güney Aslan, Apo`ya Genelkurmay faksı, T24, July 07, 2010. available at http://t24.com.tr/haber/apoya-genelkurmay-faksi,83416

[34] *ibid*

1.3. The Third Peace Attempt in 1996: Mesut Yılmaz's Initiative

Mesut Yılmaz was the chairperson of the Motherland Party [Anavatan Partisi (ANAP)] and the PM of the 53rd government formed thanks to a coalition formed with the True Path Party in March-1996. Mesut Yılmaz sends his "private advisor" Alev Alatlı, a novelist, to Europe to meet with PKK's Europe executive Abdurrahman Çadırcı in Brussels on the 16th of April 1996.[35] Alev Alatlı states that she came "to talk about the things that should be done" for the political solution of the problem. Upon Çadırcı's question, Alatlı also added that general staff was informed about their meeting.

First round of the talks went successfully, and at the second stage, Alatlı was going to meet with Öcalan. However, a minibus in which plenty of C4 explosives were placed was detonated near a PKK school in Damascus, a place which was also Öcalan's incoming route to the school. Upon this incident, Öcalan held Mesut Yılmaz responsible for this event, and again the negotiation process ended without accomplishing a concrete result.[36]

1.3.1. Assessment of the Process in terms of Mediation

Initiation of the process > This peace attempt was also launched by the state. However, the state did not employ any mediator to get in contact with the insurgents. PM of the coalition government initiated the process by sending his private advisor to meet with Europe executive of the PKK. In this initiative, the parties negotiated face to face, but the process was again kept confidential from the public, which qualifies it as a "direct back-channel diplomacy".

[35] Güller, Hükümet-PKK Görüşmeleri, p.32 ; Güney Aslan, Apo`ya Genelkurmay faksı, T24, July 07, 2010. available at http://t24.com.tr/haber/apoya-genelkurmay-faksi,83416
[36] *ibid*

Why did the peace process fail? > This peace initiative was attempted just three months after the previous one. Such a short time period between the two initiatives makes us think that the latter one was the continuation of the former one. It also shows us the parties' commitment to compromise and peace. Ironically, however, another unidentified assault, though this time it was committed against PKK, undermined the process.

1.4. The Fourth Peace Attempt in 1996: Necmettin Erbakan's Initiative

Necmettin Erbakan was the chairperson of The Welfare Party [Refah Partisi (RP)] and the PM of the 54rd government formed thanks to a coalition created with the True Path Party in June-1996.

Erbakan sends a letter to Öcalan through Syrian government and states in his letter that "let's stop violence and solve the problems through negotiation".[37]

Similarly, Öcalan in his first testimony he bore to the state officials in Imralı stated that;

"having become the PM, Erbakan sent a message to my Syrian representative code-named Delil through one of the members of staff of the Syrian intelligence service Merva Zeki, code-named Aga.[38] He was saying that they wanted to bring political, economic and cultural initiatives to the south-east. To that end, a cease-fire and peace were needed. Just like Özal, Erbakan also asked me that the armed forces had to be gathered at a certain location, the arms had to be laid down, and henceforth, politics and negotiations would prevail, and solution would be negotiated. I found his thoughts and ideas positive.

[37] Güller, Hükümet-PKK Görüşmeleri, p.33 ; Güney Aslan, Apo`ya Genelkurmay faksı, T24, July 07, 2010. available at http://t24.com.tr/haber/apoya-genelkurmay-faksi,83416
[38] Güller, Hükümet-PKK Görüşmeleri, p.34 ; Osman Ateşli, Erbakan'ın Öcalan'a gönderdiği mesaj, haber7.com, November 03, 2011, available at https://bit.ly/2D3bdtU

I did not break him down too. Therefore, I wrote him a letter indicating that I had accepted his offer. I sent my letter to him through the same figures." [39]

However, even though the PKK's top cadres seriously considered and accepted Erbakan's offer that the PKK's armed forces should leave Turkey and gather at a certain location, they did not attempt to put this into practice, for they thought that the support for resolution hardly existed both domestically and externally.[40] During that period, The Turkish Armed Forces commenced a military operation called "Hammer-Power Operation", which they launched with their own initiative without informing the government. The government heard the operation on tv.[41] The PKK's inability to realize the withdrawal, the Turkish Army's operation against the PKK and Erbakan's resignation from the office due the closure case opened against his party by Vural Savaş,[42] the-then Supreme Court of Appeals Prosecutor, confirm that the time was not ripe. The above happenings that developed one after another terminated the process, once again dashing the hopes for peace.

1.4.1. Assessment of the Process in terms of Mediation

Initiation of the process > The PM Necmettin Erbakan initiated the process by coming into contact with Öcalan through Syrian government, probably one of the members of Syrian intelligence service (El Muhaberat). Erbakan was able to convey his messages to Öcalan, and Öcalan did the same through the same person. The process was kept secret from the public scrutiny, so we can characterize it as "indirect back-channel diplomacy".

[39] *ibid*
[40] Mithat Sancar, Erbakan'dan PKK'ya 3 mektup, August 14, 2013, haber7.com, available at https://bit.ly/2UziEmN
[41] Osman Ateşli, Erbakan'ın Öcalan'a gönderdiği mesaj, haber7.com, November 03, 2011, available at https://bit.ly/2D3bdtU
[42] Refah Partisi böyle kapatıldı, January 17, 2016, Yeniakit, available at https://bit.ly/2G3Li7g

Mediator > Here, an individual representing a state, Syria, acted as the mediator. In my understanding, selection of Syria as the mediator was a right decision in that it is in the same region, neighbour to Turkey and home for Öcalan at the time, that it was easy for Syrian government to earn both sides' trust and that it has Kurdish population too. When considered in terms of international influence, military and economic power, Syria can be classified as a low-profile mediator. However, the above attributes Syria possesses made her another perfect candidate for mediation. Syria was free of any outside influence, which increased its credibility.

The mediation strategy implemented by the mediator > Syria, being a low-profile mediator, and as we understand from the process, employed communication / facilitation strategy. They just tried to facilitate the communication of the parties. The mediator acted as go-between and delivered the parties' letters including their messages towards each other.

Why did the peace process fail? > In my opinion, there were a number of events that were so detrimental to the peace process. These can be listed as (i) lack of peace supporters at the time (ii) National Security Council's Meeting on the 28th of February 1997, during which the General Staff extremely criticised the government, and (iii) TSK's operation against the PKK.

In his interview he gave to "haber7.com" in August 2013, Cemil Bayık, the co-chairman of KCK executive council, said:

"Now that Erbakan wants to solve the problem, this is so important. At that time, we seriously discussed to withdraw our armed forces outside of Turkey. Thus, we may strengthen Erbakan's hand, so he may take bolder steps. However, neither in the international arena nor within the Turkish society were the people who were supporting

peace at the time. Under these circumstances, it seemed impossible to make a progress unilaterally (on our own). We could not put into practice the decision to withdraw."[43]

To make matters worse, the Turkish Armed Forces (Türk Silahlı Kuvvetleri / TSK) launched a military operation against the PKK on the 5th of June 1997 without even informing the government. Last but not least, during this operation, TSK lost two armed helicopters, yet they put the blame on the government claiming that the government did not provide the needed allocation for the Army. Indeed, the government of the time found out this operation on tv screens and contradicted their claims, adding that they could grant extra allowance if needed.[44] National Security Council of Turkey, comprising of government officials and high-ranking military officers, had a meeting on the 28th of February 1997, a date which is also referred to as "February the 28th Post-modern Coup. During this meeting, the generals accused the Welfare Party of becoming the centre of anti-secular structuring.[45] In May of the same year, the-then Supreme Court of Appeals Prosecutor, Vural Savaş, opened a closure case against the Welfare Party on the grounds of "the actions which were against Secular Republican Principles". Not long after, almost a month later, the PM Necmettin Erbakan had to resign, and again a peace process was over in an undesired way.

[43] Mithat Sancar, Erbakan'dan PKK'ya 3 mektup, August 14, 2013, haber7.com, available at https://bit.ly/2UziEmN
[44] Osman Ateşli, Erbakan'ın Öcalan'a gönderdiği mesaj, haber7.com, November 03, 2011, available at https://bit.ly/2D3bdtU
[45] Refah Partisi böyle kapatıldı, January 17, 2016, Yeniakit, available at https://bit.ly/2G3Li7g

PART-II / OSLO TALKS & THE MEDIATION PROCESS

2.1. Overview of the Process

The capture of Öcalan on the 15th of February 1999, allegedly by a CIA operation in Kenya and his extradition to Turkey, and the Justice and Development Party's (Adalet ve Kalkınma Partisi, henceforth AKP) coming to power marked a new period in terms of the trajectory of Kurdish insurgency. Öcalan asked the PKK militants to cease the armed struggle and withdraw from Turkey [46]; in the meantime, he gave up the target of an independent Kurdish nation-state, redefining their goal as "democratic autonomy" without pursuing a secessionist path.[47] On the other hand, the AKP under the leadership of Erdoğan came to power in 2002. As a party programme, launching negotiations for EU membership was of primary importance in their initial years on power. Therefore, the AKP government enacted a number of reforms in an attempt to meet the Copenhagen Criteria, which included abolishment of the state of emergency, decreased detention periods pending trial, abolishing the State Security Courts, elimination of legal restrictions on the Kurdish language and lifting the ban on Kurdish-language publications, etc.[48] On the one hand, the EU-induced reforms (directly or indirectly relevant to the Kurdish Question), on the other hand the PKK militants' withdrawal from Turkey with a radical shift in their final aim led the public and the state to the idea that the PKK would soon dissolve itself.[49] However, in May 2004, the armed clashes between the army and the PKK resurged when the organization decided to resume the armed struggle.[50]

[46] Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.5 ; Cemal Ozkahraman, Failure of Peace Talks between Turkey and the PKK: Victim of Traditional Turkish Policy or of Geopolitical Shifts in the Middle East?, Contemporary Review of the Middle East, 4 (1) (2017) 50-66, p.57
[47] Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.119
[48] Ensaroğlu, Turkish Kurdish Question and the Peace Process, p.11
[49] Serra Hakyemez, Turkey's Failed Peace Process with the Kurds: A Different Explanation, Crown Center for Middle East Studies, No. 111 (2017), (p.3)
[50] Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.5

The AKP government's approach to Kurdish question can be characterized as the one that was quite dissimilar to the official discourses. This can be seen in the-then Prime Minister Erdoğan's 2005 speech in Diyarbakır, a predominantly Kurdish area, in August 2005. In his speech, Erdoğan recognized the Kurdish Question, wrongdoings of the past, embraced the long-standing grievances of the Kurds and also added that Kurdish problem was not just a problem of one part of this nation; it was a problem for all of them and it was also his problem.[51] Erdoğan also stressed that he was determined to resolve the "Kurdish Question" through democratization and economic progress. This speech of Erdoğan was of great significance in that the head of the government released a clear and official discourse about the issue for the first time in the conflict history and it was not only a precursor of the great efforts to be made but the initiatives to be launched in the months to come as well. Upon this speech, the PKK decided upon a cease-fire both to give a chance to Erdoğan and to usher a new era of disarmament and peace, in response to which the government launched a new peace initiative and bilateral talks.[52] So, we can say that it was in 2005 that the AKP government directed its focus heavily on resolving the Kurdish issue.

The negotiations were commenced and led by Emre Taner, the former head of the Turkish National Intelligence Organization, in 2005 and from 2006 on, bilateral talks between the parties were conducted with the three pillars of the PKK, including Imralı-Qandil-Europe.[53] The initial objective of the process, which was conducted with utmost discretion, was to make a compromise on the disarmament of the PKK. These preliminary and indirect talks between Turkish officials and PKK cadres culminated in a number of

[51] Ünal, Is it ripe yet? Resolving Turkey's 30 years of conflict with the PKK, p.102 ; Talha Köse, Rise and Fall of the AKP Party's Kurdish Peace Initiatives, Insight Turkey, Vol.19, No.2, (2017), 139-165, p.141 ; Güller, Hükümet-PKK Görüşmeleri, p.71
[52] Güller, Hükümet-PKK Görüşmeleri, p.72
[53] Egemen Bezci, Turkey's Kurdish Peace Process and the Third Eye, Turkish Policy Quarterly, Vol.13, No.4, (2015), 117-125 p.118 ; Güller, Hükümet-PKK Görüşmeleri, p.74

face-to-face meetings in various European cities including Brussels and Oslo,[54] yet since the city of Oslo was one of the main locations of these meetings, they came to be known as the Oslo Talks. The culmination of these preliminary talks in the Oslo Peace Process makes us think that the parties made a progress towards a settlement and thus decided to conclude the negotiations in a formal way under the supervision of a third eye (a mediator) in Oslo. Even though there is a consensus that these talks terminated in 2011,[55] there are different views as to when the talks in question started. While Özkahraman, Ercan and Hakyemez state that they were launched in 2009, Yeğen puts forward that they were commenced in September 2008; on the other hand, Kadıoğlu, by taking as a reference Etyen Mahçupyan, who served PM Ahmet Davutoğlu as the chief advisor, and Nuriye Kesebir, who is a senior member of the PKK having attended some of the talks in Oslo, suggests that the Oslo Talks started in 2006.[56] Apart from the above statements, Mustafa Karasu explained in an interview in April 2013 that the Oslo Talks officially started in September 2008, but before these there were indirect meetings.[57] Since Mustafa Karasu was one of the members of the Kurdish delegate taking part in the Oslo Peace Process, I consider his statement accurate about this. What can be inferred from the above claims is that the unofficial/indirect meetings started in 2006, but the official meetings under the supervision of a third-party (the Oslo Talks) started in September 2008. So, we can take the year of "2006" as a reference date when the peace process started, and September-2008 as a date when the Oslo Talks were launched. Accordingly, in terms of clarity, we

[54] İ.Aytaç Kadıoğlu (2018): The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, Studies in Conflict & Terrorism, 1-19, p.7

[55] Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.8 ; Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.120 ; Ozkahraman, Failure of Peace Talks between Turkey and the PKK: Victim of Traditional Turkish Policy or of Geopolitical Shifts in the Middle East?, p.57 ; Hakyemez, Turkey's Failed Peace Process with the Kurds: A Different Explanation, p.4

[56] *ibid* ; Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.6

[57] Akşam, PKK İlk kez açıkladı … Oslo'da neler oldu?, April 24, 2013, Akşam, available at https://bit.ly/2EL0OEm

can take 2006 as a date when the peace process (in general terms) was launched, and 2015 as a date when it came to an end. Similarly, we can take September-2008 as a starting point of the Oslo Talks (Oslo Process or Oslo Peace Process), and July-2011 as the termination of it.

Even though there were a series of meetings between the parties in Oslo, we have no information about all of them, since the process was kept confidential from the public scrutiny. We have knowledge only of the 5th Oslo Talks, and this is owing to the fact that they were leaked to the public through a PKK-affiliated news agency (Dicle News Agency) on 13 September 2011.[58]

As we understand from the 5th Oslo Talks, which were leaked to the public, both sides were represented by top-level officials. For example, the attendants on the part of the Turkish government were head of the National Intelligence Organization (Milli İstihbarat Teşkilatı, henceforth MİT) Emre Taner (later on Hakan Fidan), deputy undersecretary of MİT Afet Güneş, while the Kurdish delegate comprised of Sabri Ok, Mustafa Karasu, Adem Uzun and Zübeyir Aydar, all of whom are the leading members of the PKK.[59] There was a third party during these talks, yet what we have at hand from the leaked meeting is the dialogues between the delegates that do not specify who the third party (or parties) was. Nevertheless, we can infer from the existing literature that British intelligence was the mediator, and the Norwegian and Swedish governments provided the logistics of the meetings.[60]

[58] Bezci, Turkey's Kurdish Peace Process and the Third Eye, p.118
[59] Güller, (2015) Hükümet-PKK Görüşmeleri, p.97 ; Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.7
[60] Bezci, Turkey's Kurdish Peace Process and the Third Eye, p.119 ; Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.7

As we understand from the minutes of the talks and the limited scholarly literature,[61] it is the 5th meeting of the parties and it seems that they were still in the process of improving the empathy and dialogue they had established in the previous meetings. We observe that the parties are making efforts to set the record straight with a view to enhancing the confidence that have been built by stages. In the meantime, they are in the pursuit of discovering the expectations of each other. In my understanding, the major aims of the meeting are (i) to enhance the mutual confidence, (ii) to negotiate the probable alternatives in the control and containment of the armed struggle, namely try to create a de-conflict environment, and (iii) to project an extended series of negotiations that will lead to a comprehensive political settlement. However, the Oslo Process was first interrupted due to the approaching national elections of 12 June 2011, a period after which the parties agreed to meet.[62] Then, it became more complicated because of the Syrian Civil War, which broke out in March-2011 and led all the political actors, key players and also the groups in the area (including the Arabs, Kurds and the PKK) to redefine their positions and re-calculate their future in the Middle East. Turkey went through the national elections on 12 June 2011. On the 14th of July 2011, the PKK terminated the cease-fire and killed 13 soldiers in an attack in Silvan, which also marked the end of the Oslo Peace Talks.

Few months later, minutes of the 5th Oslo Talks were leaked to the social media through a PKK-affiliated news agency. At first sight, this can be viewed as a death blow for the peace process, which would permanently prevent the parties from launching this kind of secret talks again. However, short time after this, the head of government declared

[61] Güller, Hükümet-PKK Görüşmeleri, ps.96-115 ; Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.7 ; Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.120

[62] Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.120 ; Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.7

that face-to-face talks were being carried out with the PKK`s incarcerated leader, Abdullah Ocalan. This was a radical step taken by the government. Theoretically, one of the objectives of back-channel talks is to upgrade them to front-channel ones. For this reason, we can state with confidence that leakage of the secret talks served for the Oslo Process to evolve into the front-channel negotiations. So, we can regard this new bargaining period, which would last till the mid-2015, as the continuation of the Oslo Process.

2.2. Assessment of the Process in terms of Mediation

How the theory of ripeness functioned in the initiation of the process? > We can say that the previous peace attempts of the parties served as facilitative and ripening elements in terms of their decision to launch another peace initiative. However, apart from those, there were some other factors that ripened the conditions for both sides.

Ripening elements for the Turkish government: (i) The acknowledgement that conventional approaches based on containment, denial and repression lost their validity and there was an urgent need for new policies; (ii) heavy cost of low-intensity but violent conflict in economic and social terms; (iii) The organization's giving up its ideology to establish an independent Kurdish nation state; (iv) The AKP's landslide victories in 2007 and 2011 elections that inspired them enough confidence in introducing and sustaining the peace process; and (v) the AKP government's "revisionist" regional policies to turn Turkey into "an energy hub and crossroads pipelines", making it more influential in the region.[63]

[63] Ünal, Is it ripe yet? Resolving Turkey's 30 years of conflict with the PKK, p.104 ; Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, ps.6-10-11 ; Ercan, Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.120

Ripening elements for the PKK: (i) Erdoğan's Diyarbakır speech of 2005; (ii) The government's improving its relations with the Kurdish Regional Government in northern Iraq; (iii) The PKK's acknowledgement that the armed struggle completed its mission and further gains could only be obtained through political struggle; (iv) The organization's transforming into a more complex movement with a political party supported by a considerable number of people in Turkey and Europe and also with a number of newspapers, tv channels and NGOs (this relegated the importance of armed struggle to a secondary level); and (v) just like the government, the PKK's becoming weary due to the heavy cost of the armed struggle which was no longer viewed as a governable clash.

Initiation of the process > The Oslo Talks were the result of a series of preliminary back-channel talks between the high-ranking MİT officials and the incarcerated PKK leader Öcalan on the İmralı Island.[64] The Oslo Process was initiated thanks to helping hand of the mediator, the British Intelligence. While the Turkish government was not so enthusiastic about any engagement by the third parties in the process, the Kurdish side was in favour of a third eye. The British Intelligence made private conversations with the adversaries, first with the MİT on behalf of the Turkish government and then with leading members of the PKK prior to the bargaining process, thus securing the trust of the parties.[65] In terms of mediation, this was a good move that tells us very important thing for mediatory skills. That's to say, to be able to make a decision to take initiative where it is needed and implement it successfully can contribute a lot to create a fertile atmosphere needed for the negotiations to start, as we can see in this case.

Mediator > As it is clear from the above, a high-ranking individual or individuals from the British Intelligence acted as the mediator. As we have mentioned before, the

[64] Ünal, Is it ripe yet? Resolving Turkey's 30 years of conflict with the PKK, p.104
[65] Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, ps.7-8-9

mediator's being acceptable to the parties is of pivotal significance in embarking on mediation. However, neither side asked for the British Intelligence to act as a mediator. The British Intelligence took the initiative and convinced the parties on a likely peace process under their mediation and then they launched the negotiations. The leaked meeting records reveal this as follows;[66]

"I want to emphasise that it was our idea. We are not asked by the Kurdish side to propose it and we are not asked by the Turkish side to propose it. So, it was an initiative which was taken on our responsibility, not on the responsibility of either side."

In violent intractable conflicts, mediators' being in the same region (like Talabani in the previous cases) is instrumental from their approach to the issue and parties to the mediation strategy they employ and to the proposals they make. So, the mediation of individuals outside of the region may arouse suspicion at the beginning related to the issues of whether they are fully aware of what is going on and have comprehensive knowledge of the conflict in all respects. The British side overcame this handicap by assigning high-ranking individuals from their intelligence service who must have already possessed plenty of intelligence about the issue and thus having a sound grasp of it. In my understanding, if it were politicians or individuals without having any background information, then this issue could have created some problems. Actually, the fact that they convinced the parties for a peace process proves our argument. The mediator's getting the ball rolling on this process shows his /her commitment to peace despite ongoing violent conflict. This reflects on the behaviour of adversaries as a great respect to and trust in the mediator. As in the words of Murat Karayılan, one of the top leaders of the PKK, "there

[66] *ibid*

was a consensus on the British intermediaries to coordinate this contact".[67] So, in my opinion, the mediator(s) must have been highly trusted and respected by the parties.

The mediation strategy implemented by the mediator > We can clearly characterize the U.K. as a high-profile mediator capable of enjoying various resources each to be employed as a leverage when needed. This reminds us mediators with "muscle" who usually employ directive / manipulative strategy. However, the leaked minutes of the talks suggest that the British Intelligence employed the "communication-facilitation" strategy. That was the 5th Oslo Meeting between the parties, which lasted approximately 45 minutes. During the meeting, the mediator never talks and lets the parties negotiate. He does not interfere in the talks and does not make any corrections or additions, nor does he ask for any issue to be removed from the bargaining process. What's more, he could not keep the parties on the table after the June-2011 elections. These are clear indications that he did not employ "directive / manipulative" strategy. On the other hand, he does not control the timing, nor does he suggest any concessions the parties can make. In addition, he does not make substantive proposals and formulate any resolution. It seems as if there was no third party in the talks. Another important point to me is that there is no a well-structured agenda to be discussed in the meeting. The parties negotiate the issues randomly, leaving most of them unsettled and changing the topic abruptly individually. These are clear evidence that the mediator did not employ "formulation / co-ordination" strategy. On the other hand, mediator's making contact with and gaining the trust of the parties, arranging for interactions between them, transmitting messages between them at the beginning and his offering positive evaluations are concrete evidence that he

[67] *ibid* p.9

employed "communication / facilitation" strategy. We can infer this from the closure speech of the mediator, which is as follows;

"Great .. yes .. I would like to congratulate the both sides. It seems as if traffic lights turned into green at this phase of the process and it has made us happy that both sides think that the process of inaction should be sustained .. Because, this will create a space .. a basis for carrying out a positive political negotiation. ……. I thank you. You made us happy. We also need to go to the mountain., thanks".[68]

2.3. Some of the Dialogues from the Fifth Meeting of the Oslo Talks and Their Assessment

Since the leaked meeting was the 5th of the Oslo Talks, which is the focal point of the present chapter, the parties are making the assessment of the process between now and then (the previous meetings) and they are also discussing recent happenings in the domestic politics related to the conflict. For this reason, the dialogues in the meeting are not in a logical order. I mean they do not follow a regular course, rather, they proceed randomly according to the flow of dialoguing. This is plausible since the parties were in a fragile process which could not tolerate any misunderstanding. Therefore, they were trying to build confidence and inform each other about: the steps taken by them in the domestic politics; the approaches of opposition parties to the Democratic Opening; the reflection of all of these on the public; and finally, the way in which all of these were reflected in the press and broadcast media. Admittedly, they are talking about all of these and sometimes making explanations just to prevent any misunderstanding. I, therefore, find it as illustrative as it is significant at this point to include some of the dialogues (not all of them), which I consider worth examining, in my analysis in order both to depict the

[68] Güller, Hükümet-PKK Görüşmeleri, p.115

atmosphere the negotiations took place and to show how the parties closed the gap between themselves. Some of the dialogues from the meeting are as follows;[69]

Hakan Fidan: "Everybody knows this, any positive development here will mean nothing unless you make contribution to it, we all know this. It is a known fact". (page.102)

>>> As one can understand, Fidan draws the attention of the Kurdish delegate to the importance of mutual co-operation and implies that nothing can be achieved without their support.

Afet Güneş: "The process is an important process. It is a process that was achieved thanks to the efforts we have mutually made to date. It did not materialise by itself, it is the result of labour we produced." (page.104)

>>> Here, Afet Güneş states how important the peace process is and appreciates what has been achieved through mutual co-operation, like a complementary to Fidan's statement.

Mustafa Karasu: "You told us this…. you said that "the State, the General Staff and also the government share the same opinion. We came here (in the third Oslo Talks) to represent all of the State authorities. That is to say, the State is on consensus in this issue. There was no consensus before, but now it exists." You told us these." (page.104)

Afet Güneş: "There is no any planned operation by the Army at the moment." (page.104)

Sabri Ok: The Army exhibited a positive action and reaction. We know this." (page.104)

>>> As we have mentioned in the theory chapter, internal consistency of the adversaries during the peace processes is of crucial importance. If there is no a common will within any of the parties towards peace, the initiated peace process will be bound to end in failure. Karasu's statements are clear evidence that he still had some doubts about the

[69] Güller, Hükümet-PKK Görüşmeleri, ps.96-115

State's authorities on the whole whether they were all in agreement or not about peace process and resolution. Probably Karasu means some of the previous peace attempts during which the Army and the governments used to disagree about solution of the issue and the Army used to carry out military operations on their own initiatives. Karasu's statements show us that the issue of trust between the parties could still not be overcome. By saying this, Karasu wants to confirm in this meeting if what they were told in the 3rd Oslo is still valid (he means the state of de-conflict). Güneş assures him, and Ok confirms what Güneş says.

Sabri Ok: "And the State should not attempt to trace and neutralise our components in whichever city or mountain they are. Because we are in a resolution process" (page.105)

>>> Here, we see another topic that is object of the issue of trust.

Afet Güneş: "Habur event constituted the breaking point of all our relationships that had been going on for two and a half years, including Ankara. In Habur, as you also very well know, law was violated. Everything was put away. The objective was to keep some promises given to you." (page.106)

Hakan Fidan: "Naturally, the effect of agitation the opposition parties exhibited after Habur is increasing day by day. You also know that a motion of censure was tabled about the Interior Minister. He devoted his months and years to this issue. He and Mrs. Afet were extremely upset. Because, many used to regard Habur as a beginning, a turning point. If it had ended in success, it would have prepared psychological basis and a true legitimate ground for the government to take bolder steps." (page.107)

>>> Both Güneş and Fidan evaluate the outcomes of "Habur Organization". As is also understood from their accounts, the emergent situation was literally a disappointment for the government. As we have discussed above, the process was interrupted, though

temporarily. When we look at the final sentence of Fidan, we can infer that the government had already projected the aftermath of Habur assuming that everything was going to go well. What the bolder steps the government would take remained as a mystery. However, it is quite obvious that Habur Organization was a big opportunity and was missed.

Hakan Fidan: "Our viewpoint is that this process should be maintained uninterruptedly. Because, frankly speaking, we believe that we can avert some crises through intensive communication. However, during this process, as I said, there should not occur any act or move that will put the government into trouble." (page.108)

Hakan Fidan: "We want to be sure of one point, I mean, an area of freedom was created. Within the frame of this area of freedom that was created, sub-units of the organization are in the pursuit of gaining more position and becoming more organized because of their past habits. These can be tolerated up to a certain point." (page.109)

>>> Fidan touches on the significance of communication by which they can prevent some crises that might arise during the process. However, if there is no peace process, this means no communication and you can never avert such crises. That is why, he implies that the state has desire to continue the process and, in my understanding, this is also an implicit advice to the Kurdish delegate in the continuation of it for the good of all. He also raises his concerns about exploitation of this process and state of de-conflict by sub-units of the PKK which will put the government in an awkward position. Here, what Fidan means is that the sub-units of PKK quickly became organized in some parts of the eastern regions, set up security points and already started to perform identity checks in those areas. Actually, Fidan explicitly states that the area of freedom created thanks to the peace process is being exploited by the sub-units of the PKK and the government has been

condoning them for the sake of the peace process. Yet, Fidan also says that these acts of the PKK cannot be tolerated after a certain point. Because, these acts degrade the peace process in the public eye, making it difficult for the government to maintain it and take bolder steps. What's more, such acts foster the issue of trust.

Hakan Fidan: "We regard inaction as the assurance of existing meetings; that is to say, we are in favour of maintaining a more systematic and intensive negotiation and bargaining process than the current one." (page.111)

>>> We understand from Fidan's statements that the government wants to upgrade the level of negotiations, which is only possible with the maintenance of state of de-conflict.

Hakan Fidan: "However, after the point at which we arrived, I do not think that a legitimate movement will encounter any obstacle. I have the impression that the leadership, Mr.Öcalan, is of like mind, but I also think that our counterparts here (he refers to the members of the Kurdish delegate) should read and analyse the present situation in this direction. And, I am not telling these to set the AKP or the State at ease." (page.113)

>>> We can infer from Fidan's statements that it will be for the benefit of the organization to remain within the legitimate lines in achieving their demands. He also adds that this is what Öcalan thinks too. He advises the Kurdish delegate to assess the present situation within this framework.

Sabri Ok: "Well, I agree with you for the most part, but you too should understand the discrimination. Once, in this country, people said "communism", then communism was driven forward, once people said "reactionism", then reactionism was driven forward, but whenever it came to the Kurdish issue, it was blocked. For example, I am telling you

straight, ten percent threshold in the parliamentary elections is just because of Kurdish issue. All political parties agreed to approve this." (page.113)

Hakan Fidan: "Certainly, certainly …" (page.113)

Sabri Ok: "That's it." (page.113)

>>> Upon Fidan's statements, Ok, while he agrees with Fidan on the whole, voices how they were subjected to discrimination and how the Kurdish issue was ignored for years. He gives as an example the election threshold of ten per cent to block their having seat in the parliament by the other parties. He stresses that these should be understood and accepted. As we understand from Fidan's following statement, he agrees with Ok too in how the other parties allied with each other on the election threshold of ten per cent.

Hakan Fidan: "There is a problem here. Well, there are things that you brought from the past, that you changed through struggling continually and that you paid the price for. But, the past is still there and those who were affected from it still live with it. There is a problem of telling these." (page.113)

Sabri Ok: "True" (page.113)

>>> From Fidan's above statement and Ok's approval of it, we can infer that mutual sufferings experienced by both societies in the course of the conflict are acknowledged by the negotiators. This means the negotiators are able to develop empathy towards each other. However, Fidan means it is difficult to expand this mutual empathy at the grassroot level in both societies on the whole due to the stereotypes the conflict created during its course.

Hakan Fidan: "If I record what you said and take it to someone and make him listen to it without telling your name (he refers Sabri Ok), that person will say that I agree with this man." (page.114)

Sabri Ok: "Unfortunately this is true." (page.114)

Hakan Fidan: But If I tell this person that the man who is speaking in the record is Sabri Ok, then s/he will say that 'he is lying'." (page.114)

Afet Güneş: "He is engaging in deception." (114)

Zübeyir Aydar: "He is trying to cheat you." (114)

>>> As we have mentioned in the previous chapter, in intractable conflicts there is a process in which parties lose trust in each other. Deep enmity, de-humanization, demonization and violence are the norms of conduct. Such intense negative feelings prevent some segments of the society from objectively re-assessing the situation in a likely peace process. This is what we observe in Fidan's above statement. And as can be seen, members of both sides agree on this.

When examining the whole dialogues, it is Hakan Fidan, who talks more than any other figures in the meeting. The reasons for this are three folds; (i) he is the special representative of the PM (Erdoğan), (ii) he is the head of National Intelligence Organization, (iii) he had just had meeting with Öcalan in Imralı before coming to Oslo, and (iv) he is the most insightful participant of the meeting. The first factor shows his power conferred by Erdoğan. The second factor indicates that he was the most informed person about the current state of the State, the PKK and course of the conflict. The third one shows that he knows Öcalan's latest opinions and viewpoints about the process which the other members do not know. With regard to the last factor, the second and third factors make him the most insightful member of the meeting.

2.4. Overall Assessment of the Oslo Process

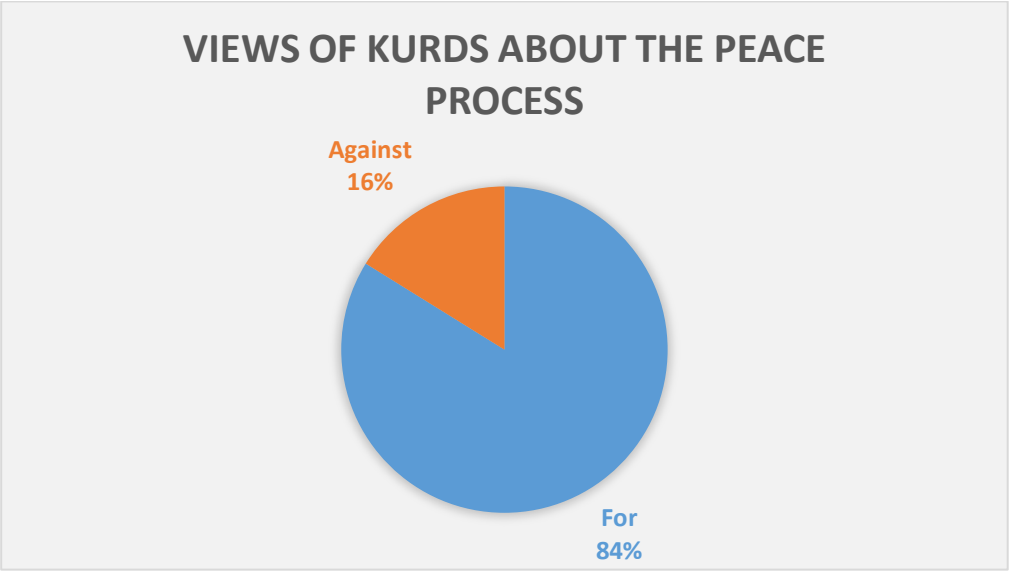
Even though the Oslo Talks were not concluded with an agreement, we can still postulate that the process was a success, *albeit limited*. As I have discussed in the theory chapter, to be able to make the combatants sit on the bargaining table and negotiate particularly in violent intractable conflicts (i.e. Turkish-Kurdish case) is of crucial significance. Because, this means cessation of hostilities, a cease-fire which halts human suffering. Only this alone was enough for the process to be supported massively by the Kurdish people in the region. This can be evidenced by the results of the questionnaire surveys undertaken by various organizations in the Kurdish populated cities in the east and south-east of Turkey between 2012 and 2016.[70] An examination of survey results is warranted here to get a better understanding of the whole process and to gauge the level of support for it across the Kurdish cities.

The survey results carried out by GENAR ARAŞTIRMA DANIŞMANLIK EĞİTİM (GENAR) in June-2012 reveal that the launched peace process resonated considerably well with the Kurdish people in particular. Accordingly, 91.7 per cent of the Kurdish participants voiced their support for the process. Another survey conducted by BİLGE ADAMLAR STRATEJİK ARAŞTIRMALAR MERKEZİ (BİLGESAM) almost just a year after (May-2013) produced almost similar results among the Kurds. According to the results of this survey, 86.4 per cent of Kurds supports the peace process. The survey conducted by ULUSLARARASI KÜLTÜREL ARAŞTIRMALAR MERKEZİ (UKAM)

[70] Salih Akyürek, et. al., Çözüm Sürecine Toplumsal Bakış, BİLGESAM, Report No.57, pp. 1-80, June-2013, available at https://bit.ly/2OnnSME ; GENAR, Çözüm Süreci Anketi, June-2012, available at https://bit.ly/2FydBuF ; İlhan Kaya, et.al., Public Perceptions on the Kurdish Question and Solution Process, UKAM, Report No. 3, pp.1-47, (p.14) available at https://bit.ly/2URt5ij ; ORC, Kürt Vatandaşa Soruldu, Başkanlık Sistemi, Özyönetim, Çözüm Süreci, 27 December-2015 / 6 January-2016, available at https://bit.ly/2CA1ivA ; Welat Ay, SAMER, Çözüm Süreci, Kobane ve İşid Terörüne İlişkin Tutumlar, 25-28 October, 2014, available at https://bit.ly/2TRNkjG

in 12 Kurdish towns in May-2013 (like BİLGESAM in terms of date) has the lowest percentage in terms of support among the Kurds for the peace process. Accordingly, the survey of UKAM points out to 71.59 support among the Kurds in terms of support for the process. Another survey conducted by SİYASAL ve SOSYAL ARAŞTIRMALAR MERKEZİ (SAMER) in 22 Kurdish towns between 25-28 October in 2014 bore a similar result with that of BİLGESAM. The degree of support for the process came out as 84.7 per cent among the Kurds. The support for the process in another survey carried out by ORC ARAŞTIRMA in 23 Kurdish towns in 2016 produced almost the same result with that of SAMER. Accordingly, the support for the process among the Kurds in this survey is 84.5 per cent.

As can be seen from the above figures, the highest support for the process is 91.7 per cent, while the lowest one is 71.59 per cent. The other three are 84.5, 84.7 and 86.4 per cents, respectively. So, if we average the above values, we can have a more precise result. The following chart represents the average/median line following the breakdown of all the five surveys.



Accordingly, 84 per cent of the Kurdish people supports the peace process, while 16 per cent of them are against it.

What were achieved during the Oslo Process? > The Oslo Peace Process commenced in September 2008, and not long after it brought results in the early 2009. The first achievement of the process was what was officially referred to as "Democratic Opening" and "National Unity and Fraternity Project", respectively.[71] We can consider this initiative the first systematic peace attempt for the parties to settle their differences with the final aim of eliminating violence and terrorism. Kose (2017) argues that this process made it possible for significant steps to be taken on a legal basis in the area of democratization and lists them as follows;[72]

>> Establishment of an independent human rights institution,

>> Creation of a commission for complaints against the Turkish security forces,

>> Legalization of election campaigns and propaganda in languages other than Turkish,

>> Allowing prisoners to speak languages other than Turkish with their visitors,

>> Allowing 24-hour private television stations to broadcast in languages other than Turkish,

>> Launching of official TRT-6 (official/state channel) broadcasts in Kurdish,

>> Approval of universities to teach Kurdish and Zazaki languages,

>> Renaming residential areas in line with demands from locals, and

[71] Köse, Rise and Fall of the AKP Party's Kurdish Peace Initiatives, p.142
[72] Köse, Rise and Fall of the AKP Party's Kurdish Peace Initiatives, p.143

>> Permission of access to social and religious services in languages other than Turkish.

These regulations, introduced within the context of fundamental rights and liberties, are the concrete evidence of the Turkish state in its will to solve the issue within democratic principles rather than the traditional methods. Undoubtfully, mother tongue is one of the sine-qua-non components that constitutes any particular culture, and the fact that seven of the above regulations are related directly to the mother tongue is a historic breakthrough in the cultural recognition of Kurdish identity considering the entire narrative of the conflict. As can be understood from the term "National Unity and Fraternity Project", the legal reforms in question were intended to re-institute or cement the spirit of solidarity at the national level.

Another significant achievement of the peace process is the "Habur Organization", according to which a pre-designated "Peace Group" comprising of 34 PKK members from the Qandil Mountain and the Makhmour Refugee Camp would surrender at the Habur gate on the Turkish – Iraqi border.[73] The Turkish government's role was to set up a temporary court at Habur for the trial of surrenders and to release them after a short investigation, and so did. The Peace Group of 34 PKK members entered Turkey from Habur border gate and surrendered to Turkish security forces on the 18 October 2009. What followed was that Turkish government released them after a symbolic trial. Everything went well as planned in the Oslo Talks. However, a formidable problem arose when the release of peace group members was welcomed by thousands of

[73] Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.7 ; Ercan, (2013) Talking to the ontological order: armed struggle and the negotiations between the Turkish state and the PKK, p.120 ; Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.11 ; Ünal, Is it ripe yet? Resolving Turkey's 30 years of conflict with the PKK, p.105

Kurds with celebrations. In my understanding, it was not the celebrations that complicated the Habur initiative, yet these welcome celebrations went beyond their purpose. The pro-Kurdish movement presented Habur initiative as a PKK victory over the Turkish state rather than "return to home" and the events turned into a PKK propaganda.[74] What's more, the pro-Kurdish movement got the released PKK members to tour around several neighbouring cities, which exacerbated the situation and gave rise to severe criticism made particularly by the republican and nationalist circles. This is confirmed by the-then deputy of HDP, Altan Tan, who stated that Habur celebrations in different cities was to the detriment of the peace process.[75] For example, Prof. Nur Serter, the-then CHP deputy of Istanbul, stated that "the State was brought to the doorsteps of terrorists at Habur". "The AKP surrendered to terrorists at Habur", in a similar vein, Devlet Bahçeli, the leader of MHP, warned not to fall into trap of "opening".[76] This situation inflicted a heavy blow on the Habur initiative, interrupting the whole process; in the meantime, the PKK, by using this interruption as an excuse, killed seven soldiers in an attack in Reşadiye, Tokat.[77]

Personally, I believe that the Habur initiative was not subjected to close scrutiny by the academic circles in terms of its prospective instrumentality in prompting further "return to home" initiatives alike. On the contrary, I consider this initiative a historic moment that could have paved the way for larger PKK groups to descend from the mountains and return home. However, this did not happen, and the Habur initiative claimed its place in the conflict history as a missed opportunity. Nevertheless, we can state with confidence that this initiative is a success in that it proved us that "return to

[74] Kuzu, Multiculturalism in Turkey: The Kurds and the State, p.152 ; Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.11
[75] Kadıoğlu, The Oslo Talks: Revealing the Turkish Government's Secret Negotiations with the PKK, p.12
[76] Burak Tavalıoğlu, Çözüm Süreci Tarihçesi ve Değerlendirmesi, Sahipkiran Stratejik Arastirmalar Merkezi / SASAM, April 2, 2016, available at http://sahipkiran.org/2016/04/02/cozum-sureci-tarihcesi/
[77] Yeğen, Global Turkey In Europe, The Kurdish Peace Process in Turkey: Genesis, Evolution and Prospects, p.7

home" or further descendance from the mountains is not an unthinkable thing. This was materialised thanks to the Oslo Talks.

When examined from its inception to its termination, the peace process on the whole and the Oslo Talks in particular should be viewed as an attempt in which the maximum effort was put about the settlement of Kurdish Question having been going on for almost a century. The reforms introduced within the frame of "Democratic Opening", particularly those related to the emancipation of Kurdish language, and the de-conflict period, were highly appreciated by the Kurdish masses. Köse (2017) verbalises this as "normalisation was observed in the region for the first time over the past thirty years".[78] Particularly, the de-conflict period meant a lot, like an invaluable treasure, for the locals of the region who had to sacrifice many things from their lives due to the conflict. On the part of the parties, they were able to find an opportunity to assess the process and to discuss and negotiate plenty of key issues during these talks in the presence of a third party, whereby they were able to close the gap between themselves.

CONCLUSION

In the first part of this chapter, we have dealt with the peace processes prior to the Oslo Peace Process. Examining these processes are significant in terms of four aspects. The first is that they served as ripening agents for each successive process because the adversaries were able to instil hope and build trust in each other. So, one process triggered another. The second is that these initiatives informed us about the parties' approach to peace processes and negotiation behaviour; that is to say, were they open to peace

[78] Köse, Rise and Fall of the AKP Party's Kurdish Peace Initiatives, p.144

attempts and how did they negotiate? The third is that assessing each process from their initiation to end through mediation lenses gave us hints as to whether the tool of mediation was employed sufficiently well. In this sense, they will serve as a guide to the practitioners if or when they are assigned as mediators in similar cases. Finally, this assessment enabled us to appreciate the Oslo Process within the frame of mediation in support of our argument.

Our analysis pertaining to previous peace initiatives has revealed important consequences. First and foremost, each process was initiated through back-channel diplomacy. Secondly, the mediators of each process were regional figures, who were low profile but reliable. Their sincerity and commitment to peace made them acceptable by the parties. Finally, all mediators employed communication / facilitation strategy and acted as go-between. As we have dealt with in the first part of this chapter, all previous peace initiatives resulted in cease-fire, which halted human suffering. In my opinion, the above findings are instructive enough to lead us to draw some conclusions within the frame of protracted intractable conflicts and their management thanks to mediation. One of the most significant conclusions we should draw is that such conflicts require secrecy (at least at the beginning). Another thing is that the third party to act as a mediator should be a regional figure who is already fully aware of each aspect of the conflict. If s/he is not a regional figure, he should be someone who has a solid grasp of the conflict in question. This is significant because the likelihood of success in any mediation attempt increases if mediator has full knowledge of both narratives and dynamics of the conflict. Another thing is the mediation strategy that will be employed by mediator. The parties of an intractable conflict do not lean towards any solution by the imposition of third party. This is due to the vital issues which both cause the intractability and make the conflict follow a destructive path. Such cases are extremely delicate, and the parties generally want to

retain control of the process. Therefore, communication / facilitation strategy for mediators is the most viable option when compared to others.

In the second part of this chapter, we have dealt with the Oslo Peace Process, which started in September-2008 and ended in June-2011. The capture of Öcalan and the AKP's coming to power marked a new period in the conflict history. While Öcalan redefined the PKK's aim as democratic autonomy without pursuing a secessionist path, Erdoğan, the chair of AKP and the-then PM, gave the first signs of dealing with the issue through democratization and economic progress. Some reforms were introduced that included abolishment of the state of emergency, decreased detention periods pending trial, abolishing the State Security Courts, elimination of legal restrictions on the Kurdish language and lifting the ban on Kurdish-language publications. These reforms were followed by Erdoğan's Diyarbakır speech in 2005, where he embraced the long-standing grievances of the Kurds and added that Kurdish problem was not just a problem of one part of this nation; it was a problem for all of them and it was also his problem. This motivated the PKK to declare cease-fire both to give a chance to Erdoğan and to usher a new era of disarmament and peace, which encouraged the AKP government to launch a new peace initiative and bilateral talks in 2005. As can be seen, the mutual steps taken based on the principle of goodwill contributed to a drastic change in the course of conflict from violent atmosphere to peaceful one. We can also argue that the theory of ripeness fully functioned prior to initiation of the process. These bilateral talks launched and conducted in secrecy by the former head of the Turkish National Intelligence Organization, Emre Taner, must have witnessed a progress towards settlement that they culminated in the Oslo Peace Process in September 2008.

The Oslo Process was initiated through back-channel diplomacy as the previous processes, therefore we have no comprehensive information about the whole series of the

talks. We only have information about the 5th of the talks, which is because they were leaked to the public through a PKK-affiliated news agency (Dicle News Agency) on 13 September 2011.

In the Oslo Process, both sides were represented by their top-level officials. This not only suggests the importance the parties attached to the peace initiative (in terms of confidence-building) but also shows their sincerity and efforts to increase the credibility of any decision to be made during the negotiations. The minutes of the talks do not refer to any third party, yet limited scholarly literature informs us that British intelligence was the mediator, and the Norwegian and Swedish governments provided the logistics of the meetings. The British intelligence officials talked to the parties before launching the process and were able to convince them in a likely peace process under their mediatory role. This strategy deserves credit in terms of mediator skills because the process started with their initiative. Otherwise, we would not be discussing the Oslo Talks now. The attitude the mediator assumed during the 5th meeting, which lasted approximately 45 minutes, suggest that s/he employed communication/facilitation strategy.

Minutes of the talks inform us that the parties are still in the act of improving empathy and dialogue they had established in the previous meetings. In my understanding, the parties were able to improve the empathy and dialogue between themselves. This is quite obvious in some of the dialogues I included in this chapter. Major objectives of the meeting can be listed as enhancing mutual confidence, negotiating probable alternatives to control and contain the armed struggle, and designing an extended series of talks to lead to political settlement. To my understanding from the dialogues of the meeting, there is no absolute trust between the parties despite the improved empathy and dialogue between them, or I can say they act prudently to each other.

Mediation through back-channel diplomacy was extremely instrumental during the Oslo Peace Process. We can speak off two historic steps that were taken thanks to Oslo. The first one is that the government launched "Democratic Opening", which was re-named later as "National Unity and Fraternity Project". Actually, "Democratic Opening" was an umbrella term under which the government introduced a number of reforms on a legal basis within the context of fundamental rights and liberties. These new regulations most of which are related directly to the mother tongue (Kurdish) constitute a turning point in the cultural recognition of Kurdish identity considering the entire narrative of the conflict. The second one is the "Habur Organization", within the frame of which a pre-designated "Peace Group" (34 PKK members) surrendered to the Turkish security forces at the Habur gate on the Turkish – Iraqi border. The government set up a temporary court and released the surrenders after a short investigation. However, exploitation of the Habur Organization by the pro-Kurdish movement as a PKK victory over the Turkish state and what's more, the touring of released PKK members around several neighbouring cities led to fierce criticism not only by the opposition parties but also by the public. This interrupted the process, and the PKK killed seven soldiers in an attack in Reşadiye, Tokat due to this interruption. Habur initiative was of critical importance in that it could have triggered larger PKK groups to descend from the mountains and return home. In other words, it could have terminated the conflict. However, it remains as a missed opportunity. Interestingly enough, the PKK put the blame on the government because of the interruption of process and broke the cease fire, killing seven soldiers by laying an ambush. Whereas, it was not the government's side that caused the process to be interrupted. However, the Oslo Process continued until June 2011. This indicates the parties' commitment and resolution to peace despite likely interruptions. In fact, the process would continue even after the PKK broke the cease fire

by organizing an attack in Silvan after the June 2011, when the elections were held. Curiously enough, just three months after this attack, minutes of the 5th Oslo Talks were leaked to the public through a PKK-affiliated news agency, as if someone was trying to derail the process. Minutes of the talks triggered severe criticism by the opposition parties and public as was the case with Habur initiative. However, leakage of the talks ignited the front-channel talks, which is why parties resort to back-channel first: to finalise the bargaining process with an agreement publicly. So, in my understanding, the leakage of the talks served for the good of the parties, even though not intended.

In my opinion, mediation through back-channel diplomacy was successfully implemented in the Oslo Peace Process. This initiative led to a cease fire and the parties were made to sit on the negotiation table and negotiate. In violent intractable conflicts in particular, these are the facts that should not be underestimated. I find these as an achievement in the name of "mediation" at least because both societies were able to experience an atmosphere of peace, a cease-fire which halted human suffering, though for a while (around 32 months). Mediation- intervention was exceptionally instrumental in rehabilitating the extremely-ruined communal relationship, improving their images towards one another, and enabling the parties to close the gap between themselves. The negotiating teams were able to achieve these. The Oslo Process witnessed a number of gains in terms of fundamental rights and liberties on a legal basis. These are still valid. Further to this, the Oslo Talks paved the way for the front-channel talks for the parties. When looking at achievements thanks to the process and considering the huge support of the Kurdish people for the process (84%), I do not see it as a failure just because it was not concluded with an agreement. On the contrary, I argue that the process was a success, albeit limited.

The following chapter will cover the notion of “spoilers”. The issue of “peace spoilers” is one of the limitations of mediation. Even if all the circumstances are conducive to peace, settlement may not come true due to spoilers. I will provide background information about the issue of spoilers and make it clear who can act as spoilers. This will be followed by how the Oslo Peace Process was spoiled. Here, we have a different phenomenon pertaining to spoilers. The Oslo Peace Process was not spoiled by a person, group or lobby. Rather, it was undermined by the regional dynamics. The Syrian Civil War, which broke out during the Oslo Process, had a profound impact on the process. It not only changed the regional dynamics but distracted the parties and led them to re-consider the process and new developments in the north of Syria.

Chapter-5. Limitations of Mediation: How Regional Dynamics Acted as Spoilers between the Turkish and Kurdish Peace Process?

Introduction

As Newman and Richmond rightly put it, peace processes have become endlessly long-standing and cyclical negotiations.[1] They also state that in such cases, concessions are difficult to make, which makes these processes so fragile that they may fail at the implementation phase even if the parties reached compromise. However, we should note here that they may also fail during the process. Therefore, I consider all of the features above as formidable hurdles in each peace process that make mediation initiative vulnerable to domestic or external influences that are greatly likely to govern whether the attempted peace will succeed or fail. As we have witnessed, the conflicts in Rwanda and the Balkans are cases in point, where the desired peace was unable to be achieved in spite of many peace attempts launched during the violent conflicts; on the other hand, the conflict between the British government and the IRA, Indonesian-Aceh conflict and Colombian-FARC peace processes were successfully concluded. Considering the fact that conflicts relapse worse than what it used to be in terms of humanitarian and material losses after a failed peace attempts, strengthening conflict resolution in all aspects and coping with likely threats to peace-making have become the issues of crucial importance in terms of international community. Justifiably, this has shifted the focus of international community to the question of "why some conflicts can be amenable to settlement, but some others are not". In order to be able to better understand why some conflicts are

[1] Edward Newman and Oliver Richmond, The Impact of Spoilers on Peace Processes and Peacebuilding, Policy Brief, United Nations University, No.2, (2006), p.1

successfully terminated but some others are not, a particular attention should be paid to the phenomena of "spoilers" and "spoiling".

The phenomena of "spoilers" and "spoiling" were first introduced into the scholarly literature by Stedman in 1997.[2] This was the time when the issue of spoilers started to gain prominence in the field of peace and conflict studies. If we are to define briefly, spoilers and spoiling refer to any actors and tactics employed to derail any peace attempt through various means and for single or multiple reasons. This reminds us Stedman's appropriate assessment that peace-making is a risky business.[3] Shepherd, in a more elaborative fashion, contributes to Stedman's argument by putting forward that it is not easy to secure peace just by removing all the obstacles before them, for peace processes are, for the most part, messy, risky and difficult to control[4] due to complicated nature of the intra-state conflicts. He also adds that bargaining parties of the process are neither fully devoted to peace nor relentlessly against it. This is, presumably, due to the parties' having more than one option. As a matter of fact, the parties already have two options: continue to fight or make peace. However, in some cases in which the given conflict has regional extensions, combatants or at least one of them may have multiple alternatives, leading them unavoidably to slide into fine calculations of interest depending on the new regional developments. This exacerbates the already intricate and complicated nature of the conflict which we may call "malign process".

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[2] *ibid* ; Kelly M. Greenhill and Solomon Major, The Perils of Profiling Civil Wars Spoilers and the Collapse of Intrastate Peace Accords, International Security, Vol.31, No.3 (2006/07), 7-40 p.7 ; Marie-Joelle Zahar, SRSG Mediation in Civil Wars: Revisiting the "Spoiler" Debate, Global Governance, Lynne Rienner Publishers, Vol.16, No.2, (2010), 265-280 p.266

[3] Stephen J. Stedman, Spoiler Problems in Peace Processes, International Security, The MIT Press, Vol.22, No.2, (1997) p.5

[4] Ben Shepherd, The 'Spoiler' Concept, Conflict and Politics: who 'spoils' what, for whom?, Foreign & Commonwealth Office, London School of Economic and Political Science, (2010) p.3, available at https://bit.ly/2QDnGJt

Existing literature lacks the impacts of regional dynamics on the ongoing peace processes as a potentially-spoiling agent.[5] In the present chapter, I will dwell on and try to prove that regional developments during any peace initiatives may vitiate the course of negotiations, thus acting as spoiler. I will attempt to make it clear how the Turkish and Kurdish peace process was derailed by the outbreak of the Syrian War, giving rise to drastic changes at the national, regional and international levels. In terms of our purpose, I will confine my analysis of the Syrian Civil War to its implications for the Turkish and Kurdish peace process that was officially launched with the Oslo Peace Talks of September-2008.

As we all know, the Arab Spring, the uprisings against the undemocratic regimes of the MENA region, reached Syria in March-2011. This was the time when the parties were still convening and sustaining the Oslo Talks. We can argue that while the Syrian Civil War led the Middle Eastern countries, such as Iran, Iraq, Lebanon, Israel and Saudi Arabia, to become alarmed and to devise a policy in the face of emerging situation, its main impact was on the ongoing peace process between the Turkish state and the PKK. In my opinion, three major developments, namely, rise of the PYD in the north of Syria, the declaration of Rojava autonomous region and the Kobane Crisis, respectively, played a colossal role in the termination of the process.

The harsh response of the Assad administration to the rebels quickly turned the conflict into violent intra-state war. The regime's incapability to wage war against both the rebels and the Kurds forced them to withdraw from the predominantly Kurdish-populated areas in the northern Syria from 2012 onwards allowed the PYD, the Syrian

[5] Stephen J. Stedman, Spoiler Problems in Peace Processes, International Security ; Greenhill and Solomon The Perils of Profiling Civil Wars Spoilers and the Collapse of Intrastate Peace Accords, 7-40 ; Zahar, SRSG Mediation in Civil Wars: Revisiting the "Spoiler" Debate, 265-280 ; Newman and Richmond, The Impact of Spoilers on Peace Processes and Peacebuilding ; Shepherd, The 'Spoiler' Concept, Conflict and Politics: who 'spoils' what, for whom?, p.3

offshoot of the PKK, to gain control over the major border towns adjacent to Turkey.[6] What followed was the establishment of the autonomous region of Rojava by the PYD, which inspired the idea of Kurdish nationalist state in some, probably by grabbing some pieces of lands from Turkey, Syria, Iraq and Iran.[7] The final one which dealt the peace process a death blow is the "Kobane Crisis", which caused violent street protests mainly in the eastern parts of Turkey and resulted in 50 citizens losing their lives. Turkey considered above developments as a great threat to its domestic and border security as well as its territorial integrity, while the emerging situation in the north of Syria was an extremely provocative/alluring alternative for the PKK. For sure, the resultant situation drove the parties to reconsider the cost-benefit calculus of the Oslo Process and of the bilateral/face-to-face negotiations in its aftermath. As a consequence, this resulted in distracting the parties during the ongoing peace negotiations, thus causing the process to end in failure.

PART-I ONSET OF THE SYRIAN CIVIL WAR

1.1. Syrian Civil WAR and the Changing Regional Dynamic

The fact that the Arab Spring and its spill-over to the entire MENA region (in March-2011 spread to Syria) changed all the balances of power and the perceptions of security and threat among the neighbouring countries, including Iran, Turkey and Israel.[8] In my understanding, this makes sense. Because, as we have discussed in the second chapter, intra-state wars can have region-wide implications and can easily spill-over to

[6] Eva M. Resch, Syria's Impact on the Kurdish Peace Process in Turkey, IAI Working Papers, 17-24 June, (2017) 1-20 p.7 available at http://www.iai.it/sites/default/files/iaiwp1724.pdf ; Asli S. Okyay Turkey's post-2011 Approach to its Syrian Border and its Implications for Domestic Politics, International Affairs, 93:4, (2017) 829-846, p.835

[7] Resch, (2017), Syria's Impact on the Kurdish Peace Process in Turkey, p.14

[8] Elizabeth Monier, in "Elizabeth Monier," (Ed) New Security Challenges: Regional Insecurity After the Arab Uprisings, (Palgrave Macmillan, New York., 2015) p.2

the neighbouring countries. However, the ongoing Syrian civil war still requires inquiry in terms of how it infected the peace process between Turkish and Kurdish sides. To be able to grasp how this happened necessitates a close scrutiny to the socio-cultural, internal and external dynamics of the region. To that end, before starting to the Syrian Civil War, I consider it necessary to talk briefly about a number of unique characteristics of the region.

Background:

Peoples of the Middle East had lived under the Ottoman rule for hundreds of years based on the "millet" system. This allowed different religious communities to live separately, each group living on its own borders arranged accordingly.[9] However, this did not mean that the people belonging to any of those communities used to lead their lives only within their neighbourhood or territory. Au contraire, locals of the region were free to move around the entire region for various purposes (mainly for trade), which in the course of long years gave rise to the development of a highly heterogenous population in ethnic and religious terms throughout the Middle East. Following the collapse of the Ottoman Empire after the 1st World War, the victorious powers of the war, namely France and England, re-shaped the region by drawing up the borders of the modern-day Middle East, as prescribed in the 1916 Sykes-Picot agreement.[10] The borders that arose out of the agreement were composed of straight lines that fell short of meeting the requirements of multi-ethnic and multi-faith population of the region. In my opinion, Syria is a perfect case in point in articulating this ethnic and religious diversity. To make it clear, it will be

[9] Kürşat Turan, Sources of the Conflict in the Middle East: Borders or Stratified Identities?, The Journal of Defense Sciences, Vol.19, Issue.1, (2017) 85-113 p.97
[10] Mirjam E. Sorli, Nills Petter Gleditsch and Havard Strand, Why Is There So Much Conflict in the Middle East?, Journal of Conflict Resolution, Vol.49, No.1, (2005), 141-165, (p.146)

informative to elaborate what we mean by ethno-religious diversity. The Syrian population is composed of Arabs, Kurds, Armenians, Turkmen, Circassians and Assyrians, the Arabs constituting the overwhelming majority.[11] As for the religious-sectarian diversity, we see Sunni Muslims, Shia-Alawite-Ismaili Muslims, Christians and Druses, Sunni Muslims constituting the overwhelming majority.[12] Imagine a community composed of a multi ethnic and multi religious-sectarian cocktail that had to put up with oppression for years under authoritarian regimes representing only one of the ingredients of societal structure. Such regimes with authoritarian mind-set have never been looked with favour on by the locals, leading to appearance of fragile states where any social unrest is likely to turn into a civil war.

Syrian Civil War:

The issues such as economic woes and authoritarianism ignited mass citizen uprisings that with the domino effect, took hold of the Arab World in the early 2011.[13] The president of Tunisia and then that of Egypt were toppled down as a result of the cited uprisings, which later came to be known as the "Arab Spring".[14] The successfully ousting of Tunisian and Egyptian presidents and transition to democracy in these countries whipped the anti-regime dissidents in Syria up, and in January in 2011 modest protests like those in the above countries broke out in Syria.[15] The specific event that changed the

[11] Christopher M. Blanchard, Carla E. Humud and Mary Beth D. Nikitin, Armed Conflict in Syria: Overview and U.S. Response, CRS Report, (2017) 1-60, p.6 available at https://fas.org/sgp/crs/mideast/RL33487.pdf ; Arnav Mariwala, The Syrian Civil War, Regime of Bashar Al-Assad, Stanford Model United Nations Conference 2014, 1-23 (p.9) available at https://stanford.io/2ErtCAK
[12] *ibid*
[13] Mariz Tadros, in "Monier, Elizabeth" (Ed). New Security Challenges: Regional Insecurity After the Arab Uprisings, (Palgrave Macmillan, New York, 2015) p.114
[14] Resch, (2017), Syria's Impact on the Kurdish Peace Process in Turkey, p.7
[15] Yassin al-Haj Saleh in "Doreen Khoury and Mohammed Ali Atassi" (Ed). Syria's Revolution: Society, Power, Ideology, Perspectives – Political analysis and commentary from the Middle East, (2012), (p.8) translated by Robin Moger ; Abdulhay Sayed in "Doreen Khoury and Mohammed Ali Atassi" (Ed). Syria's Revolution:

tone of the modest protests into a cycle of unrelenting protests that united annoyed masses was the arrest of a group of young boys in the southern city of Dara'a due to their writing anti-regime graffiti.[16] The boys were brutally tortured by the security forces during the period of detention.[17] As might be expected, this triggered further protests. The government did not put in any effort to find the perpetrators of the event, which could have calmed down the angry crowds; instead, they preferred to come down hard on the protestors.[18] Undoubtedly, insistence of the government on harsh responses to the masses sparked further demonstrations comprised of people in the pursuit of revenge, and these were followed by further arrests, torture and murders.[19] In my opinion, this was the breaking point that changed the colour of events from their initial cause of seeking economic welfare and democratic government to sectarian feud. Even though Bashar al-Assad issued a general amnesty for political prisoners, ended the State of Emergency Law and abolished the State High Council of Security and approved new law allowing peaceful demonstrations, they were too late to halt the protests; as a consequence, Syria was dragged by stages into a civil war.[20]

The Assad government's losing its legitimacy as a result of civil war created a huge power vacuum in the north, north-east and central parts of the country. This contributed to the emergence of non-state actors in the pursuit of establishing their own realms of authority in the areas they occupied. The Free Syrian Army (FSA), the Islamic State of Iraq and the Levant (ISIL, also known as ISIS), the Democratic Union Party (its

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Society, Power, Ideology, Perspectives – Political analysis and commentary from the Middle East, (2012), p.46 translated by Robin Moger available at https://bit.ly/2SGbZC1

[16] Janis Berzins, Civil war in Syria: Origins, Dynamics, and Possible Solutions, National Defence Academy of Latvia, Center for Security and Strategic Research, Strategic Review, August, No.7, (2013) 1-12, p.2 available at http://www.naa.mil.lv/~/media/NAA/AZPC/SA-07p.ashx

[17] Yavuz Güçtürk, The Loss of Humanity, The Human Rights Dimension of the Civil War in Syria, No.36 Ankara: SETA Publications, (2014) 1-102, (p.29), available at https://bit.ly/2tM7VGm

[18] *ibid* ; Berzins, Civil war in Syria: Origins, Dynamics, and Possible Solutions, p.2

[19] *ibid*

[20] Güçtürk, The Loss of Humanity, The Human Rights Dimension of the Civil War in Syria, p.29

Kurdish extension: Partiya Yekitiya Demokrat, henceforth PYD), The People's Protection Unit (the Yekineyen Parastine Gel, henceforth YPG) and the Syrian Democratic Forces (henceforth, SDF) are the major non-state actors in Syria. For the purpose of this thesis, however, I will be focusing only on the PYD and the YPG among the non-state actors of Syrian context.

1.2. What is the PYD and the YPG?

Background:

The North of Syria is of geopolitically importance in that it constitutes the Turkish – Syrian frontier (911 km) and Iraqi – Syrian borderline across Rabia-Sincar and the areas under the control of the Kurdish Regional Government of Iraq led by Masoud Barzani (or the Kurdistan Regional Government, henceforth KRG). In addition, there are significant oil fields in the northeast Syria, which is pre-dominantly populated by Kurds. Apart from the importance of the geography where the Syrian Kurds live, the fact that they form the largest minority group (approximately 10% of the total Syrian population), thus demanding for rights were the reasons why they were considered as a threat[21] and were monitored closely by the Syrian regime.[22] In this context, the Syrian regime took some political steps.[23] Among those steps were (i) to provide a safe haven to Abdullah Öcalan and his PKK since the early 1980s, (ii) to make an effort together with Jalal Talabani for the PKK to set up a base in the northern Iraq and (iii) to encourage the Kurds in Syria to

[21] Anne S. Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, Royal Danish Defence College, Brief-June, (2017) 1-21, ps.7-8

[22] Can Acun and Hüseyin Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), SETA Perspektif, Sayı. 77, (2014) 1-8 (p.1-2), accessed on 11.11.018, available at https://bit.ly/2smiUpt ; Can Acun and Bünyamin Keskin, The PPK's Branch in Northern Syria: PYD-YPG, SETA Report, (2017) 1-74, p.10, accessed on 11.11.018, available at https://bit.ly/2smbOkE ; James Brandon, The PKK and Syria's Kurds, Terrorism Monitor, Vol.5, Issue.3 (2007) available at https://bit.ly/2GXsR5Q

[23] James Brandon, The PKK and Syria's Kurds, Terrorism Monitor ; Can Acun and Bünyamin Keskin The PPK's Branch in Northern Syria: PYD-YPG

join the PKK by exempting those who joined the PKK from the military service. This resulted the Syrian Kurds within the PKK in becoming the largest group during the 1990s. In my understanding, what has become apparent in this relationship or partnership is a kind of a form of co-existence within which the PKK was able to carry on its fight against Turkey from its safe havens in Kurdish populated areas of the northern Syria (adjacent to Turkish borders), while the Assad regime was going to toss away its own internal issue by canalising the anger and aspirations for self-determination of the Syrian Kurds to Turkey through the PKK.

The Syrian regime, however, had to back down from hosting and supporting the PKK right after the severe criticisms of Turkey`s the-then Chief of the Army, General Atilla Ateş, targeting Syria and the-then President, Süleyman Demirel's declaration that Turkey had the right to retaliate against Syria. What followed was the signing of the Adana Protocol in 1998 under the mediation of Iran and Egypt, according to which Öcalan was expelled from Syria and the PKK camps there were shut down.[24]

It is only after 5 years when the Democratic Union Party, which is commonly known as the PYD was established in Syria in 2003. In some sources, it is argued that the PYD was set up by the former members of the PKK,[25] while in some other sources we see that it was established as a successor or the Syrian offshoot of the PKK.[26] What's more, Acun and Keskin allege that the establishment of the PYD was a counter-step of the PKK in the face of new status-quo that arose out of Turkey and Syria rapprochement

[24] *ibid* ; Acun and Öner, "IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani)

[25] Resch, Syria's Impact on the Kurdish Peace Process in Turkey, p.7 ; Cengiz Gunes and Robert Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, Chatham House, Middle East and North Africa Programme, (2015) 1-15 (p.4) available at https://bit.ly/2QvSlb4

[26] Mehmet Özkan, Shaping Peace Processes: A comparison Between Turkey and Colombia, Turkish Policy Quarterly, Vol.16, No.4, (2018) 87-99, (p.97) ; 01.03.2012, The Kurdish Democratic Union Party, Carnegie Middle East Center, accessed on 30.12.2018, available at http://carnegie-mec.org/diwan/48526?lang=en ; Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, p.13 ; PKK Suriye'deki varlığını PYD üzerinden sürdürüyor, Timeturk, 28.01.2018, accessed on 22.12.2018, available at https://bit.ly/2SG2rXY ; Suriye'de Çirkin İttifak; PKK/PYD Esad'ın Emrinde! (Güncellendi), Nasname, 07.12.2016, accessed on 15.01.2019, available at https://bit.ly/2TQoYSC

within the frame of the 1998 Adana Protocol.[27] They also added that Öcalan gave the instruction to the PKK's top-cadres through his lawyers in February 2002 that a new organization should be established in Syria. Upon this, the PKK held its 8th congress between the 4th and 10th of April in 2002 and adopted the principle of reaching large masses by means of new organizations aimed to be established in such countries as Iran, Iraq and Syria.[28] It was only roughly one year after when the PYD was established in Syria, the Kurdistan Free Life Party (Partiya Jiyana Azade a Kurdistane, henceforth PJAK) in Iran and the Kurdistan Democratic Solution Party (the Parti Çareseri Dimukrati Kurdistan, henceforth PÇDK) in Iraq in 2003. To regard the simultaneous establishments of these organizations as a fine coincidence would be to think extremely optimistic. Statements of Osman Öcalan, who is Abdullah Öcalan's brother and served for the PKK as a senior executive for 18 years and left it in 2005, is highly informative on the establishment of the PYD.[29] Osman Öcalan states that;

"It was we who set up the PYD in Qandil. We founded the PYD for the Kurds in Syria, and the PJAK for the Kurds in Iran in the event that the US may interfere in the region. We held the first congress of the PYD in October-2003 and of the PJAK in September-2003 in Qandil. It was again we who trained the cadres of the both organizations".

In fact, all of the above organisations, including the PKK, became the sub-units of the Kurdistan Communities Union or in Kurdish "Koma Civaken Kurdistan" (henceforth, KCK), which is an umbrella group established by Öcalan and still led by

[27] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.11
[28] *ibid* ; İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN
[29] Kurtuluş Tayiz, PKK'nın çapraz ilişkileri, Lacivert, Sayı.16, Eylül-2015, accessed on 29.12.2018, available at https://bit.ly/2AwKFA4

him.[30] Accordingly, the Turkish branch of the KCK is the PKK, the Syrian branch is the PYD, the Iraqi branch is the PÇDK and the Iranian one is the PJAK.[31] For this reason, I do not see any political and ideological differences among these organizations, as they are affiliated to one umbrella organization (the KCK) led by Öcalan. In my opinion, this move of Öcalan is extremely important in terms of (i) making his movement gain regional attribute, (ii) regenerating its image thanks to an umbrella organization embodying these new organizations, rather than being cited with the PKK, already included in the lists of terrorist organizations and (iii) reaching large masses and becoming a more powerful actor on a regional scale. However, for the purpose of this dissertation, I will be focusing solely on the PYD and its armed wing the YPG within the context of Syrian Civil War with a view to showing how the regional dynamics derailed the Turkish and Kurdish peace process.

The PYD adopts and practices the same policies as the PKK. This can easily be seen if the by-law of the PYD can be examined closely.[32] Accordingly, the PYD (i) recognizes the "Kongra-Gel", the name the PKK used for a while in the early 2000s, as the supreme legislative body for the people of Kurdistan, (ii) it recognizes Öcalan as the leader of all Kurdish people, (iii) it is the sub-unit of KCK, like the PKK, and (iv) it points out that Öcalan leads the KCK, Kongra-Gel and all the Kurdish people. Another significant point related to the PYD's by-law is the requirements[33] that are sought for becoming a member to it. Accordingly, the prospective members should (i) adopt "the democratic civilization method of leader Öcalan", (ii) be proud of the values of leader

[30] Acun and Keskin (2017), The PPK's Branch in Northern Syria: PYD-YPG, p.14; Tayiz, PKK'nın çapraz ilişkileri

[31] İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.14 ; Tayiz, PKK'nın çapraz ilişkileri ; 07.12.2016, Suriye'de Çirkin İttifak; PKK/PYD Esad'ın Emrinde! (Güncellendi), Nasname, 07.12.2016, accessed on 15.01.2019, available at https://bit.ly/2TQoYSC

[32] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.15 ; İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN

[33] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.16

Öcalan and the Kurdish people and be committed to them and (iii) struggle to free the Leader from captivity. The above terms are considered as the duty of each party member. The term "leader" attributed to Öcalan clearly reveals that the PYD regards Öcalan as its leader.

Before the Syrian civil war, the PYD's main headquarters was in a camp within the PKK's structure in the Qandil Mountain.[34] Ferhat Abdi Şahin, code named "Şahin Cilo Kobani Mazlum", who is one of the members of the KCK's executive council, was appointed by the PKK as the person to be in charge of the PYD's activities. This shows that the PYD was structured as an organization liable to Öcalan and the PKK. Later, Ferhat Abdi Şahin was assigned as the head of the YPG. However, it was Fehman Hüseyin, code named "Bahoz Erdal", who became responsible for Syria on behalf of Qandil in the second half of the 2014.[35] Fehman Hüseyin, who was a Syrian Kurd, was the third highest-ranked figure within the PKK after Cemil Bayık and Murat Karayılan. Apart from this, the KCK appointed Salih Müslim, code named Ebu Velat, as the second chair of the PYD in place of Barazani Muhammed.[36] In my understanding, all of the above transparently show that the PYD is under the control of Öcalan and the PKK. The PYD was divided in two in 2004 due to disagreement within the PKK; as a result, the movement called "Rekeftina Demokrat a Kurd ya Suri" (Rekeftin) was established.[37] However, Kemal Şahin, the founding leader of Rekeftina, was killed by the PKK in northern Iraq in 2005.

As for the YPG, the Qamishli Riots played a significant role in the establishment of this organization.[38] The demonstrations that started after a football match in Qamishli,

[34] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.15
[35] İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN
[36] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.16
[37] *ibid* p.11
[38] Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, p.15

a city situated in the north-east Syria and very close to the Turkish border, turned into uprisings and spread to neighbouring cities.[39] Nevertheless, the uprisings were able to be quelled by the heavy-handed response of the regime, as a result of which more than 30 Kurds lost their lives and thousands of them were jailed. It was only after this event when the YPG was established and backed by the PKK. Later, the YPG became the armed wing of the PYD.[40] Even though it was founded after the Qamishli riots in 2004, the YPG was in a kind of hibernation until the Syrian uprisings (seven years) and became operational in the Syrian theatre in 2011 (after the uprisings) as if waiting for its part to play. It was only in July 2012 that the organization announced itself as the YPG following the withdrawal of the Syrian regime from the Kurdish populated areas of the northern Syria.[41]

The YPG leaders define the organization as an a-political one that is non-aligned with any Syrian political parties and whose primary objective is to protect the peoples of the region irrespective of who they are.[42] In this sense, the organization denies its being the armed wing of the PYD. However, their facilitating the PYD activities and policies in the region and also their continuing to fly the PYD flags at check-points prove their claims to be reverse.

Personally, I find it unnecessary to discuss whether there is a link between the PKK and the YPG, since the latter is the armed wing of the PYD, which was established by the former. The YPG contradicts the claims that they have connections with the PKK, while there are plenty of allegations that assert the contrary.[43] One of the allegations put

[39] Acun and Öner, "IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.2 ; Brandon, (2007), The PKK and Syria's Kurds, Terrorism Monitor

[40] Jared Ferris and Andrew Self, "Dead Men Tell No Lies: Using Martyr Data to Expose the PKK's Regional Shell Game." The George Washington University, (May-2015) ; 12.05.2017, Ranj Alaaldin, Arming the Kurdish fighters of the YPG could backfire spectacularly on the US, The Guardian, May 12, 2017, accessed on 09.02.2019, available at https://bit.ly/2pKnvyQ ; Flight of Icarus? The PYD's precarious rise in Syria, International Crisis Group (ICG), Middle East Report, No. 151. (2014) p.1

[41] *ibid*

[42] *ibid*

[43] Flight of Icarus? The PYD's precarious rise in Syria, International Crisis Group, p.5 ; Ferris and Self, Dead Men Tell No Lies: Using Martyr Data to Expose the PKK's Regional Shell Game ; Acun and Keskin The PPK's

forward by the ICG demonstrates this intrinsic link between the PKK and the YPG explicitly. Accordingly, the senior executives of YPG are the Syrian-origin PKK fighters, who are in charge of commanding the YPG's battalions, of making strategic decisions and of directing the ideological and military training of recruits. In a similar vein but being a bit more precise, Ferris and Self argue that the PKK deployed its Syrian militants into Syria to form a core cadre of the YPG. Actually, this was the policy the PKK pursued when forming the PJAK.[44] In my understanding, this is a kind of superior-subordinate relationship. Another important issue requiring close scrutiny about the YPG is how they were able to form their military units. The PKK has a pivotal role in the formation of YPG's initial military units. Following the outbreak of the Syrian uprisings, the PKK sent some between 1.000-2.000 of its fighters to Syria,[45] which was presumably enough for the YPG to activate itself. As the riots turned into a civil war, the PKK and its Iranian branch, the PJAK, started to send their fighters to Syria to reinforce the YPG forces.[46] In July 2013, the PYD passed a law through the legislative council in the Jazirah canton, which prescribes "compulsory military service" for those between the ages of 18-30.[47] The Article 2 of the law stipulates that each family residing in the region provide a member to carry out the duty of self-defence, while the recruitments of women were based on voluntariness. The law itself is against the internationally accepted human rights in that it has no room for conscientious objection. In the course of implementing the above law, local community (Kurdish people) were subjected to large number of human rights

Branch in Northern Syria: PYD-YPG, p.30 ; 12.05.2017, Alaaldin, Arming the Kurdish fighters of the YPG could backfire spectacularly on the US, ; İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN

[44] Ferris and Self, Dead Men Tell No Lies: Using Martyr Data to Expose the PKK's Regional Shell Game

[45] *ibid* ; N. Yıldız Gündoğmuş, PYD/PKK ve Esed rejimi çıkar ilişkisi içinde, haberler.com, 17.02.2018, accessed on 04.01.2019, available at https://bit.ly/2S0mrUD

[46] James Brandon, "Party for Free Life in Kurdistan: The PKK's Iranian Wing Bides Its Time," Terrorism Monitor, Vol.16, Issue.1, January 15, 2018, accessed on 13 February, 2019, available at https://bit.ly/2SwRCMD

[47] "Forcible Recruitments and the Deployment of Child Soldiers by the Democratic Union Party in Syria", KurdWatch, (May-2015) accessed on 10 10.02.2019, available at https://bit.ly/2X1kI5u ; Acun and Keskin The PPK's Branch in Northern Syria: PYD-YPG,

violations in terms of the recruitment of child soldiers[48], and forcible recruitments of the locals by the YPG.[49] According to the Report 10 of KurdWatch, the recruitments by force generally took place at checkpoints or during the mass arrests at internet cafes or houses. The YPG's estimated source of military personal is between 30.000-40.000, ten thousand of which are females and member of the YPG's woman brigade called the Yekineyen Parastine Jel (henceforth, YPJ).[50] For sure, we cannot claim that all or most of them were forcibly recruited. It is almost impossible to give a number for those forcibly recruited, perhaps this is something that does constitute a minor part of the YPG forces, yet still this issue should be investigated for human rights.

1.3. The PYD's course of action during the Syrian Civil War

Kurdish Question should be regarded as a transnational issue within the scope of Turkey, Syria, Iraq and Iran in that any developments within one of the countries above have a political bearing on the others, be it positive or negative.[51] Thus, the Syrian Civil War emerged as an opportunity for the Kurdish masses in cited countries in their aims for self-determination.

Within the Syrian context, traditional oppressive policies of the successive Syrian governments over the Kurdish population, the Qamishli violence and the murder of Kurdish Sufi religious leader, Sheikh Mashug Khaznawi, allegedly by the regime's security forces in 2005[52] led the various Kurdish groups (conservatives, liberals, etc.) to become a part of the uprisings against the regime. The Marxist-secular PYD too seemed

[48] Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, Human Rights Watch report, 978-1-62313-1432, (June-2014), 1-116 (p.13), accessed on 07.01.2019, available at https://bit.ly/2FvdbVV
[49] "Forcible Recruitments and the Deployment of Child Soldiers by the Democratic Union Party in Syria", KurdWatch, (May-2015) accessed on 10 10.02.2019, available at https://bit.ly/2X1kI5u
[50] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, 1-74, p.28
[51] Turkey and the PKK: Saving the Peace Process, International Crisis Group (ICG) No. 234. (2014) 1-47 p.34
[52] James, The PKK and Syria's Kurds, Terrorism Monitor

to adopt a stance in line with the above groups, keeping in mind the Adana Protocol between Turkey and Syria and the regime's harsh policies against their movement. In the face of the political turmoil due to the uprisings, the Kurdish National Council in Syria (henceforth KNC) was established in 2011 under the auspices of Masoud Barzani for the purpose of pooling various Kurdish groups in Syria to fight against the Syrian regime.[53] The KNC, as an initiative, also enjoyed the support of Turkish state. Initially, the PYD was also a part of this umbrella organization embodying almost all the Kurdish groups (11 Kurdish parties) in Syria.[54] However, the PYD withdrew from the KNC later and started to act in line with another Kurdish group called "The People's Council of Western Kurdistan", an organization that was set up by the PKK in Syria.[55] It appears that the PYD preferred to struggle for the PKK/KCK ideals, to which it itself belonged. The fact that the KNC was founded by the support of Barzani and that there is a rivalry between Barzani-the KRG and Öcalan-the PKK[56] prevented the Kurds in the region from becoming a single body. The reason for this rivalry arises from their having different visions and plans for Kurdish people and thus their pursuit of expanding their sphere of influence in the geography where their co-ethnics live.

There are plenty of allegations that the Syrian regime and the PYD has a relationship based on reciprocal interest since almost the inception of the uprisings.[57]

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[53] Zeynep Kaya and Matthew Whiting, Sowing Division: Kurds in the Syrian War, Middle East Policy, 24 (1), (2017) 79-91

[54] The Kurdish National Council in Syria, accessed on 02.01.2019, available at http://carnegie-mec.org/syriaincrisis/?fa=48502

[55] *ibid*

[56] Kaya and Whiting, Sowing Division: Kurds in the Syrian War

[57] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.4 ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG ; Acun and Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani) p.2 ; Carnegie Middle East Center, accessed on 30.12.2018, available at http://carnegie-mec.org/diwan/48526?lang=en ; Tayiz, PKK'nın çapraz ilişkileri ; 28.01.2018, PKK Suriye'deki varlığını PYD üzerinden sürdürüyor, Timeturk, accessed on 22.12.2018, available at https://bit.ly/2SG2rXY ; Gündoğmuş, PYD/PKK ve Esed rejimi çıkar ilişkisi içinde, haberler.com, 17.02.2018, accessed on 04.01.2019, available at https://bit.ly/2S0mrUD ; Bahadır Kurbanoğlu, Unutulan "Amude "Katliamı" ve Hatırlattıkları, Haksöz Haber, 25.07.2015, accessed on 11.01.2019 available at https://bit.ly/2slQuvC ; Suriye'de Çirkin İttifak; PKK/PYD Esad'ın Emrinde! (Güncellendi), Nasname, 07.12.2016, accessed on 15.01.2019, available at https://bit.ly/2TQoYSC

While it can be said that this is true, I will argue that there is a relationship of interest between the Syrian regime and Öcalan over the PYD. In fact, in April of 2011, just after a month when the Arab Springs reached Syria, there are allegations that Öcalan sent an indirect message to Assad[58]. In his message, Öcalan points out that;

"Assad should approach to the PYD as an official administrative actor, rather than approaching to tribes. A solution can be reached after they discuss the matter between themselves. If Syria accepts our demands, we support Assad. If he (Assad) acts otherwise, takes temporary steps and drags his feet, the Kurdish people represented by the PYD will take part in the Arab opposition for the autonomous government".

As can be seen, Öcalan speaks softly but carries a big stick. In my opinion, this must have had a big impact on Assad considering the facts of the PKK's presence, logistics and experience in the northern Syria and of the PYD's inheriting all of these as a Syrian branch of it. So, Assad resorted to revive the old cooperation with Öcalan and the PKK. This can be evidenced by the facts that Assad invited Salih Muslim to Syria, whose entrance in Syria was prohibited by him and started to disincarcerate the PYD members.[59] What followed was that the PYD was quickly organized and new camps were opened with the implicit approval of Assad.[60] In July 2012, the Kurdish Supreme Committee was founded and an agreement was signed between the two contentious groups, namely between the PYD and the KNC thanks to the initiatives of Masoud

[58] PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, 06.07.2015, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK

[59] Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.12 ; Suriye'de Çirkin İttifak; PKK/PYD Esad'ın Emrinde! (Güncellendi), Nasname, 07.12.2016, accessed on 15.01.2019, available at https://bit.ly/2TQoYSC

[60] *ibid* ; 06.07.2015, PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK ; PKK Suriye'deki varlığını PYD üzerinden sürdürüyor, Timeturk, 28.01.2018, accessed on 22.12.2018, available at https://bit.ly/2SG2rXY

Barzani.[61] According to the agreement, joint military forces was going to be formed to defend the areas where the Kurds live and the political issues were going to be governed by the Committee that would be formed of five members from the each group.

In 2012, the regime started gradually to withdraw from the north-east of the country with a view to concentrating its existing military capabilities on the other opposing factions[62] and allegedly left these places under the control of PYD/PKK for them to maintain security. I am saying "allegedly" because some argue that the regime withdrew from those areas and the power vacuum was filled by the PYD,[63] whereas some others claim that the regime left those areas under the control of the PYD deliberately.[64] The PYD's capture of Kobane, Jazira, Afrin, Amuda and al-Malikiyah facing almost with "no" state resistance[65], their ruling Qamishli and Hasakah together with the regime[66] and additionally Masoud Barzani's statements that the regime ceded some areas to the PYD[67] seem to confirm both the above allegations and the tacit cooperation between the two. Another allegation related to the above is that the PYD/PKK was assigned to maintain the

[61] Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, ps.15-16 ; İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN ; The Kurdish Democratic Union Party, Carnegie Middle East Center, 01.03.2012, accessed on 30.12.2018, available at https://bit.ly/2C6cpvr

[62] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.4 ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.12 ; PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, 06.07.2015, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK ; Tayiz, PKK'nın çapraz ilişkileri

[63] Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, p.15 ; Okyay, Turkey's post-2011 approach to its Syrian border and its implications for domestic politics, p.835

[64] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.5 ; Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, p.13 ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.12 ; PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, 06.07.2015, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK

[65] Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, p.12 ; Acun and Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.3 ; Tayiz, PKK'nın çapraz ilişkileri,

[66] In these two cities, the regime continues to offer the municipal services and also to pay the salaries of the civil servants, for more information, see, *ibid* ; *ibid* ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.13

[67] Acun and Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.3 ; PYD has authority only on regions "given by the al-Assad regime": Iraqi Kurdish leader Barzani, Hürriyet Daily News, 14.11.2013, accessed on 07.01.2019, available at https://bit.ly/2VC0zSv

security in the northern parts of Syria by the regime[68] supposedly within the frame of this tacit cooperation. The regime's deploying its forces to the centre and south of the country and the PYD's squelching the Kurdish opposition for the sake of violating human rights[69], in my opinion, confirm the above allegation.

On its own behalf, Assad's decision to collaborate with the PYD/PKK was a good step in that; (i) he divided the opposition, (ii) he divided the Kurds, (iii) he pooled the PKK/PYD to his corner and (iv) he made a counter-step towards Turkish government that supports the regime change in Syria. The PYD pervaded quickly to the north and north east of the country, declaring three cantons in Afrin, Kobane and Jazira, the areas that it took over easily. This was followed by the unilateral declaration of de facto autonomy by the PYD in the above areas.[70] Ruling of the areas captured by the PYD was to be carried out by the Kurdish Supreme Committee that would be formed of members from the KNC and the PYD. However, the PYD seized the full control of the area thanks to its military wing, the YPG,[71] and it established what they call an "alternative new political system", which is in line with the Öcalan's ideals.[72] This unilateral initiative of the PYD was a clear violation of the agreement they made with the KNC, making the Kurdish Supreme Committee obsolete. This evidently demonstrates that the PYD had its own agenda about the north of Syria and was not in the pursuit of compromise, negotiation or cooperation with any Kurdish factions indeed.

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[68] PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, 06.07.2015, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK

[69] The Kurdish Democratic Union Party, Carnegie Middle East Center, 01.03.2012, accessed on 30.12.2018, available at https://bit.ly/2C6cpvr ; Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, ps.19-22-23 ; 06.07.2015, PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK

[70] Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, p.16

[71] Köse, Rise and Fall of the AK Party's Kurdish Peace Initiatives, p.152 ; İşte PYD'nin başındaki asıl kişi, Sabah, 01.03.2016, accessed on 25.12.2018, available at https://bit.ly/2FrH1uN

[72] Schott, From the Forgotten People to World-Stage Actors: The Kurds of Syria, p.16

In Syria, it was forbidden for all the Kurdish parties to carry out political activities prior to uprisings, and this prohibition went on after the uprisings. However, it was only the PYD that was immune to this prohibition.[73] The regime turned a blind eye to their carrying out political activities, what's more, they supported it. The locals were suppressed by the PYD, al-Mukhabarat and PKK, and any voice opposing both to the regime and to the PYD were not tolerated.[74] The oppressions towards the Kurdish opponents by the PYD-YPG became apparent in a tangible and unfortunately bitter way in the city of Amuda in June 2013[75], which is known as the "Amuda Protests". In the course of these protests, between 7-10 people were killed and some 50 were injured in consequence of the fire opened by the YPG forces with heavy machine guns, and also many were arrested following the events.[76] In addition, the PYD has pursued the policy of intimidating the Kurdish politicians and supporters who compete with them and refuse to engage in dialogue with the regime.[77] These policies of intimidation include the following practices: (i) threat, (ii) arbitrary arrests and detention, (iii) unfair trials, (iv) kidnappings and (v) unsolved murders.

The current leader of the Future Movement (one of the leading Kurdish political parties in the north of Syria), Siamend Hajo, stated in a panel he attended in Istanbul in 2018 that the PYD, unlike their political discourses, has a similar ideology with the Baath Regime and it has no tolerance at all to Kurdish opposition.[78] He also added that the PYD

[73] 06.07.2015, PKK'nın Suriye hamlesi nasıl okunmalı? Timeturk, accessed on 22.12.2018, available at https://bit.ly/2QxTnmK
[74] *ibid*
[75] Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, p.12 ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.13; Acun and Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.3 ; Kurbanoğlu, Unutulan "Amude "Katliamı" ve Hatırlattıkları
[76] As the Amuda Protests are out of the scope of this chapter, the reader may refer to the pages of 44.45.46 and 47 of the Human Rights Watch report and Kurbanoğlu's column for more detailed content of the events.
[77] Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, ps.19-20-21 ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.13 ; Pyd'nin Muhalif Kürt Siyasilere Tahammülü Yok, HABERLER.COM, 24.03.2018, accessed on 13.01.2019, available at https://bit.ly/2FoSBY7
[78] *ibid* (hrw + haberler)

threatened the small-sized parties and the KNC, he himself was also threatened with death if he went on criticising the PYD and the Kurdish opponents were either killed or forced to leave the area by the PYD or they disappeared.[79] And, he concluded that more than 40 politicians were the victims of unsolved murders. According to the Human Rights Watch June-2014 report, the PYD authorities did not admit any allegations that they had a role in the unsolved disappearances and murders and put the blame on the regime forces.[80] However, opponents from the other parties and some victims' relatives blamed the PYD. According to the same report, while these allegations still require conclusive evidence about the PYD's involvement in these events, what is certain is that the PYD did not thoroughly inquire into these deaths and disappearances.

The most conspicuous case of the unsolved murders is the assassination of Meshaal Temmo, a Kurdish politician and the former leader of the Future Movement, in his house by masked gunmen in October 2011.[81] While it was the regime that was blamed to a large degree,[82] some sources claim that the PYD might have a role in his murder.[83] On the other hand, "Nasname", a pro-Kurdish news portal advocating an independent Kurdish state, argues that Meshaal Temmo was threatened by the PYD just a week before he was murdered and the PYD had a role in this murder together with the Syrian regime.[84] That said, the murders targeting the Syrian Kurdish opponents continued the following months. One of the most important of these is the assassination attempt of Abdullah

[79] *ibid* ; *ibid*
[80] Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria, report of the Human Rights Watch, p.34
[81] *ibid* ; Acun and Keskin, The PPK's Branch in Northern Syria: PYD-YPG, p.12 ; Acun and Öner, IŞID – PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.3
[82] *ibid*
[83] The Kurdish Democratic Union Party, Carnegie Middle East Center, 01.03.2012, accessed on 30.12.2018, available at https://bit.ly/2C6cpvr
[84] PKK/KCK Yalan Söylüyor!, Nasname, 16.01.2012, accessed on 14.01.2019, available at https://bit.ly/2HmxDuL ; "Suriye'de Çirkin İttifak; PKK/PYD Esad'ın Emrinde! (Güncellendi), Nasname, 07.12.2016, accessed on 14.01.2019, available at https://bit.ly/2TQoYSC

Bedro.[85] A. Bedro, one of the most influential tribal leaders of the region, was assaulted in his home (like Meshaal Temmo) in January 2012, which is three months after the Temmo's murder. Abdullah Bedro was saved from the assault, being critically wounded, yet his three sons lost their lives. In the meantime, one of the assailants was badly injured during the assault and then died in the hospital in Qamishli. A number of claims were made that the assault was carried out by the PKK. The PKK did not claim the attack and put forward that it was carried out by the Turkish counter-guerrilla troops. And then, it was claimed by the PKK that the assault was carried out by the Syrian army. However, soon after everything became evident. The assailant, Mahmut Muhammed, who lost his life in the hospital, proved to be one of the high-ranking executives in the PKK code name "Xebat Derik" and was presumably sent to Syria by an order. After that, the PKK had to take a step back from its claims.

In my opinion, the PYD-YPG's pursuing its own agenda (in other words the PKK's agenda) in the north of Syria, collaborating with the regime to that end and even confronting the other Kurdish factions in the region did not suit their discourse that they are representing the whole Kurds in the region. What is apparent in terms of the Kurdish population of northern Syria is that they were torn between the PYD-YPG and the regime. Not to speak of the regime, the Kurds' being oppressed by their own co-ethnics (the PYD-YPG) inflicted a deep wound in their collective memories, causing them to lose their trust in PYD-YPG. Admittedly, this deepened the already existing disunity within the Syrian Kurds.

[85] PKK/KCK Yalan Söylüyor!, Nasname, 16.01.2012, accessed on 14.01.2019, available at https://bit.ly/2HmxDuL ; Bedro Suikastından PKK-Suriye İttifakı Çıktı, Haksöz Haber, 09.02.2012, accessed on 13.01.2019, available at https://bit.ly/2Hm2RlH ; Bedro suikastından PKK-Suriye ittifakı çıktı, timeturk, 09.02.2012 accessed on 14.01.2019, available at https://bit.ly/2XCbD3o ; Nihal B. Karaca, PYD'nin buharlaştırdığı Kürtler, Haberturk, 03.02.2018, accessed on 12.01.2019, available at https://bit.ly/2R2NRZy

1.4. Framing Rojava

As we have mentioned in the PYD-YPG section, the areas of the north and north-east of Syria were deserted by the Syrian regime in 2012 allegedly deliberately with a view to paving the way for the PYD to assume dominance over those areas. This was followed by the PYD's immediate spread to and deployment of its armed forces in those areas, from Qamishli in the east to Afrin in the west except for the pocket territory between Afrin and Kobane (the area where the cities of Azez and Cerablus are located). In what followed, the PYD designed Jazira in the east, Kobane in the centre and Afrin in the west of northern Syria as cantons, and then declared the autonomous Kurdish region of Rojava by gathering the three cantons under the collective name of "Rojava" for the purpose of representing the Western Kurdistan.[86]

Kurdish self-rule in the Rojava autonomous region in the north of Syria has a profound impact in terms of the KCK administration and of the parties affiliated to it. Güneş and Lowe attribute this profound impact to Rojava's being first initiative at the administrative level that put Abdullah Öcalan's political theory of democratic confederalism (democratic autonomy) into practice.[87] In a similar vein but being a bit more elaborative, Kaya and Whiting argue that Öcalan's theory of democratic confederalism was just an idea prior [88]to Rojava, yet the emergence of Rojava within the frame of Öcalan's governance doctrine fleshed out his and the PKK's ideology. In essence, Öcalan's ideology of "democratic confederalism" rejects the nation-state and offers a bottom-up, decentralized and secular government units with a particular emphasis on women and minorities.[89] Güneş and Lowe also argue that Rojava administration is

[86] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, ps.4-10 ; Resch, Syria's Impact on the Kurdish Peace Process in Turkey, p.7
[87] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.5
[88] Kaya and Whiting, Sowing Division: Kurds in the Syrian War,
[89] *ibid* ; Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.5

being closely watched by the Kurds in Turkey, Iraq and Iran, where he attaches particular interest in the Kurds in Turkey. Here, if they mean only the KCK's grassroot, this is plausible. However, if they mean the whole Kurdish population across the Middle East, this is debatable considering the political (western v.s. eastern and conciliatory v.s. radical), sectarian (Alawite v.s. Sunni), and cultural (religious v.s. Marxist) divisions among the Kurdish peoples across the region. In my understanding, it would be misleading to argue that the Autonomous Kurdish Region of Rojava has been able to survive since its declaration and to present this as a success of Öcalan's system. While offering and favouring a democratic autonomy with a particular stress on women and minorities, the question of whether the PYD/YPG is democratic enough for their co-ethnics in the north of Syria requires a close scrutiny. To be more precise, whether Rojava under the PYD/YPG rule has been surviving since its declaration by means of full public support or by means of the imposition and oppression of militarily dominant PYD/YPG requires an in-depth inquiry. The Amuda Protests and the fact that the critical voices, activists and journalists were expelled from Rojava and that the KNC was not allowed to carry out activities and organize in Rojava give us clues as to how Rojava has been surviving under the PYD/YPG rule. In this sense, one can even argue that Rojava made the already existing fragmentation among the Kurds bare and even deeper. Nevertheless, we can argue that Rojava administration has been closely monitored by the Turkish state and the KRG, particularly by Turkey. The unilateral declaration of Autonomous Kurdish Region of Rojava by the PYD in the north of Syria increased Turkey's concerns in terms of the security of its southern borders. As it is known, Turkey has border with Syria in the south for approximately 911 kilometres. And, now more than two-third of this borderline is under the control of PYD/YPG. For sure, this emerging situation was considered by Turkey as a threat to its security. On the other hand, Rojava fuelled the Kurdish nationalist

sentiments and also revived the passion of an independent Kurdish state by recasting the borders of neighbouring countries, namely Turkey, Syria, Iraq and Iran.[90]

1.5. Framing the Kobane Crisis and Its Effects on the Turkish and Kurdish Peace Process

The city of "Kobane" or "Kobani", also called in Arabic as "Ayn El-Arab", is located in the North of Syria very close to Turkey's border. Kobane is the middle one of the three cantons that were established by PYD in the "Rojava" region, which is called the "Western Kurdistan" by the Kurds.[91] The fact that the city is considered to be the stronghold of PYD and its constituting one of the three cantons declared by the PYD within the frame of autonomy makes the city of spiritually importance in the eyes of Kurds.[92]

In the fall of 2014, Kobane became the primary agenda not only of the Turkish and Kurdish peace process but also of the world opinion, since the city was encircled by the ISIS on three sides (on the east, south and west).[93] As a matter of fact, the fight between the PYD-YPG and ISIS started in July.[94] However, as the ISIS gradually captured the surrounding villages of Kobane and as it became clear that the city would soon be occupied by the ISIS,[95] the PKK/PYD and the NGOs affiliated to them, the HDP and Masoud Barzani (despite the rivalry between the KRG of Barzani and the PKK/PYD) called for help from the international and local actors to prevent the ISIS from capturing

[90] Resch, Syria's Impact on the Kurdish Peace Process in Turkey, p.14
[91] Nuri Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış (Eylül 2014 – Haziran 2015), Avrasya Sosyal ve Ekonomi Araştırmaları Dergisi (ASEAD), Cilt 5, Sayı 2, (2018), 59-77, p.59
[92] Hursid Deli, Kobani Savaşı'nın Etkileri ve Sonuçları, Aljazeera Turk, 12.10.2014, available at https://bit.ly/2Uhl5H7
[93] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.7 ; Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış p.61 ; Acun and Öner, IŞİD-PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.5
[94] Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış p.61
[95] Acun and Öner, IŞİD-PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.7 ; Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış p.65

the city.[96] Upon this call for help, local and international actors took the action.[97] The Peshmerga Forces of the Kurdish Regional Government of Iraq entered Syria via the humanitarian corridor opened by Turkey, on its borders facing Kobane. The Peshmerga Forces united there with some brigades from Free Syrian Army and started attacking the ISIS. In the meantime, the Coalitions forces led by the US started a heavy air bombardment against the ISIS positions. At the end, the ground attacks by the YPG, Peshmerga and FSA forces, and heavy air bombardments by the Coalition forces forced the ISIS to retreat from Kobani. It is also stated that El Ekrad Front, conservative Kurdish group in northern Syria moving in concert with the FSA, also took part in the fight against ISIS. This is what is commonly known about Kobani besiege and its aftermath. Even though the city was rescued from the besiege of ISIS, what had happened or what had gone wrong that the Turkish and Kurdish peace process was derailed? Was it just because of Turkey's reluctance to help Kobani besiege at the beginning? Did Turkey do as much as it could for Kobani? What were the demands of the HDP from the Turkish government for Kobani? These particular issues require deeper analysis of the event. Because, not only both sides have contradicting narratives about Kobane issue, but also it caused the parties to lose trust in each other that had never been built up, but which was in the process of building up. So, let's go deep into the Kobani events, assessing them through both sides' lenses.

As it became apparent that the situation in Kobane was desperate in terms of the defenders and the city was going to fall soon, the HDP (the PKK's political wing)

[96] Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış, p.66 ; Acun and Öner, IŞİD-PYD Çatışmasının Sıcak Cephesi: Ayn El-Arab (Kobani), p.7 ; Kaya and Whiting, Sowing division: Kurds in the Syrian War, 79-91

[97] Gunes and Lowe, The Impact of the Syrian War on Kurdish Politics Across the Middle East, p.7 ; Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış (p.67 ; Kaya and Whiting, Sowing division: Kurds in the Syrian War, 79-91

requested from the government the following:[98] (i) a humanitarian corridor should be opened from the Turkish border to Kobane and (ii) other PYD-YPG forces based in Afrin in the west and Cezire in the east of Kobane and the Peshmerga Forces based in the Kurdish Regional Government in Iraq should be allowed to use this corridor within the Turkish borders to reach Kobane as a military reinforcements. Even, Resch argues that the Kurds asked the Turkish government to intervene in Kobane on behalf of the Kurdish community.[99] However, the Turkish government preferred not to act individually and also dismissed the option that the government should allow the PYD-YPG fighters to reach Kobani through its borders, since they are affiliated with the PKK.[100] Instead, the Turkish government accepted 180.000 Kurds who deserted the city. This decision of the Turkish government was perceived by the HDP and its grassroots as a discrimination against their co-ethnics in Kobane. What's more, they accused the government of supporting the ISIS.[101] What followed was that the HDP co-chairman, Selahattin Demirtaş, urged the party grassroots to protest against the government,[102] which is commonly known as October 6-8 incidents. In the course of these events, more than 50 citizens who were also Kurdish lost their lives. Angry crowd burned down and plundered both the public and private buildings. It seemed as if the HDP grassroots had tried to take revenge from the AKP government due to their policy preference about Kobane by attacking the devout Kurdish people whom they thought to be the ISIS supporters. Interestingly, however, 6th of the October was the day when the Turkish government opened its borders and accepted

[98] Asli S. Okyay, Turkey's post-2011 Approach to its Syrian Border and its Implications for Domestic Politics, International Affairs, 93:4, (2017), p.843
[99] Resch, Syria's Impact on the Kurdish Peace Process in Turkey, p.9
[100] Okyay, Turkey's post-2011 approach to its Syrian border and its implications for domestic politics, p.843
[101] Köse, Rise and Fall of the AK Party's Kurdish Peace Initiatives, p.152 ; Resch, Syria's Impact on the Kurdish Peace Process in Turkey, p.9
[102] "*Ey Demirtaş… Ümmetin, hususen de Amed'n Müslümanları seni unutmayacak, Tarih seni unutsa da…*," Medya VİZYON, Streaming Video, 06.06.2015, https://www.youtube.com/watch?v=Kns-L0zMFio

170.000 Kurds fleeing from Kobane to save them from the likely ISIS atrocity. The total number of Kurds welcomed in Turkey during the clashes amounted roughly to 200.000.

On the other hand of the continuum was the Turkish policy makers, who found themselves in a serious dilemma.[103] As it was obvious, the ISIS was a big threat not only to the Middle East but also to the whole World owing to its cells that were waiting to be activated. However, Turkey was much more vulnerable to ISIS attacks due to its proximity to the conflict zone geographically. In fact, ISIS had started targeting Turkey in March 2014, when they assassinated 2 Turkish security officials in the city of Niğde.[104] What's more, Turkey's staff of Consulate General in Mosul (49 people) were being held as hostages by ISIS in Iraq when the clashes started in Kobane between the PYD and ISIS. Therefore, the Turkish state was considering the ISIS as a great threat to its security. As a matter of fact, on the second of October 2014, just 4 days before the Kobane events, the Turkish government passed a resolution in the parliament that was going to ease the government's hand in fighting against all the terror threats in the region, the ISIS in particular.[105] In short, according to the resolution, the Turkish government was able to take all the necessary precautions within the frame of international law against any terrorist threat that would come from Iraq and Syria, perform cross-border military operations when necessary, provide support for the Coalition forces and provide bases for external military forces for the purpose of fighting against terrorism in the region. While the AKP and MHP voted for the resolution, the HDP and CHP voted against it. Considering the fact that the clashes in Kobane between the PYD-YPG and ISIS were at

[103] Kilic Kanat and Kadir Ustun, U.S.-Turkey Realignment on Syria, Middle East Policy, Vol. XXII, No.4, (2015), pp.88-97, p.91
[104] *ibid*
[105] Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış p.66 ; Hilal Köylü, Tezkere meclisten geçti, Deutsch Welle Türkçe, 02.10.2014, available at https://p.dw.com/p/1DPBi ; Canlı: Suriye-Irak tezkeresi TBMM'de kabul edildi, BBC NEWS Türkçe, 02.10.2014, available at https://www.bbc.com/turkce/haberler/2014/10/141002_tezkere_canli

their peak, this stance of HDP about the resolution caused them to be subjected to the criticisms of being insincere. In my understanding, the HDP's voting against the resolution was disheartening for both the government and the public, which put a question mark in the minds related to their approaches to both the PYD-YPG policies in the northern Syria and the peace process between them and the Turkish government.

On the other hand, the Turkish government's accepting approximately 200.000 Kurds fleeing from Kobane evidences that they did not discriminate the Kurds from Kobane what so ever. The reason that made them feel in a serious dilemma was (i) ISIS threat and (ii) PYD-YPG affiliation with the PKK. In fact, when the government passed the resolution in question on the 2nd of October, the ISIS released a message of threat to Turkey through their Twitter address called "Islam Devleti-Haber".[106] The massage included the following: "*Turkey will pay a heavy price if they participate in "the Crusades" (ISIS regards and defines the Coalition Forces as "the Crusades") and Turkey will not be safe anymore if they are involved in this war because we have thousands of sleeper cells in Turkey*". On the other hand, Turkey's not permitting the PYD-YPG forces to reach Kobane was due to the fact that Turkey regarded them as Syrian offshoots of the PKK. In a political party group meeting on 20 Oct. 2014, the then-Foreign Secretary, Çavuşoğlu replied a question of whether the Peshmerga Forces crossed the Turkish or not as follows;[107] "*They did not. First the PYD and the Peshmerga should come to terms on this. They cannot agree on terms between themselves at the moment. The PYD does not want any other force apart from themselves in Kobane. They do not want the Peshmerga either. Because, they want to protect their area of influence in that region. They do not care about Syria. Our line of conduct is loud and clear. We do not*

[106] Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış p.66
[107] Yazıcı, Kobani (Ayn El-Arap) Kuşatması Bağlamında Uluslararası İlişkilere Bir Bakış, ps.69-70

provide the PYD with weapons. We do not stage a land assault either. However, Peshmerga is a legitimate constitutional force according to the Iraqi Constitution and (in compliance with the recently-accepted resolution in the Grand National Assembly of Turkey), it is legal for the Peshmerga Forces to use the Turkish borders to reach Kobane. Now, they want to support the PYD through our lands. This demand is a legal one for us." As for Turkey's help to Kobane, Marie Harf, the US assistant spokesperson for Foreign Secretary of then, uttered the following in her daily press conference;[108] "*Turkey's allowing the KRG forces (she means the Peshmergas) to cross Kobane over its borders is an important contribution to the efforts of the Coalition Forces to support those in Kobane. Turkey is doing extremely good jobs*". She also added that she did not agree with the criticisms that Turkey does not help Kobane. In a similar vein, the then-Prime Minister, Davutoğlu stated during that period that "*We did all kinds of help even though we have been subjected to unjust accusations. We gave a hand to Kobane. Some are known, and some are unknown by the public. We still keep on helping*."[109] During the clashes, some PYD fighters, even though the exact number is unknown, were allowed by the Turkish government to be treated by the Turkish health professionals in the border gate of Mürşitpınar.[110] Presumably, what the then-PM Davutoğlu meant by "some aids that we provided are unknown by the public", was the treatment of PYD fighters by the Turkish health professionals. For sure, this would have triggered a harsh criticism for the government if it had been made public.

In my understanding, Kobane Crisis should be regarded as a breaking point between the parties when there was still hope for peace. The siege of Kobane strengthened

[108] *ibid*
[109] *ibid*
[110] International Crisis Group (ICG), Turkey and the PKK: Saving the Peace Process, p.35 ; "Wounded Kobani Fighters Taken to Turkish Frontier", *World Bulletin*, October 27, 2014, available at https://bit.ly/2UgPoxK

ethno-nationalist sentiments in the Kurdish population across the Middle East at the grassroot level. The liberation of Kobane from the ISIS meant the consolidation of Rojava autonomous region in the eyes of common Kurdish locals, which instilled them the hope of an independent state of Kurdistan.

In Turkey's context, however, the PKK and the HDP manipulated the Kobane siege as a means by which to outmanoeuvre the Turkish state, thus exploiting it for their own benefit in an attempt to achieve their targets of internal mobilization. In particular, the attitude the HDP assumed at initial phase of the Kobane siege and 6-8 October Events caused a great disappointment on the Turkish side. Similarly, the Turkish state's inability to act at the beginning of the crisis upset the HDP politicians.

In the midst of all this, a civil society organization called "Federation of Socialist Youth Associations" organized an activity in the Suruç district of Şanlı Urfa in July 2015 in order to deliver supplies to Kobane. The group convened in the Amare cultural centre. During the press statement, a suicide blast was organised by the ISIS, as a result of which 32 activists were killed and more than 100 of them were injured.

The PKK and the HDP held the state responsible from this event and the PKK responded this suicide blast by assassinating two police officers in their sleep after midnight in the Ceylanpınar district of Şanlı Urfa.[111] Thus, despite some interruptions, the cessation of hostilities that had been in effect since the late 2000s and the ongoing peace negotiations gave their place to armed clashes again. These two consecutive events made the Turkish state adopt an explicitly hard-line policy against the PKK, the PYD and the ISIS.

We can claim with confidence that the Syrian Civil War acted as a spoiling agent and worked against the Turkish and Kurdish peace process. In my understanding, the

[111] Okyay, Turkey's post-2011 Approach to its Syrian Border and its Implications for Domestic Politics, p.839

emergent political context in the north of Syria jeopardised the internal security and territorial integrity of one side, while it provided a golden opportunity for the other side in terms of self-rule. This made it impossible for the parties to absorb this new status quo. Rather than trying to devise a novel policy in the face of this new status quo, the parties were distracted and started to reconsider the cost-benefit calculus of the peace process that they had been sustaining for a while despite some problems and interruptions. So, the final attempt on the way to peace was tragically terminated due to the regional dynamics.

CONCLUSION

The mass citizen uprisings, which resulted in the regime change first in Tunisia and then in Egypt and which came to be known as the Arab Springs, spread to Syria in the early 2011. The protests that started in a modest mode turned into a bloody civil war due to the Syrian regime's harsh response to the protestors. The multi-ethnic and multi religio-sectarian structure of Syria made this civil war so complicated that the issue took on an international dimension, rather than being the domestic issue of Syria. In the authority gap that developed out of the civil war, a number of non-state actors mushroomed in Syria, each of which was in the pursuit of its own policy objectives. The emergent situation, for sure, had important regional implications in terms of neighbouring countries. However, it is Turkey that was negatively affected by the Syrian Civil War at most considering the 911 km border line between Turkey and Syria. While the Syrian Civil War brought with it a number of serious domestic and external troubles to Turkey, it offered the PKK unusual opportunities.

The PKK adopted a new policy after the Adana Protocol between Turkey and Syria, and by establishing the sister organizations in Syria, Iraq and Iran, the organization put its plan of becoming a regional power into action in the region. The vacuum of

authority in the north of Syria due to civil war was a perfect test in implementing their new policy.

The PYD, the Syrian offshoot of the PKK, co-operated with the Syrian regime and squelched the Kurdish factions that opposed to both the regime and themselves. In addition, the PYD gained dominance in mostly-Kurdish populated areas of the northern Syria. This is to such an extent which corresponds to the two-third of the Turkish-Syrian frontiers. What's more, the PYD unilaterally declared the Kurdish Autonomous Region of Syria in late 2013/early 2014. The fact that the PYD was established by the PKK (like the other branches of the PKK in northern Iraq and Iran), that it is one of the members of the KCK, an umbrella organization led by Öcalan, and that the organization's initial base before the Syrian War was in the Qandil Mountains, where its top cadres were trained and indoctrinated, caused a great unrest and tension in Turkey.

The Turkish Republic, which was founded on the principles of secularism and territorial integrity, perceived this new status quo in the north of Syria as a great threat to its internal security and territorial integrity. Whereas, according to the PKK, the PYD's gains in the north of Syria were valorised as tools thanks to which they could force Turkey into a corner in the ongoing negotiations. The PYD's position and Kurdish Autonomous Region of Rojava in the northern Syria contributed to the resurrection of the idea of an "independent Kurdish state" which the PKK gave up in the late 1990s. This resulted in two significant consequences in terms of the peace process. The first one is that Turkish policy-makers lost trust in Öcalan and the PKK, and this left a question mark over their minds as to where this process would lead. Also, Turkey changed its prudent approach towards the PYD and started to observe its mobilization in the northern Syria more closely. The second, however, is that the PKK viewed the new status quo as an enticing alternative on the way to an independent Kurdish state for which they had been fighting

for more than thirty years. As a result, both sides were distracted by the emerging status quo in the northern Syria, which led them to reconsider the process in terms of cost-benefit calculus. In the midst of all this, the parties experienced the Kobane Crisis.

The ISIS sieged the PYD's stronghold, Kobane, from the three sides towards the end of summer in 2014. The HDP asked the Turkish government to allow the PYD-YPG fighters from the Turkish borders overlooking Kobane, the only side that was not surrounded by the ISIS. However, Turkish state rejected this request on the grounds that the PYD-YPG were the Syrian versions of the PKK, and instead Turkey stated that it could allow the Peshmerga forces from the KRG, for they are legitimate. Upon this, the HDP co-chair, Selahattin Demirtaş, invited the party's grassroots on the streets to protest the state's decision. However, some 50 citizens were killed during these protests. In what followed was the PYD and the KRG agreed on the terms of the Peshmerga forces' intervention in the Kobane defence through Turkish borders. In the end, Kobane was cleaned up from the ISIS thanks mainly to the Peshmerga Forces and the US heavy bombardment on the ISIS forces. The siege of Kobane by the ISIS and then the liberation of the city stirred the ethno-nationalist sentiments even in the moderate Kurds throughout the region and revived the idea of an independent Kurdish state.

The PKK and the HDP capitalized on the Kobane clashes as a means by which to achieve their internal mobilization targets, while the attitude the HDP assumed during these clashes leading to the 6-8 October Events caused a great disappointment in the Turkish state. Turkey began to suspect how the peace process would be concluded considering the new political context in the northern Syria, while for Öcalan and the PKK the gains through the PYD-YPG were too attractive to sacrifice. Sadly, the aftermath of peace process between the parties became "hanged on by a thread", yet the cease-fire was not broken. The particular event that broke the cease-fire was the suicide blast by the ISIS,

after which the PKK assassinated two police officials by holding the Turkish state responsible for the suicide attack. So, the Syrian Civil War infected and then derailed the ongoing peace initiative between the parties. This resulted in the parties' being distracted from what they had been struggling for some time, and what is worse, the cessation of hostilities between the Turkish state and the PKK ended due to a suicide blast that was exported to Turkey by the regional dynamics.

Chapter-6

Concluding Remarks

This thesis scrutinized back-track intervention within the frame of mediation in terminating protracted intractable conflicts with a specific emphasis on The Oslo Peace Talks between the Turkish and Kurdish delegates. Particular object of the inquiry was "how was the back-track enterprise of mediation instrumental in Turkish and Kurdish negotiation process in Oslo"? I investigated this by considering the following questions:

>>> What makes mediation distinguished among the other forms of conflict management?

>>> Why back-track mediation is needed in violent intractable conflicts?

>>> How was back-track mediation implemented in Turkish and Kurdish peace talks in Oslo?

>>> What were achieved thanks to back-track initiative in the Oslo Talks?

>>> What are the limitations of mediation?

>>> Is the Oslo Peace Process a success or a failure?

- Emergence of the Kurdish Question in the region and in Turkey

The collapse of the Ottoman and Safavid empires in the wake of the 1st World War resulted in the establishment of the four nation-states in the Middle East (Turkey, Iran, Iraq and Syria.) These four nation-states, which were affected from both the French Revolution and the nationalist movements of the era they were going through, followed

mono-nationalist policies. The distinct ethnic groups within the confines of these states found themselves under an extreme pressure and suppression caused by these policies. It was the Kurds of the region that were affected from these policies most. What followed was that the four nation-sates went through a number of reactions and uprisings by their Kurdish citizens in that period. So, the Kurdish Question of the Middle East erupted as a regional phenomenon from the very beginning. Regionality of the Kurdish issue contributed greatly to its morphing into an intractable conflict. Jacobianized version of Turkish nationalism in the later years of the Republic accompanied by secular and centralized administration were the three factors that ignited the Kurdish uprisings in Turkey.

The major cause of intractable conflicts is the inability of or deliberate denial by governing structures in addressing the basic needs of anyone of their constituencies. These conflicts are long-standing in nature and do not lend themselves to a settlement easily, which grants them a kind of dynamism that they are prone to create new issues and agenda (overlapping issues) during their life-cycle. In other words, these conflicts are like a malign living organism in the state of constant evolution. Our analysis over intractable conflicts and Kurdish Question of Turkey demonstrated that Turkish and Kurdish conflict fits perfectly well into intractable category. The issues that overlapped during the long-standing nature of the conflict made the Turkey`s Kurdish question intractable.

- Mediation

Mediation is the act of intervention by a third-party in any conflictual case where adversaries seek the assistance of, or accept an offer of help from an outsider (i.e. an individual, an organization, a group or a state) in an attempt to amend their perceptions

and behaviour without employing violent means. Mediation is extremely alluring than the other forms of conflict management in respect that it disallows rendering binding decisions on behalf of the parties. Thus, it allows conflicting parties to retain the control over the outcome of their disputed issue(s). Further to this, adversaries are free to accept or turn down the offer of mediation or mediator`s proposal, so it also protects the sovereign images of parties.

Mediation is a contextually-dependent act that can affect or is affected by the overall context where it is practiced. The contextual variables are (a) *sui generis* attributes of the parties, (b) the issues or the nature of the dispute (the issue(s) object of the conflict, timing and duration of the intervention, and fatalities and severity of the conflict at the time of intervention), (c) the mediating agent/mediator, and (d) internal & external contexts in which the conflict occurs. These variables have a bearing on whether the initiated peace process will succeed or fail. This thesis confirms that democratic regime types of adversaries and parity in power, economic & political capabilities and historical friendly relationships contribute greatly to peaceful outcome. Also, it became clear that the identity of mediator (who the mediator is) is crucially significant for the act of mediation to start. S/he must be an acceptable figure by parties. If mediator is not accepted by parties, we cannot talk about mediation. The attributes such as neutrality, impartiality and objectivity encourage parties to accept the mediator. The likely solution should be focused on adversaries` interests, not the mediator`s. Mediator must have no personal or organizational preference that the conflict be settled in one way rather than another. If this happens, the attained peace agreement will not be long-lasting.

Another factor greatly affecting the outcome of peace initiative is the timing of peace effort. That`s to say, mediation should be embarked on at such a time that adversaries should not only accept the mediator, but also they should be ready for co-

operation towards settlement. This is only possible if the conflict is ripe and this ripeness is recognized by adversaries and third-parties. The present study acknowledges that Zartman`s "theory of ripeness" is of predictive value and help detect whether a given conflict is ripe or not. We cannot expect each mediation attempt to settle the conflict. Our findings suggest that any mediation initiative should be deemed as successful if it has achieved any form of settlement (be it full or partial settlement) or has halted violence through securing a cease-fire.

>>> Intractable Conflicts & Mediation

Intractable conflicts spawn catastrophic consequences for warring factions. Societies going through such conflicts have been long subjected to violence that not only causes vast human suffering and property damage but also brings about immense social and psychological destructions. Further to this, such conflicts have a great potential to spill over into neighbouring geographies. Due to extreme polarization, adversaries assume a rigid attitude that precludes them from clearing the way for communication. Our analysis on this issue revealed that parties to the intractable conflicts could hardly initiate a peace process on their own without the helping hand of a third-party and that this elevated mediation to the prime position in approaching intra-state protracted conflicts.

This thesis lays a particular emphasis on the fact that "Tracks of Diplomacy", a tool-kit mediation offers, is what makes mediation enterprise extremely instrumental in dealing with violent intractable conflicts. Selection of any track when initiating mediation is crucial, for each track has its own strengths and weaknesses. Here, the context of conflict is a governing factor for any track to be chosen. The ingredients of this tool-kit and how they function can be summarised as follows;

>>> Track-1: It is generally implemented in extreme human rights violations and huge human suffering, thus involving peace keeping operation through military intervention.

>>> Track-2: This is initiated by non-official representatives of the parties, thus the agreements concluded at this track may not assume official status.

>>> Track-1,5: This enables mediator to utilise strengths of the tracks 1and 2. Yet, here the selection of mediator may be problematic in the sense of whether to choose official or non-official one.

>>> Track-3: The whole peace process is conducted at the grassroots level. This is good for healing communal traumas, yet this can only be applied at the times of cease-fire.

>>> Back-track: As can be understood from the term "back-track" or "back-channel", this track is carried out deliberately in secrecy. Our analysis of the tracks revealed that back-track is the merit of mediation and secrecy is the best card of it. This thesis advocates that the strengths of back-track far outweigh its weaknesses. It is highly efficacious particularly in respects that;

>>> It can counter-balance all complexities of protracted intractable conflicts
>>> Diplomatic impasse can only be managed and overcome through back-track.
>>> It has great potential to secure an immediate cease-fire in violent intractable conflicts.

In violent intractable conflicts, the primary concern of the world public is extreme human suffering and huge numbers of civilian casualties. So, the immediate objective of any initiative is to halt this. The above three aspects of back-track mediation, the last one in particular, are vitally important in arresting casualties. The most enduring conflicts of

the 20th century, namely, those between the UK-IRA, the South Africa-the ANC, Israel-the PLO and the Colombian government and the FARC were approached and settled down through back-track enterprises. Further to this, all the peace attempts between the Turkish governments and the PKK were launched through back-track mediation. So, this thesis argues with confidence that back-track mediation is the best diplomacy in going about such conflicts.

>>> The Oslo Talks & Back-track mediation

This thesis argues that previous peace attempts between conflicting parties may well act as ripening agents and also gives an idea about the approaches & negotiating behaviour of the parties. In this sense, one process triggers the other. Our analyses pertaining to previous peace attempts between the Turkish and Kurdish sides demonstrate that each attempt served to instil hope, facilitate building of trust and parties` approach to prospective attempt(s) and negotiation behaviour. The analyses of previous peace attempts by the parties have significant implications for the current and prospective practitioners in their likely execution of any back-track enterprise. First, each process was launched via *back-track* diplomacy, for such conflicts require secrecy (at least at the beginning). Second, mediators of each process were *regional figures*, which was good for the attempt in respect that they have a solid grasp of the situation and are likely to have personal influence on the parties. Former Iraqi President, Jalal Talabani`s close relations with both the Turkish governments of then and Ocalan, and his influence on Ocalan led to cease-fires in two previous peace initiatives between the parties. And last, all mediators used *communication/facilitation* strategy, for intractable conflicts involve extremely delicate issues with almost non-negotiable in nature. So, the parties usually want to retain control of the process. The conduct of previous peace attempts was entirely in line with the theoretical discussion provided in the first and the second chapters. This thesis argues

that the best strategy a mediator should employ is the *communication-facilitation* strategy particularly in protracted intractable conflicts. The former peace initiatives by the Turkish and Kurdish sides were of paramount importance in terms of mapping and guiding the most recent initiative, the Oslo Process.

The Oslo Peace Process between the Turkish state and the PKK started in September 2008 and ended in June 2011. Zartman`s theory ripeness functioned in full before the initiation of the process. The PKK`s giving up its initial aim of founding an independent Kurdish state and socio-economic burdens the conflict had been inflicting for decades were the major ripening factors for the Turkish state, while a drastic change in the state`s engagement with the issue based on democratic reforms and the PKK`s conviction that the armed struggle completed its mission were the major ripening elements for the PKK.

What we know about the Oslo Process in detail is based on the minutes of the fifth meeting that were leaked to the public through a PKK-affiliated news agency (Dicle Haber Ajansi) in September 2011. However, minutes of the meeting provide insights about the process. The Process was launched via back-track diplomacy with the mediator`s own initiative, and the parties were represented by high-ranking officials. Even though there is no particular reference to who the mediator(s) is, our analysis of the available data revealed that British intelligence was the mediator, and the meetings were sponsored by the Norwegian and Swedish governments. My analysis pertaining to the leaked minutes suggests that mediator preferred to remain passive during the meeting and used communication/facilitation strategy. It became clear from the minutes of the meeting that the parties were at the phase of improving empathy and dialogue towards each other. Primary objectives of the meeting were to boost reciprocal trust, to negotiate likely

alternatives to control and contain the armed struggle, and to design an extended series of talks to lead to political compromise.

The Oslo Process contributed to the taboo-breaking improvements in the history of the conflict. The government launched "Democratic Opening" process. This is an umbrella term within the scope of which the government introduced a number of reforms on a legal basis within the frame of fundamental rights and liberties. These newly-introduced legislative regulations are related directly to Kurdish language, which were extremely significant in the recognition of Kurdish cultural identity. Another important step taken thanks to the Oslo Process was the "Habur Organization". This attempt was the boldest initiative ever that could potentially encourage larger PKK groups to descend from the mountains within the frame of further "return-to-home" projects, thus could at least contain the armed struggle. However, this initiative was reflected as a PKK victory over the State by the pro-PKK groups, either deliberately or unwittingly. So, this organization claimed its place in history as a greatest opportunity that was missed. In my understanding, one of the greatest achievements of the Oslo Process was the wondrous "normalisation" period it brought to the region for the first time over the past 30 years. Emancipation of Kurdish language and de-conflict period were highly appreciated by the Kurdish masses in the region. This reflected on the questionnaire survey results that were conducted in the Kurdish populated areas of Turkey. The results showed that overall support by the Kurdish public for the process was 84%. We cannot ignore the legal and socio-cultural acquisitions gained thanks to the Oslo Process. For this reason, even though the process was not concluded with an agreement, it was still a success, albeit limited. The Oslo Process ended due to the leakage of the fifth meeting in September 2011. However, the parties started face-to-face negotiations soon after, which is the following step of back-track diplomacy. I, therefore, regard this period as the next step or

continuation of the Oslo Process. This period of open negotiations ended in 2015, which marked the end of the entire peace process.

>>> Mediation & Regional dynamics as spoiler

The outbreak of the Syrian Civil War had significant regional implications for neighbouring countries. However, the greatest threat posed by the Syrian War was to Turkey sharing 911 km borders with Syria. Our inquiry into the regional implications of the Syrian War demonstrated that the War worked well against the peace process between the Turkish and Kurdish sides. The Syrian War gave rise to such drastic changes at the regional level that while these changes generated serious internal and external troubles for Turkey, they offered exceptional opportunities to the PKK. This can be elaborated in three strands: the rise of the PYD (the Syrian sister organization of the PKK), the PYD`s unilateral declaration of "Autonomous Kurdish Region of Rojava" and Kobane Crisis.

The PKK put into practice a new policy after the Adana Protocol between Turkey and Syria. Accordingly, the organization set up sister organizations in the neighbouring countries (in Iran, Iraq and Syria) in the early 2000s with a view to increasing its sphere of influence, thus promoting to become a regional power. The power vacuum that ingenerated due to civil war enabled the PYD (the Syrian branch of the PKK) to gain dominance through the YPG (the armed wing of the PYD) in the Kurdish-populated areas of the northern Syria. The area of dominance by the PYD came quickly to cover more than two-thirds of Turkish and Syrian borderline. The organization, then, created three cantons under the names of Jazira (in the east), Kobane (in the middle) and Afrin (in the west), which was followed by the unilateral declaration of Autonomous Kurdish Region of Rojava next to the Turkish borders. This emerging situation put Turkey in an awkward position, while it strengthened the PKK`s hand during the ongoing peace process. Turkey

felt to be forced into a corner, while the PKK was tempted by an alternative of independent Kurdish state for which they had been fighting for years. During this faltering situation, the parties experienced Kobane Crisis due to the ISIS`s besiege of the city Kobane.

Our analysis of the Kobane Crisis clearly shows that there was a still hope for settlement before the Kobane issue even though the parties were heavily distracted from the ongoing process. However, the liberation of Kobane from the ISIS not only consolidated the Rojava Autonomous Region, but also injected the Kurdish people in the region the hope of an independent state of Kurdistan. Because, the new developments in the region were closely being observed by the peoples of the region. In the midst of all this, the ISIS organized a suicide blast during a social solidarity convening in Suruc district of Sanli Urfa. This blast claimed the lives of 32 activists and left more than hundreds injured. The PKK held the Turkish state responsible for this attack, killing two police officers in their sleep in Ceylanpinar district of Sanli Urfa. Upon this, the parties resumed to armed struggle.

This thesis closed the gap in the field of Conflict Resolution in three key aspects. First, it designated and then concretised back-track intervention as the best option in approaching violent intractable conflicts. It achieved this by revisiting the phenomenon of mediation, and by examining and comparing all tracks of mediation. It unearthed the exact potential of back-track, which is that it halts human suffering by opening communication channels and thus having greater potential for immediate cease-fire. The present study verified this through Turkish and Kurdish peace initiatives. Secondly, this thesis provided in-depth analysis of all the peace processes between the Turkish and Kurdish sides through the lenses of mediation. This not only closed the gap in the existing literature related to the peace attempts of the parties carried out within the frame of back-

track mediation, but also presented these as sample cases in the discipline. I believe that the current and prospective practitioners of mediation will benefit from them in their likely execution of any back-track enterprises. Lastly, the greatest contribution of this thesis was that it called attention to the cross-border characteristics of ethno-political intractable conflicts at the time of or during peace processes. This thesis postulates that regional dynamics are a key that may well infect any ongoing peace process. Within this perspective, this thesis designated that regional developments during the Turkish and Kurdish peace process worked against the process. It proved this claim by closely examining the Syrian Civil War and its implications on the peace process. The Oslo Process could not tolerate the phenomenological regional developments arising out of the ongoing Syrian Civil War. The parties were distracted and re-calculated the cost-benefit of the process and new emerging status quo in the north of Syria. In the end, the process ended due to two consecutive events, namely the suicide blast of the ISIS to a pro-Kurdish NGO in southeast of Turkey and the PKK`s assassinating two police officers right after this blast because of holding the state responsible for it. The thesis also revealed that the third peace attempt between the Turkish government and the PKK was derailed due to a minibus blast that took place near a PKK school in Damascus. From this aspect, this thesis assumes that regional dimensions of Kurdish Question are one of the biggest threats before the settlement of Turkish and Kurdish conflict.

Recommendations for Future Researches

This thesis laid emphasis on back-track mediation in its potential to manage and settle violent intractable conflicts. It unveiled back-track`s exact potential by providing most resistant conflictual cases of the 20th century with a close scrutiny to the former peace attempts and with a main focus on the most recent peace attempt (The Oslo Process) of the Turkish and Kurdish sides. Kurdish Question is a region-wide phenomenon. In other words, it is a trans-national issue. While the former attempts failed due to individual unfortunate events during peace periods, the Oslo Process was derailed due to regional developments induced by the Syrian Civil War.

This thesis deems the civil war in Syria as the main reason for the process to come to an end. In some cases, however, regional dynamics may ease settlement. In this sense, this thesis is limited. Thus, it lends itself to various prospective studies that can focus on the role of regional dynamics in ongoing peace processes in a comparative manner. Further studies can multiply sample cases and go into deep of the equity of "peace processes & regional dynamics".

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