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Strengthening Local Democracy against Centralisation and Resisting Hegemonic Relations

When Abdullah Öcalan sent his “Call for Peace and a Democratic Society” from his prison cell on Imrali on February 27 this year, he did not only speak of the dissolution and disarmament of the PKK – which, however, attracted the most attention, especially in the Western world. He also spoke of a democratic Turkey in the 21st century without federalism and secessionist movements. He spoke of a lasting fraternal order in which all groups, including the Kurds, live together in peace and equality. He spoke of a historic alliance in which Turks and Kurds live together in peace and equality. An alliance with a broad democratic consensus in the media, political parties, and society against hegemonic powers and capitalist modernity.

He was able to build on his basic ideas about democracy, which he had developed in his prison writings since 1999. These have gradually been translated into many languages and have also become known in the West as writings on “democratic modernity” and “democratic confederalism.”

In 1996, I had the opportunity to visit Abdullah Öcalan in Syria, near Damascus, with two colleagues. Our long discussions revolved around two important questions: 1. The role of violence in a liberation struggle, and 2. The question of establishing a separate state or limiting the struggle to autonomy and self-government within the state where the Kurds live. Both questions were closely linked to the understanding of democracy. We fully agreed with Öcalan's opinion, who had already decided at that time to abandon the armed struggle against the heavily armed NATO member Turkey and also formulated the renunciation of a separate Kurdish state. This was based on a deep and well-founded skepticism towards capitalist democracy. Bourgeois democracy was both imperialistic and individualistic in character, which it still is today.

At that point in time—12 years after the start of the armed struggle in 1984—Öcalan was already of the opinion that the use of military force was no longer in line with the state of development of international society. This was due, on the one hand, to the aggressiveness of imperialism, which unconditionally supported

Turkey as an outpost against the Arab-Muslim world and Russia. NATO had to fear the disintegration of Turkey if the PKK successfully fought for the secession of a Kurdish state. The collapse of the Soviet Union had decisively weakened the socialist enemy and effectively eliminated the threat of socialism. However, the separation of a Kurdish state would decisively weaken NATO partner Turkey, which the US in particular could not accept in its confrontation with the Arab states.

The shift away from armed struggle was also linked to Öcalan's changing understanding of the state and democracy. The shift from fighting for an autonomous sovereign state to demanding democracy, autonomy and self-government within the state borders in which the Kurds live was not only in line with Öcalan's conviction that the Kurds, divided among four states—Turkey, Iran, Iraq, and Syria—had not yet developed a common national identity. They were neither ready nor mature enough for a Kurdish state. Secession in the four neighboring states would in any case plunge the entire Middle East into an endless war.

Öcalan's main argument, however, was his deep skepticism, even rejection, of bourgeois, capitalist democracy, which is essentially based on elections and a centralizing parliamentarianism. In addition to the historical connection between the nation state and capitalism, he criticizes the intertwined patri-archy, which essentially prevents the emancipation of women. Overall, however, the nation state, capitalism, and patri-archy restrict democratic self-determination. Democracy can only flourish if social autonomy is strengthened and the state's monopoly on power is restricted.

The goal of the liberation movement must not be to take over the state, but to transfer political decision-making to local communities, neighborhood, professional assemblies, and councils. The concept is therefore one of confederalism, in which local, grassroots democratic institutions unite on a horizontal level. They make the essential political decisions, thereby rendering the old, outdated nation-state superfluous. Öcalan's concept of a “democratic nation” refers to a political community that is not formed by a homogeneous nation-state, but is defined by a diversity of identities that establish common demographic rules. These identities are national, ethnic, religious, or local groups that organize themselves on an equal footing, without any one group or identity being elevated to the status of a state norm. The national question is therefore not answered by a nation state, but by equality and democratization.

Öcalan has thus addressed two central problems of the capitalist nation state as it currently exists: the role of women and the preservation of peace.

Central to Öcalan's understanding of democracy is the liberation of women from their traditional shackles in a patri-archal society. For him, this is the key to a vibrant democracy. This means that women's emancipation to enforce their rights, the appointment of both women and men to leadership positions, and the promotion of women in their professional careers should guarantee women equal rights in all areas of society.

Jean Jaures' brilliant statement, “Capitalism carries war within it like clouds carry rain,” still holds true today, more than a hundred years after it was first uttered. Aggression, competition, and the pursuit of dominance have characterized the capitalist state for centuries. Despite numerous attempts, it has not been possible to banish war between states through international law such as the Hague Conventions of 1907, the Briand-Kellogg Pact of 1928, and the UN Charter of 1945. Öcalan, too, can only call for political negotiation of conflicting interests, as already codified by the UN in Art. 33 ff. Peaceful negotiation and settlement of all conflicts are also the only way to overcome war in this conception of democracy. Violence may only be used to protect a democracy based on these principles.

If we look at this understanding of democracy through the eyes of a lawyer, an expert in international law, the right to self-determination is the central norm for enforcing and guaranteeing the existence and preservation of the identity of a people such as the Kurdish people.

The right to self-determination is only mentioned briefly and incidentally in the Charter of the United Nations, together with the principle of equality in Article 1, paragraph 2. It took years for it to establish itself as a binding legal principle – ius cogens – through numerous resolutions. In 1966, the UN General Assembly placed it at the beginning of both human rights covenants. Article 1 of the Covenant on Civil and Political Rights and Article 1 of the Covenant on Economic, Social and Cultural Rights are worded identically:

“All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social, and cultural development.”

Since then, it has been undisputed that the right to self-determination encompasses both internal freedom to shape society in a self-determined and independent manner and external independence from oppression and colonization.

Abdullah Öcalan renounced the goal of a Kurdish state and secession from Turkey as early as 1996. This leaves the well-known alternatives of decentralization and federalization for his claim to democratize Turkey within its existing borders. Both demands are legally permissible but politically challenging for a centralist state such as Turkey. During the work on the Declaration on the Rights of Minorities, the Turkish government issued a clear statement against the recognition of minorities and referred the members to the protection of human rights. I quote:

“According to the Turkish Constitution and other relevant legislation, all Turkish citizens, without exception, enjoy equal rights and status. Hence, it is impossible to discriminate in favour of or against any person or group based on ethnic, religious, or linguistic criteria. Apart from that, we believe that the rights of persons with ethnic, religious, or linguistic differences should be considered within the framework of human rights.”[1]

The reduction of the protection of minorities, as guaranteed in Article 27 of the UN Human Rights Covenant, does not do justice to the protection of a people with this reference to individual rights.

The existence and identity of an ethnic, linguistic, or cultural minority such as the Kurds requires protection through collective rights that go beyond the protection of individuals.

This is also the position of the authors of recent studies by the Turkish Economic and Social Studies Foundation (TESEV), which in 2008 and 2010 developed proposals for the government on how local, municipal, and regional self-government should be defined and enshrined in a new constitution.

To put it briefly: The foundation justifies the need for decentralization not only with the inequality between regions and changes in the economic structure of society, but above all for reasons of democratization. Furthermore, regions should be formed as self-governing units, as the structure of the provinces had changed significantly since the founding of the republic. The distribution of powers between the central state and regional self-governing units should be redistributed by law.

Without going into further detail, these studies show how far Abdullah Öcalan's ideas and proposals for the democratization of Turkey have already taken root in society. However, one thing is missing for this to become a real dialogue that creates new democratic realities: the release of Abdullah Öcalan from his inhumane isolation in prison on the island of Imrali. Only when this important figure of the Kurdish people is given his rightful place in Turkish society and the former fighters from the mountains of Iraq can return without danger will the democratization of this country have a real chance.

Let me conclude with a personal note. I live in Germany, a country where the PKK is still illegalized as a terrorist organization. In 1993, when the German government decided to ban the PKK, I was asked by the Kurdish community to represent them before the Federal Administrative Court against the federal government. My legal argument was based on international law, which the court did not accept. Now, more than thirty years later, the Belgian Supreme Court based its decision that the PKK is not a terrorist organization on international law as well. In Germany, however, almost every two months, a member of the Kurdish community is sentenced to up to five years in prison simply for membership or support of the PKK. This is a scandal, and it is our job to put an end to it. Germany is our place, where we must fight against such absurd jurisprudence, which does not even deserve to be called that: we, civil society, the parties, and the politicians.

[1] UN Doc. E/CN 4/1992/48. p. 14.

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