

# Demirtaş to state prosecutor: 'You are a colonialist. We are working on living together' – a weekly news review

Two days after the death of his father, Selahattin Demirtaş, former co-chair of the HDP, has continued his defence in the Kobanê Case from behind prison walls. This is much more than a defence against specific (and baseless) charges. He calls out Turkish colonialism and makes the argument for Kurdish liberatory politics. This week's review focuses on this important speech. It also looks at some of the latest examples of the racism and prejudice that is being cultivated in Turkey, and at Turkey's constitutional crisis, as well as at dangerous developments in the wider region.

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Two days after the death of his father, who he had not been able to see since May, Selahattin Demirtaş continued his defence in the Kobanê Case from behind prison walls. Demirtaş is the former co-chair of the Peoples'

Democratic Party (HDP – now the DEM Party), and his speech has resonated with all those struggling to defend Kurdish rights. This is a defence in the tradition of Scottish socialist, John Maclean, who famously [told](#) the court at his trial for sedition in 1918 “I am not here, then, as the accused; I am here as the accuser of capitalism dripping with blood from head to foot.” The target of Demirtaş’ accusation is colonialism: specifically Turkish colonialism over Kurdistan. He criticises not only the colonialists of the current government, but the whole colonial system that has ensured the “collapse” of politics in Turkey. This week’s statement is much more than a defence against specific charges: it lays out the case for Kurdish liberatory politics.

İrfan Aktan [emphasised](#) the power of his words in Artı Gerçek: “Demirtaş is judging not only the AKP and its fascism, but also the Turkist ideology that has kept the Kurds under control for a hundred years, revealing the shallowness of this ideology and the costs it creates. Moreover, he defends the legitimacy of the resistance against this ideology not from below, or even from eye level, but from a ‘bird’s eye view’ like a philosopher... Demirtaş, as a Kurdish politician, is defending not himself or the DEM Party to which he belongs, but the entire Kurdish people divided into four parts by separatist states, in the state court.”

The very existence of the Kobanê Case is itself an illustration that something is rotten in the state of Turkey. The defendants are leading members of the HDP who called on people to protest against the siege of the city of Kobanê by ISIS in 2014, and against the inaction of Turkish forces in the face of this ISIS attack. Demirtaş and Figen Yüksekdağ, the HDP’s former co-chairs, together with 106 others, are being held responsible for the deaths that occurred when those protests were attacked by the security forces and by reactionary counter protestors. They are [accused](#) of multiple homicides, and of disrupting the unity and territorial integrity of the state, and if found guilty they will face life sentences without parole. The blatantly political trial has been going on for over two and a half years in a constant litany of dodgy practices that would convince no one except those who want to be convinced. The Kobanê Case charges are also at the centre of a separate case that calls

for the HDP to be closed down (hence the need for the change of name) and for 451 people to be banned from party politics for five years.

The European Court of Human Rights has already ruled that the charges are baseless and politically motivated, and that Demirtaş and Yüksekdağ, who have been in prison since November 2016, should be released immediately. Turkey, as a member of the Council of Europe, is required to treat the European Court as the highest authority; but they don't, and the Council of Europe is yet to make use of its powers to sanction Turkish participation in the international institution.

### **Demirtaş' defence**

Demirtaş [began](#) by dedicating his defence to his father. He had missed his father's funeral, explaining that he would not make a request to the government but would mourn in prison. He had posted on Twitter, "Don't worry father, our hearts are bigger than this cell. I kiss your calloused labourer's hands a thousand times, may your place be in heaven."

Demirtaş' defence speech called out Turkish colonialism many times. He told the Turkish state, represented by the state prosecutor, "You stole my country, you stole my homeland. I can't even say the name of my country. You can't say Kurdistan. If you do, they declare you a terrorist." Noting the need for proper understanding, and for action founded on that understanding – and that Kurds are mentioned in Turkish histories only to denigrate them – he [supported](#) his argument with a history of Kurdish prosecution and resistance. This has galvanised the Kurds, but his aim is also to explain this history to the majority Turkish population.

Demirtaş showed how the Turkish state has consistently reneged on their Lausanne Treaty promise to act for both Turks and Kurds. He pointed out that it was not the Kurds who have occupied others' land, deposed state administrations, and removed signs because of their language; and Kurds have not said "Turkish cannot be spoken here". But "They [Turkey] banned Kurdish. They banned the thousands of years-old colours of the Kurds."

Addressing the prosecutor, he said, “who are you? You are a colonialist. We are working on living together.”

When it comes to resisting this colonised condition, Demirtaş observed that, although Turkey is calling for resistance for Gaza day and night, no resistance is allowed for the Kurds, and it has even “been deemed a crime for Kurds to sit in their own city squares.” In fact, he noted that “The thing that attracts the most attention of the prosecutor is resistance. Wherever I mentioned resistance, he underlined it. Even when we say we are resisting for peace... He probably did Control F and underlined them all.”

In looking at more recent events, Demirtaş spoke at length about the period in 2015-16 when the Turkish army first besieged and then partially destroyed a dozen Kurdish cities and towns, including Cizre, Nusaybin, Şırnak, Silopî and Sur, in a [violent act of collective punishment](#) that received international condemnation. In showing an image of the destruction, he commented “This is not Gaza, it is Cizre, a district of Şırnak.” The cities had unilaterally declared autonomy, and young armed militants had tried to protect this by digging trenches to keep out the Turkish forces. Demirtaş described how HDP politicians had worked hard to defuse the situation, but the Turkish government “destroyed the districts using three or five young people as an excuse.” The government had seen this as an opportunity to go in with tanks and bulldozers and to set light to basements where people were taking shelter. Demirtaş noted that the commanders who carried out the operation were the same as were implicated in the coup attempt later that year, but that it was the HDP that were blamed for the destruction and labelled as “terrorists”.

In his analysis, Demirtaş supported the view that the 2016 coup came as no surprise and was used by the state as a trap. He further argued that the Nationalist Movement Party – President Erdoğan’s far-right partners – are pulling the strings of both government and judiciary; and that the frequent employment of Islamic references is totally hypocritical.

Demirtaş [used](#) his defence to explain the importance of Abdullah Öcalan’s ideas of democratic autonomy in responding to local needs, especially in a

country as varied as Turkey. He [explains](#) that “Defending the democratic autonomy model cannot be an activity of terrorism and separatism.” It is simply another proposal for state structure, like the presidential model. And he is clear that Öcalan must be part of a peace process to end the hundred-year Kurdish Question, pointing out that “Peace is made with those with whom war is waged”.

Demirtaş [argues](#) that it is the actions of the Turkish state that force people such as his brother to join the PKK guerrillas to fight for Kurdish rights, observing, “The prosecutor who tried me sent who knows how many people to the mountains. These prosecutors helped the PKK. This prosecutor should be tried for aiding and abetting.”

Demirtaş is not afraid to appeal to Kurdish emotions, claiming that those who deny the history of the Kurdish nation are ashamed to look each other in the eye. Many times, he referred to a graffiti message scrawled on the damaged walls of Cizre, that read “If you are a Turk, be proud, if you are not, obey”. Responding for all Kurds, he stated, “I don’t know if you are proud as Turks, but we, as Kurds, do not obey.”

## **Everywhere prejudice**

The history of anti-Kurdish prejudice and oppression outlined by Demirtaş spanned from the horror of state massacre to the insidious use of a lower case ‘k’ for Kurds in prosecution documents in order to afford a constant reminder that Kurds are not recognised as a people. Every week provides further examples of deeply embedded prejudices and of their deliberate reinforcement by politicians, and these last weeks were no exception.

One of the historic figures who stood up against Turkish colonialism was Sheikh Said, who was killed by the Turkish state in 1925. Persecution of his granddaughter by a present-day Turkish judge caused such a public outcry that, last Saturday, the court was forced to cancel the ruling. Rusen Firat was ostensibly punished for sharing pictures of Kurdish flags on social media ten years before. The flags in question were those of the HDP and the Kurdistan Region of Iraq – both of them legal in Turkey. However, the judge accused her

of disloyalty to Turkey and compelled her to post a Turkish flag on social media every day for a month.

Racist violence at top-rated Koç University has been [brought](#) to public attention by Halk TV. A student claims to have suffered repeated verbal and violent assaults from his two roommates, who could not tolerate sharing their accommodation with an Alevi Kurd. After an attack with an art knife, he had to be treated in hospital. He had made audio recordings of their violent slurs – comments such as, “You are a lower race. You must be culled. You must accept that you are a slave. You have to obey. We don’t want you in this room.” And “If you don’t leave here, we will kill you.” However, the university suspended the victim along with one of his attackers, and the other – who appears to have been the main instigator – was left unpunished.

A lecturer at another university who was found to be sharing hateful anti-Kurdish material on social media was defended by her employer on the grounds of free speech. The post in question showed the funeral procession of the 34 Kurdish civilians killed by the state in the Roboski Massacre 11 years ago. Tuba Işık had [added](#) the comment “The image is very beautiful, may it be permanent”.

A football game provided an uncomfortable reminder of the adulation afforded to Turkey’s ethnic nationalist founder, and – along with a television series – an example of the politicisation of religion. Turkey’s Super Cup final between the two dominant Istanbul teams, Galatasaray and Fenerbahçe, was due to be played in Riyadh on Friday 29 December, but when the Saudi Arabian authorities banned the teams from displaying images and sayings of Kemal Atatürk to commemorate the centenary of the Turkish republic, they refused to play. The Saudi authorities cited international football regulations on the display of slogans. The clubs (with widespread public backing, and [support](#) from the Republican People’s Party (CHP)) [stated](#) that their overriding values were the Turkish nation and “our Great Leader Mustafa Kemal Atatürk”, And Turkey’s President Erdoğan [claimed](#) that the fiasco, with its insistence on Atatürk, was part of a wave of anti-Islamic hate targeting a sister country, and a clear sabotage attempt against Turkey’s interests. Atatürk presided over the evolution of the republic’s Turkish ethnic

nationalism as well as its secularisation, but it was disappointing to see people celebrating Saudi Arabia's exclusion of his images and words without considering the wider impact of banning all politics from football grounds. Would they have silenced Fenerbahçe supporters when they [voiced](#) their criticism of Erdoğan's disastrous response to February's earthquakes, or taken down St Pauli's recent banners that [read](#) "for the solution for the Kurdish Question: Freedom for Öcalan"?

Kizil Goncalar (Crimson Buds) is a television drama series that exposes the power of religious sects. It has been [pulled off air](#) for three weeks by the Board of Radio and Television in response to complaints from a powerful religious sect.

A more personalised attack was [directed](#) at Başak Demirtaş, Selahattin Demirtaş' wife. The day after the funeral of her father-in-law she was subjected to coordinated abuse on social media involving rape threats, which included fake accounts as well as real ones. Her lawyer has accused the judicial system of inaction, commenting, "There is a serious, institutional bias against Demirtaş and her family. The judiciary is quick to act against them while ignoring their rights".

In Patnos Prison, political prisoners due to be released have had their detention [prolonged](#) on the grounds that books found in the cells – which had been allowed in by the authorities – "keep the consciousness of Kurdishness and Kurdistan alive".

## **Constitutional crisis**

Turkey's politicised judicial system has created a constitutional crisis. For a second time the Court of Cassation has [refused](#) to implement the decision of the Constitutional Court to release recently-elected Turkish Workers' Party MP Can Atalay. While the Court of Cassation is Turkey's highest appeals court, the Constitutional Court is the ultimate authority for protecting human rights in the actions of all public bodies, which have to abide by its rulings. The Constitutional Court has been in the [crosshairs](#) of the government who are not



happy with some of its decisions, but the leader of the main opposition Republican People's Party, Özgür Özel, has described the refusal to implement the Constitutional Court's decision as "an attempt to overthrow the constitutional order". He has called for an emergency parliamentary session on Tuesday and for people to join a public rally on Sunday 14 January.

The issue here concerns constitutional law, but the case against Atalay, who is one of the people accused of attempting to overthrow the government after taking part in the 2013 Gezi Park protests, is itself completely political and lacking in any criminal evidence. The protests began as a sit-in to prevent the development of one of Istanbul's last green spaces, and when that sit-in was violently cleared by the police, the protest widened in both scope and geography to become a vehicle for long-simmering discontent. Atalay was the lawyer for the Architect's Association, which was contesting the development. In his defence speech, Demirtaş [described](#) the Gezi Case as an attempt to silence Turks, and the Kobanê case as an attempt to silence Kurds; and he commented that "Through Can Atalay, [the government] are giving the message that they will not comply with the decision of further human rights violations."

## **Around the region**

I have focussed on Turkey and have little space left, but will touch on some key events elsewhere in the region.

Hengaw Organisation for Human Rights has published their depressing statistics for Iran in 2023. They record that 823 prisoners were executed by the state, of whom 31 were accused of political or religious activities. Of those executed, 179 were Baloch and 151 were Kurds. At least 34 more people lost their lives in prison. Hengaw have [identified](#) 2,342 people who were arrested or forcibly disappeared, of whom 42% are Kurds and 26% Baloch and 214 individuals were under 18. They have also recorded especially high casualties among the Kolbars – porters forced by poverty to eke a living carrying heavy loads over the mountainous border. Last year, 41 died and at least 292 were injured, with 27 deaths and 259 injuries due to live fire by the Iranian armed forces, and the rest from mines and natural hazards.



In the unedifying power struggle that is Iraqi politics, elections for the Kurdistan regional parliament, due in 2022, have been [postponed](#) once again, with election rules still not agreed on. Meanwhile the region has been left without a legislative body. In the contested province of Kirkuk, where local elections were [held](#) nearly three weeks ago, the Arab bloc is seeking to form a coalition administration with the Kurdistan Democratic Party (KDP) and the Turkmen Front, [excluding](#) the Patriotic Union of Kurdistan (PUK).

And all the time, cross border attacks and assassinations [increase](#) the risk of a wider conflagration across the region. Iran-backed militias in Iraq have [continued](#) to target US bases, hitting Iraq and North and East Syria again on Wednesday. On Thursday, America [carried out](#) their sixth retaliatory strike – a drone attack that killed a senior militia leader and his associate in Bagdad. These militias are part of Iraq's Popular Mobilisation Units, which are formally part of the Iraqi security forces, and the assassinations raised the ire of the Iraqi Prime Minister, Mohammed Shia al-Sudani. Yesterday, al Sudani's office [stated](#) that his government is "setting the date for the start of the bilateral committee to put arrangements to end the presence of the international coalition forces in Iraq permanently".

Israel assassinated senior Hamas commander Saleh Al-Arouri in Beirut on Tuesday, and the next day in Iran nearly 100 people were killed in a double suicide bomb attack, claimed by ISIS, that targeted the commemoration of the death of Qassem Soleimani, himself assassinated by America four years ago. 2024 has got off to a very dangerous start.

Today, along with many others, I am [marching](#) through Paris to demand justice for the three Kurdish women activists murdered in the city eleven years ago. While it is generally accepted that this was the work of Turkey's National Intelligence Organisation, the French authorities refuse to release key documents that would allow the case to be resolved. The widespread interest and public sympathy that followed the three further murders last year has petered out without being able to move those with the power to make a change, but they should know that the Kurds will never give up.

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