Understanding the Implications of Victimhood Identity in Turkey's Kurdish Conflict

1. Introduction

The meanings attached to the victim status in a particular society are shaped by a set of criteria, actors and practices. Social norms and customs play an important role in determining it. While many studies have analysed the Kurdish conflict's impact on populations, the complexities and constructions of the category of victimhood have been understudied. Understanding the implications and connotations of victimhood is crucial to capture how different victim groups make sense of their experiences and how they are seen by civil society representatives who work closely with them. This chapter, therefore, explores the issues surrounding the construction and complexities of victimhood in Turkey's Kurdish conflict, by primarily focusing on Kurds who have experienced state violence.

Drawing on 24 in-depth interviews with individuals who either have a victimisation experience or worked closely with victim groups, I focus on the connotations of the term victim and analyse 1) how victims identify and make sense of their victimhood and 2) what various perceptions of victimhood the grassroots actors hold. Capturing the implications of victim status and connotations of victimhood may help design peacebuilding and transitional justice mechanisms in line with the demands and experiences of those who have been most affected by the conflict. Understanding how some groups relate to the victimhood category also provides us with a better picture of where they stand in intergroup relations in Turkey. Once the conflict has ended, and a reconciliation process has started, this will be even more relevant for creating long-term, sustainable peace.

This chapter is part of a broader research project focusing on transitional justice in Turkey's ongoing Kurdish conflict from a victim-centred and grassroots-oriented approach. In the larger frame of this project, I also analyse how organised victims of conflict can advance the goals of transitional justice in the absence of a fundamental political transformation, specifically focusing on the Saturday Mothers movement[1] in Turkey. Enforced disappearances and extrajudicial killings

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[1] For more information on their struggle, see: Alici, N. (2021) "The Saturday Mothers movement in Turkey: 26-year quest for justice and truth" https://blogs.lse.ac.uk/wps/2021/09/09/the-saturday-mothers-movement-in-turkey-26-year-quest-for-justice-and-truth/

were among the most systemic practices of state violence against the Kurdish population in the1990s under the state of emergency rule (between 1984 and 2012). The Saturday Mothers movement started mobilising in 1995 in Istanbul to stand against enforced disappearances, primarily with the suggestion of mostly women and feminist activists alongside the families of the disappeared.[2] By consistently asking for truth, justice and accountability for decades, the Saturday Mothers movement has gradually become one of Turkey's most systematically organised, longest lasting, and visible social movements. Given the limited length of this chapter, I do not analyse the movement itself, but provide an analysis of the victimhood portion only.

Among the different ways of understanding the victimhood category, the term victim has varied connotations. Most of my interlocutors[3] consider the term victim to have shortcomings in capturing victimhood's complexities. It is striking that even those who express discomfort with the word still use it in everyday conversations, even in the reports they write for their organisations. It shows that despite the perceived shortcomings of the word, there is no alternative term that has been agreed upon. Whether or not someone agrees with the word, the agency of the victims is at the core of this discussion. As explored in Section 3, challenging the ascribed identities is a form of exercising political agency (Bouris, 2017). For this reason, studying how victims relate to victim identity and how they resist and challenge that identity is crucial to acknowledging victims' political agency.

The next section begins by giving a brief description of my methodology. The chapter then continues with a review of the literature on the political agency available to victims. The following section explores the different uses of the term victim in Turkey. The next section presents my findings about the perception of the victim by my interlocutors. The chapter ends with a discussion on the implications of the construction and complexities of victimhood category in the ongoing Kurdish conflict.

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[2] For more details on the gendered aspects of enforced disappearances as one of the most systematic human rights violations during the Kurdish conflict, see: Alıcı, N. "Using the transformative justice lens to address the gendered aspects of the Kurdish conflict" https://off-university.com/en-US/Blog/Detail/kurt-sorununun-toplumsal-cinsiyet-dinamiklerini-do

[3] Following Krystalli (2019), I refer to those whom I interviewed as interlocutors. She argues that the word interlocutor refers to a dialogic relationship, because interlocution is a conversation, and it leads to theoretical insights.

2. Methodology

The chapter draws on 24 in-person and online interviews conducted with activist leaders[4], practitioners, and lawyers, based in Istanbul and Diyarbakır between 2019 and 2021. I adopted a qualitative case study approach to fulfil the need for empirical studies conducted on my research topic. I conducted semi-structured, in-depth interviews to understand the perspectives, experiences, and expertise of a broad range of actors. To reach the contextual information, and benefit from the creative potential embedded in in-depth interviews, the questions are open-ended and semi-structured.

I carried out data collection through two phases of fieldwork which allowed the analysis to build over time and be more rigorous than a one-off process.[5] The first set of interviews was designed to explore the views of experts and was undertaken in July-August 2019 with 13 experts in Istanbul. Regarding the expert knowledge I sought to acquire, I followed Meuser and Nagel (2009, p.24) in the sense that "not only professional knowledge is treated as expert knowledge". The expertise, or the unique knowledge my interviewees had, was gained "through their activity - and not necessarily through their training - because they have privileged access to information" (Meuser and Nagel, 2009, p.24). In line with this understanding, I used my existing network of contacts to recruit the first set of interlocutors who have the expertise in, and experience with, working with the victims of conflict-related human rights violations. Among those, there are lawyers who represent the victims in national courts and international human rights courts, practitioners who support the victims through different means, human rights advocates who take part in organising public demonstrations, and researchers who document human rights violations, create archives, and use research as a tool for advocacy. The key themes they focus on in their activities are gender-based violence, forced disappearances, compensation law, memory and dealing with the past. The variety of the interviewees' backgrounds and expertise enabled a broadly representative sample. Those interviews shaped both the following stages of the research and my analysis.

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[4] By activist leaders, I refer to people who have been part of the Saturday Mothers movement, but not necessarily with a victimisation experience themselves.

[5] For both phases, I obtained ethical approval from Ulster University's Ethics Filter Committee.

I designed the second phase of the fieldwork based on the analysis of data and the insights gained in the first stage of the fieldwork. I chose the activist leaders from the participants of the Saturday gatherings to explore how the demands for justice and truth were formulated and made visible through a collective struggle. These activist leaders are those who have been part of the movement, but not necessarily with a victimisation experience themselves. Saturday Mothers movement is based on an extensive network of relatives, activists, human rights advocates, and lawyers. My interlocutors reflect that diversity. They are also members or active volunteers of the Human Rights Association, which works closely with Saturday Mothers. I contacted the interviewees through my established network and scheduled the interviews through email. All of the interviews were conducted by me in Turkish via Skype. In the second phase, I conducted 7 online expert interviews between July and October 2020, in addition to the 13 face-to-face interviews in the first phase. I also completed 4 online interviews with activist leaders.

3. Agency of Victims

The significance of agency lies in its capacity to challenge the approach that perceives victims as passive apolitical beings. For Robins (2017, p.53), "agency is understood primarily as the autonomy of the subject, both as individual and community: the sense in which victims are in control of their own destiny and are agents in processes to address their needs." Similarly, Shepherd (2011, p. 506) considers the critical aspect of agency as "the idea of autonomy (literally "self law"), the capacity to act independently of external constraints or coercion". Björkdahl and Selimovic (2015) argue that when the agents employ agency to challenge existing norms, power relations, and inequalities and claim their rights, they exercise critical agency.

Baines (2015) discusses the political agency available to wartime victims and the notion of agency in complicity and responsibility after violence by looking at Sara's story. Sara is a Ugandan woman who was abducted by the Lord's Resistance Army (LRA) as a child and then sexually abused by the LRA. She faced violence in her family before she was recruited. In adulthood, she faces several challenges in her community and is neglected by society because she was part of the LRA. Baines (2015, p.321) presents a narrative that draws on four significant moments in Sara's life, "characterized by periods of transformation and critical reflection." These moments are when she verbally confronts her oppressors/perpetrators and draws attention to the harm they cause. The first

one is when she confronts her father, then the old LRA commander who sexually abused her, then the rebels who tried to kill her and her child and finally her husband, who gave her no food. Baines (2015, p.321) considers these moments of confrontation with those who hold power as "a particular form of politics practised by subordinate groups in settings of extreme violence, which might be understood as a negotiation over the value of a human life". She uses the concept of political agency as the assertion of one's "personhood in relation to others who would treat otherwise" (Baines, 2015, p.328). According to this definition, "Sara is a political agent in the sense that she asserts her personhood in relation to others who would treat her otherwise, contesting their actions and forcing them to recognise their complicity and responsibility" (Baines, 2015, p. 328). Baines' understanding points to an essential aspect of victims' agency: its political character. In other words, victims may be vulnerable, but it does not strip them of their capacity to go beyond coping and survival strategies (Baines, 2015).

In her book, Complex Political Victims, Bouris (2007) discusses how political victims exercise their agency, how they act in a way that will challenge their victimisation and how we understand political victims as possessing agency. She argues that the agency of political victims derives from several roles they might take up during the peacebuilding process in the aftermath of the conflict. Like Baines, Bouris (2007) indicates that it comes from their capacity to render the oppressing discourses visible and challenge them. Similarly to Baines, Bouris also sees the agency in relation to resistance to the oppressing discourse and practices. She refers to Foucault's concept of technologies of self, which is related to the subjectivation of one's self as resistance to politically attributed identity, which involves ethical principles and behavioural practices (Foucault, 1988 cited in Bouris, 2007). As Foucault argues, challenging the attributed roles by the dominant, oppressive power is itself resistance, and it is the actualization of one's agency. He argues that "victim" is such a role that is ascribed by the dominant power. Self-care (including bodily care), contemplation and self-reflection enable the subjectivation and create a new experience of self (Foucault, 1982 cited in Bouris, 2007). In this understanding, subjectivation practises might become political resistance as well: "The practice of the care of the self has much political resonance and importance as well; it is the rejection of the politically ascribed identity, the rejection, in this case, of the identity enabling victimisation and the identity of the ideal victim"

(Bouris, 2007, p.122). This is how victims might exercise political agency by challenging the ascribed identities and creating new ones.

In this regard, resistance or the realization of agency does not need to alter the physical conditions that victimise the victim. Challenging the discourse or making it visible is a way to exercise agency. For Bouris (2007), this is also how political victims contribute to peacebuilding since it rejects the discourse that enabled victimisation. Although it might not give an end to oppression or the war, it still challenges the setting that enables the oppression to happen and allow victims to go beyond their victim position.

4. Different Uses of the Term Victim

There are two different words that are used as the Turkish translation of victim. One is *kurban*, and the other one is *mağdur*. *Kurban* has religious connotations, and its literal translation would be the sacrificed[6]. Over time, *kurban* has increasingly lost its popularity in political and academic discourse, and *mağdur* has become more common. However, *kurban* is still used in mainstream media and some academic publications to refer to those who were killed due to violence committed by the PKK. Those publications and media outlets also choose a specific terminology to refer to the context. In line with the state's narrative (explained in section 5.1) they refrain using the armed conflict and terrorism instead. In this sense, the word *kurban* accentuates the sense of terror and horror in the violent act, by drawing a picture of an evil armed group who sacrifices innocent people. Discussing the hierarchies between different victim groups is beyond this chapter's scope, but it is important to note that different groups use different words to differentiate victim groups from one another. Therefore, the user's political camp is a determining factor in choosing which word to use.

The legal term for those subjected to violations is *mağdur*, which is more commonly used in peace and conflict terminology. However, it has some negative connotations. *Mağdur edebiyatı*, for example, is an expression which would translate as "the literature of the victim." It is used for

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[6] This is in line with the original meaning of the English word victim, which derives from the Latin *victima*, meaning the animal or person killed and offered as a sacrifice to the gods or a supernatural power.

situations where someone uses a discourse that puts herself in a position to be pitied. When people talk about the hardships they go through or the bad things that happened to them, then they might get the reaction *mağdur edebiyatı yapma*, which translates as "do not do victim literature." Put another way, they are using their suffering to gain sympathy, which is considered humiliating. Standing strong is praised, while adopting a weak and vulnerable position is not seen as heroic.

It is not uncommon for researchers and activists around the world to feel uncomfortable using the term victim, assuming that it might have passive and apolitical connotations that strip people of agency and undermine the multiple experiences surrounding victimhood (Saeed, 2016; Brett & Druliolle, 2018; de Waardt & Weber, 2019). In feminist scholarship and practice, survivor is preferred as a more feminist term (Krystalli, 2020). Kelly (1988) argues that the term victim hides some essential aspects of women's victimisation, such as survival and resistance. Rudling (2019) highlights that the term survivor is associated with individuals whose victimisation experiences no longer dominate their lives, who overcame passivity and recovered agency. Which term is preferred over others changes from one country to another, from one person to another and even within the same country. Some people might find the word victim inappropriate and pacifying, while others consider it empowering (Saeed, 2016). For example, Hamber (2009, p.41) explains that in South Africa, those involved in the Khulumani process[7] usually referred to themselves during the Truth and Reconciliation Commission as victims, because "at that moment they still felt like victims of the past." Similarly, Krystalli (2020) asserts that the women who identify as victims in Colombia believe that the victim label provides a space for politics and enables certain claims to be made.

In line with global trends, feminist activists and researchers in Turkey prefer the term survivor especially when addressing gender-based violence. For instance, the Association for Struggle Against Sexual Violence (*Cinsel Şiddetle Mücadele Derneği,* 2016) states that it is vital to change the language that weakens and victimises the survivor: "Instead of commonly used words like '*kurban* (sacrificed)'*, 'mağdur* (victim)'' which weakens an individual who experienced sexual violence and gives the sense of despair, we find it important to use the word '*hayatta kalan*', that

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[7] Khulumani Support Group was founded in 1995 to provide assistance to those testifying before South Africa's Truth and Reconciliation Commission (TRC).

we adopted from survivor in English." Although these formulations are important, this suggests that the term survivor exists primarily in relation to gendered violence but is rarely used for state violence or the Kurdish conflict.

5. How is the Victimhood Category Understood?

5.1. Victim as a Legal Category

While the word victim does not seem to be fully embraced, it is very present in the language due to the dominance of the legal terminology. The judiciary, especially the court cases, seems to be the primary area where victim is the commonly used word despite the challenges. To bring conflict-related human rights violations to the court, one needs to be referred to as a victim. A Diyarbakır-based lawyer who has been working with the families of the disappeared says that she never discussed the appropriateness of the word with anyone before, and the families use it, too. She indicates that the families are more interested in the legal implications of it. Because the legal terminology defines them as victims, they do not feel uncomfortable using it (Interview no:19). Another Diyarbakır-based lawyer agrees that there is nothing problematic about using the word victim and the families use it during trials. He never came across anyone who was bothered by it. As this interlocutor notes "being harmed directly from the crime makes that person a victim" (Interview no:22). A lawyer, who is also a relative of a disappeared, has a similar feeling. He does not see any problems with the word and admits that he has not thought about its meaning before. He says he perceives it literally as the person harmed due to a crime, and that they fit into this definition. He notes: "by no means do I see it as a word of humiliation, neither an increasing nor a decreasing meaning. I haven't thought about it before, honestly. We are victims in the end" (Interview no:24).

Another lawyer I spoke with did not have a problem using it while filing a lawsuit, but when he reflected on it during the interview, he found it problematic. Throughout the interview, until the point when I ask him what he thinks about the term victim, he uses it both to refer to himself and others. But when he hears the question, he first says that it is not suitable to use victim. Then I ask him what would be right, and he says it is correct, legally.

> There is victimisation, but it is not sufficient. I need to think about it. I guess it remains light. The word victim is insufficient against the sheerness of the victimisations

> experienced. How they use it changes from one person to another, one incident to another. A family who lost their child and who are political would not say 'we are victims.' They would say, 'you slaughtered our child' (Interview no:9).

Some of my interlocutors highlighted that the legal terminology is rigid and that is why the term victim has to be used even if its implications do not match how victims identify (Interview no:10). A lawyer and researcher who has experience in working with the victims explains that there is a violation, which means that there is someone responsible for that violation: "Perhaps 'the one that suffered damage by the violation' is the correct definition. But when you change the terminology then you have some issues in the legal world about what you want to say" (Interview no:3).

The fact that the legal terminology dictates the use of the term victim does not mean that there is conflict-specific legislation that defines victimhood. Unlike some conflict or post-conflict countries with legislation that defines and determines the victim status, Turkey's institutional structure around victimhood regarding the Kurdish conflict is limited. For instance, in Northern Ireland, the Commission for Victims and Survivors (CVSNI) was created in 2008 as a public body "to improve the lives of all victims and survivors of the conflict in Northern Ireland" (CVSNI, 2022). The CVSNI was established by the Victims and Survivors (Northern Ireland) Order 2006, which also determined a definition of victims and survivors. Article 3 of the Order states that victims and survivors are individuals who have been physically or psychologically injured as a result of a conflict-related incident, who are regular caregivers of those injured, or who have been bereaved as a result of a conflict-related incident (Victims and Survivors, Northern Ireland Order, 2006).

A more recent example is Colombia, where the state bureaucracy of victimhood goes earlier than the 2016 peace agreement. Even before the peace process began in 2012, the 2011 Law on Victims and Land Restitution established the Victims' Unit, a governmental body dedicated to those recognised as victims of the armed conflict by the state (Cronin-Forman & Krystalli, 2020). There is a comprehensive institutional transitional justice framework that registers and defines victims, enabling them to participate in transitional justice processes (Nussio et al., 2015; de Waardt & Weber, 2019). In these examples, an institutional system of varying degrees requires people to officially register as victims to attain victim status and be entitled to benefits. The benefits might

include counselling and social support, a pension scheme for some in Northern Ireland (most recently for those permanently injured), vocational training, educational opportunities, and financial compensation, as is the case in Colombia (Cronin-Forman & Krystalli, 2020).

An important reason for the lack of institutional framework for conflict-affected populations is that the official state narrative has always referred to the Kurdish issue as a terrorism issue and refused to recognise it as an armed conflict. Accordingly, Turkish governments have framed the PKK as a terrorist group and defined the state's armed forces' operations in the Kurdish region as counter-terrorism operations rather than armed conflict. Nejbir (2021, p.41) explains that "in doing so Turkey priorities its own counter-terrorism and national security legal regime rather than international humanitarian law." Even during the peace process in 2014, the legislative framework that authorised the government to take the necessary steps to move forward was titled the Law to End Terror and Strengthen Social Integration.

Similarly, one of the few laws designed to address conflict-related victimhood is named Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism (2004). The law aimed at compensating individuals who experienced material damage because of the "terrorist attacks" or "fights against terrorism activities". As Biner (2013, p.73) explains:

> Compensation was to be granted for losses resulting from physical damage to movable and immovable assets as well as losses that resulted because a person was denied access to his property during that period. Loss of life and injuries were also included in the compensation categories, but nonpecuniary damages were not.

Even though this law implied a victimhood category, the word victim is not present in the text of the law. For example, Article 1 states the purpose of the law as "to determine the basis and procedures of compensating the loss of the persons who experienced material damage resulting from terrorist acts or fight against terrorism activities" (Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism, 2004). The rest of the law also refers to the victims as "the persons who experienced damage" without using the actual word victim. Therefore, the existence of the law does not undermine the absence of a comprehensive institutional context where one needs to register as the victim of the conflict to have access to some rights and benefits. The example of the Compensation Law demonstrates that the dominance of legal terminology

around victimhood derives from the general use of the term victim in legal language, but not the conflict-specific laws. It is likely that if, in future, a comprehensive institutional framework is established to deal with the victims of the conflict, the implications of the term victim may shift.

5.2. Victimhood as a Category that Points toward the Responsible Party

In my interviews, addressing the responsible party behind the violation stands out as an essential aspect of the debates around the word victim. Krystalli (2020) points out that the word victim demonstrates that there is a person who suffered from the harm done by a victimiser. Similarly, among my interlocutors, some think using the word victim addresses the perpetrator, who is responsible for the violation and the victimhood. According to this view, using the word victim is critical to denote that someone is responsible for the human rights violation and that there is someone to hold accountable. This is to say, if you avoid using victim, you blur the fact that there are people who committed the crime and who need to be held accountable. For instance, an Istanbul-based lawyer working with the families of the disappeared comments that although the victimhood identity has a passive connotation, the word victim points to the state's responsibility (Interview no:10). An Istanbul-based Kurdish researcher also thinks the word victim is acceptable if it is used in a context which mentions not only the victimised, but also the victimiser (Interview no:4). In their opinion, if the focus is on the people and institutions who caused the victimisation, there is no problem with using it.

In a similar vein, a researcher argues that any hesitation in using the word victim runs the risk of undermining the injustice that the person suffered: "There is a loss, and there is a harm. When you don't tell that part fully, I feel that there is not a full demand for justice and peace" (Interview no:1). Likewise, an interlocutor whose father was extrajudicially killed in the 1990s, considers himself a victim without hesitation. He emphasises that he is a victim precisely because his father was murdered. He feels that what needs to be said is victimised. He believes that it is essential to clearly state that one is a victim as a result of state violence. Although he insists on the accuracy of the word victim, he seems hesitant to be put in a box of victimhood and denied agency. He expresses his desire to be accepted as an individual: "as a victim, I don't want to go into the category of the son of an extrajudicially killed Kurd in a snap. I want to know who will represent me; I want to have a say" (Interview no:18). He also emphasises that one needs to transcend their

individual victimhood eventually and talk about the general demands of the victims' families, rather than crying over their pain.

An Istanbul-based researcher with expertise in the relatives of the disappeared states that the victim should not be used to identify the person, but the act could be named victimisation. But then, as she continues to reflect on how she uses the term, she elaborates: "I say those who were victimised. Or, actually, I don't even say they were victimised. I say those whose rights were violated. Because victimisation is a heavily charged term, and I don't want them to be squeezed in this identity" (Interview no:4). This shows that victim is seen as a restricting category, almost as a fixed category in which people are placed, a locked identity with no room for other roles.

5.3. Victim as Disempowerment

My interlocutors commonly understand that the word victim undermines agency, positions the victims in an inferior position compared to the perpetrators, and fails to capture the complete picture of a complex identity. My interlocutors perceive the victims of the Kurdish conflict, especially those in an active political struggle, as powerful political subjects. The following quote by an Istanbul-based Kurdish researcher reflects this position: "The word victim makes one miserable. I am not in favour of using it. We could instead say those whose rights were violated, who face rights violation, whose rights were taken away" (Interview no:2). A significant concern is that describing people as victims may deny their political agency and reduce them to passive victims without the capacity to act against the conditions that victimised them. These concerns are based on the view that is identifying as a victim and leading a political struggle are mutually exclusive. One of my interlocutors thinks the rejection of the term could be a defence mechanism to focus on its resistance aspect as opposed to suffering: "Yes, we suffered a lot, but we are still standing. We did not perish" (Interview no:4). Being defined as a victim has the negative connotation of passivity, which contrasts with active political mobilisation. The following quote of a lawyer working with the families of the disappeared illustrates this position:

> Especially for those who chose to stand up against state violence as part of a political struggle, those who see the search for justice as a continuation of the struggle, that their Kurdish identity was offended for years and now they want to be vocal about it, that passive essence [of the term victim] may be disturbing (Interview no:3).

Although most of my interlocutors define the act of being harmed as victimisation, the problem begins when an individual or a group is associated with the victim label because it undermines their agency. This is evident in my interview with a Diyarbakır-based journalist. Although he agrees that victim is appropriate as a legal term, he does not think those who resist ongoing violations would identify as victims: "I am a rebel, I am a fighter, I am carrying out a popular struggle. Therefore, I am not a victim, I am in a position of being subjected to violence, violation, my rights denied" (Interview no:14). Kaya and Bozkurt (2014) also underline this aspect of the political struggle. They explain that their interlocutors, whose husbands forcibly disappeared, do not see themselves merely as people who have been subjected to violence, but also as political subjects with views on political issues on the macro level.

An Istanbul-based Kurdish researcher points out the shift in how people identify in different stages of the conflict. For example, he argues that while the clashes in 2015-2016[8] were ongoing, the feeling around victimhood was different. According to this account, following the self-governance declaration, Kurds would not identify as victims while the clashes were still ongoing because they felt that resisting the oppressor by violent means could lead to victory. But when the clashes were over, when they felt defeated, they started using the victim discourse, as it was the only thing they were left with (Interview no:5). This interview addresses the commonly attributed weakness and disempowerment to the victim position. Likewise, in the quote below, shame, self-pity and being defeated with the victim label are contrasted to power, pride, self-confidence and resistance:

> 'We experienced everything from this state. Our village was destroyed. We were forcibly disappeared, tortured. What else can we experience from this state?' The wall of fear was passed. With the self-governance declaration, that self-confidence reached its peak, and then we just fell from the peak (Interview no:5).

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[8] Following the collapse of the peace process, the winter of 2015-2016 was the peak of the fatality rate in the armed conflict. This was after the re-securitisation of the Kurdish issue by the government in summer 2015, and the self-governance declarations by the PKK. The warfare shifted from rural areas to Kurdish towns and cities, resulting in months-long blanket curfews a heavy military presence of the security and paramilitary forces. The clashes in towns ended up causing the deaths of many civilians and forced displacement of those whose houses were destroyed by the clashes. For a detailed account of the human rights violation during that period, See the UN United Nations (2017) *Report on the human rights situation in South-East Turkey*. Geneva: Office of the United Nations High Commissioner for Human Rights.

Associating the victim position with defeat or disempowerment is not unique to the Kurdish case. For example, De Waardt (2016, p.433), who examines the politics of victimhood in post-conflict Peru, highlights a similar view in his interlocutors: "However, in his view, naming oneself as a victim implies a loss of dignity and an acceptance of defeat rather than an identity to be proud of." Her research illustrates a "dialectic interplay between external and internal definitions of the concept" (de Waardt, 2016, p.449). Despite the negative connotations of the concept, victims use it as an external definition to make their experiences known to the public and assert their rightful claims. This is similar to the Kurdish conflict, where victim is the only term available for legal claims.

Interlocutors argued on several occasions that when you say victim, it implies an expectation from the victimiser, which puts the victimised in a hierarchically lower position. An Istanbul-based Kurdish lawyer comments: "If you say, 'I am the victim, and you are the victimiser, assume responsibility for that,' it will mean that you are trusting the state, submitting to the state and asking the state for something" (Interview no:9). In his account, being in the position of expecting something from the state (oppressor) puts you in a weak position. Accordingly, identifying as a victim means that you are putting yourself in an inferior place to your oppressor, the one who holds power, and means that you are asking for something from the oppressor. Expecting that the state will do something is seen as humiliating and subservient. The same interlocutor explains this as the resisting person's psychology which encompasses the psychology of being defeated (Interview no:9). A Diyarbakır-based civil society member also positions the victim identity and resistance as opposites of one another. The following quote shows that, like others, he understands the victim position to signify a position of surrendering instead of resisting.

> Under torture, one is in fact not a victim, they show they are proud by standing upright. They can be conveying the message of 'yes, you might be torturing my body, but you will never be able to touch my soul or my mind' from deep inside. That is why we say the one who was tortured, we don't say the torture victim (Interview no:20).

The concept of "standing upright" resonates with the Arabic word *sumud,* which means steadfastness, perseverance, and determination. *Sumud* has been used in terms of Palestinian resilience, i.e., in how Palestinians resist oppression (Shalhoub-Kevorkian, 2015; Sobout, 2017).

Shalhoub-Kevorkian's work reveals that for many Palestinians, steadfastness, resistance and survival are coping mechanisms to deal with the presence of the oppressor but at the same time survival is equated with resistance. I asked an interlocutor who is a human rights defender primarily working with torture survivors to clarify if he sees the victim (*mağdur*) and proud (*mağrur*) as opposing each other and whether the victim discourse undermines pride:

> It is precisely that. Because the reason why the victim is used is that: Look, this person was victimised, as the tolerant society, as the kind person I am, let's save the victim one from the victimhood. Assuming responsibility for myself, in fact, I look down on that person. This means, they are in a bad place, oppressed, and damaged. It gives me the feeling: You don't touch them, I am not going to allow them to be oppressed anymore, I take them under my wings. I am their saviour (Interview no:20).

This quote shows that in addition to positioning the word victim as the opposite of showing a stance and resisting oppression and violation, there is also some lowering associated with being a victim. The word victim is used for someone below you, someone you can feel compassion for, but it also produces a hierarchy. If someone is a victim, they need protection, they need to be saved and rescued. And this could only be done by someone from a higher position, which in this context would be the oppressor. A Diyarbakır-based researcher confirms that the victim fails to address the political struggle, resistance, and mobilising (Interview no: 17). This view is shared by another Diyarbakır-based lawyer who emphasises that even though victim is the correct legal term, it does not capture the realities of the complex political identities of victims. His views reflect an understanding that most of my interlocutors expressed: that the victim does not address active struggle and undermines people's agency. He argues that if you are harmed because of your active engagement in a political act, whether by being vocal about your political ideas or actively resisting oppression, then the term victim can only refer to a legal category, but it cannot capture the complexities of the situation. Bridging the gap between the legal terminology and the reality of the struggle is a crucial task yet to be fulfilled. He refers to the relatives of the disappeared specifically and strongly stresses that they are part of a political struggle:

> The struggle of the relatives of the disappeared is at the same time a struggle for advocacy for life … The word victim, I repeat, fits, definitely fits because you are also a victim in

something you are emotionally affected by … But on the other hand, these victims are part of a struggle at the moment and there is a need for a definition like that (Interview no:15).

As someone who has been involved with the families of the disappeared as a lawyer, as a human rights advocate and on a personal level in Diyarbakır, his focus on the families taking a stance is critical. It shows that although the word victim does not have to have a negative connotation, this is only one part of a complex reality. He does not deny the victim category, but he points out the necessity of addressing political mobilisation at the same time. The families are not only reacting to what happened to them, but they also advocate for broader political goals such as the resolution of the conflict and peacebuilding. Therefore, being a victim is not so much of an identity for the families as it is one part of a complex story. Direct victims were not randomly chosen, but instead they were subjected to violence because of their political identity or political activities. While referring to the trials of several high-ranking military officers[9], one of my interlocutors highlighted that for families, the official acknowledgement of the fact that their loved one was disappeared as part of a systematic state policy was crucial (Interview no:19). It was important to acknowledge that was a reason behind the loss. It meant honouring the disappeared person's life and struggle. She also explains that in the court, they would make it clear that although these people had not committed any crimes, they were selected purposefully because they led a political struggle in a party or said things out loud about the Kurdish issue. The families, according to her, would find it empowering when it was stated clearly that their loved ones were taken away because they had political ideas, beliefs, or a struggle.

6. Concluding Discussion

This chapter has unpacked the implications of the victimhood category in Turkey's Kurdish conflict. Drawing on the different conceptions of victimhood put forward by my interlocutors, I have demonstrated that the term victim does not fully capture the complexities of victimhood. It

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[9] In a set of trials that began in 2009, several high-ranking military officers were tried on charges of plotting a coup d'état. Many of those military officers were also involved in the 1990s crimes in the Kurdish region, including enforced disappearances. Those cases were a crucial legal component in the justice struggle and the fight against impunity. It was the first time that the most senior military officers were ever put on trial for conflict-related human rights violations. Saturday Mothers followed the trials closely, attended the hearings, and used it as an opportunity to amplify their demands for justice and accountability. See Göral, Ö. S. (2019) *Any hopes for truth? A comparative analysis of enforced disappearances and the missing in the Middle East, North Africa and the Caucasus*. İstanbul: Truth Justice Memory Centre.

is considered a limiting word that excludes some critical dimensions of one's identity. Another understanding of the term victim is a disempowering word that undermines the political agency of victims and situates them in an inferior position relative to the oppressor. Those victimised by state violence during the conflict can be potent political actors. The victim label is seen as contradictory to this position by assigning them passively. However, although there is not a legislative or institutional framework that regulates the category of victimhood in relation to the conflict, the general legal terminology requires the use of the word victim. There are also those who have a different view and suggest that the term victim addresses the responsibility of the oppressor, especially in a legal setting.

Most of my interviews entail an understanding of victimhood that imply the vulnerabilities of victims automatically means stripping the victims from their agency. As discussed earlier, victims exercise political agency through challenging the roles and identities that the oppressor assigns. The refusal of the term victim is based on similar reasoning, that the term undermines victim agency and assumes that they have not transformed their victimhood status by resisting the oppressor. Perceiving victim status as lacking political subjectivity is common in other contexts. Krystalli (2020) explains how dominant narratives around victimhood in Colombia portray victimhood as lacking the necessary conditions for political subjectivity and agency; as something that needs to be left behind, to be transcended, and transformed into something positive, something powerful such as political subjects who enjoy full citizenship. The risk of these dominant narratives is that the effort to suppress victimhood and transform it into empowered political subjecthood might mean hiding psychological needs. It could mean that feeling weak and vulnerable because of a potentially traumatising act is associated with negative meanings. While discussing the terminology around victimhood in the South African context, Hamber (2009, p.41) argues that "the line between being politically correct for the sake of being politically correct and avoiding some of the real issues facing victims can be a thin one."

Similarly, I argue that the dominant political terminology that emphasises the empowerment and resistance of the victims, risks ignoring some essential parts of the victimisation experience. Furthermore, an overemphasis on political subjectivity could lead to romanticising resistance. It will fail to capture the complexities of victimhood, including suffering, trauma, pain, and the

longer-term psychosocial effects. Natural emotions that will emerge could be seen as a sign of political weakness, whereas grief is a non-linear process, and it gets more complicated when people are left in limbo as is the case in most instances of disappearances.

Moreover, I argue that vulnerability and agency are not mutually exclusive; and difficult emotions such as pain, mourning, anger, and despair can coexist with agency, empowerment and resistance. Instead of thinking in binaries, I propose a more complex, and multidimensional understanding of victimhood that leaves space for vulnerabilities as much as empowerment. As noted earlier in Section 3, vulnerable victims are not incapable of challenging the conditions that victimised them. They can at the same time be empowered victims and make sense of the conditions that gave rise to their victim status, especially through collective action as in the case of the Saturday Mothers movement. Moving away from this binary understanding towards a more nuanced view of victimhood that encompasses different positionalities may be more aligned with the realities of how victims suffer, survive, mobilise, empower, and pursue collective goals often simultaneously. Highlighting only one aspect of victimhood reproduces the binary understandings mentioned above. The binary understanding of the victim identity as a vulnerable position that lacks agency informs the assumption that there is a linear process where victims first empower, then become political actors, and finally go beyond victimhood. Vulnerability and empowerment can coexist, and victims do not have to fully transcend the difficult emotions to exercise political agency and get involved in transformative collective mobilisation.

Druliolle and Brett (2018, p.2) define victimhood as "victims, their individual and collective identities, and their role in and impact upon post-conflict societies" while politics of victimhood concerns "how victimhood is defined, negotiated and contested, both socially and politically". They argue that a variety of practices, criteria, and actors play a role in shaping the construction of victimhood, and "ideas of victimhood may vary across time and space" (Druliolle and Brett, 2018, p.2). While analysing the implications of victimhood in Turkey, it is essential to note that if a state-led transitional justice process begins, victimhood will develop new meanings. Through the establishment of new mechanisms or new legislation, conflict-related victimhood is likely to be defined as a legal category. If one needs to register as a victim to participate in a truth commission hearing, for example, or to be entitled to reparations in different forms such as psycho-social

support and monetary compensation, the implications for victimhood can be expected to change. A new institutional framework could bring some benefits to identifying as a victim, and the social and political discourse around that institutional framework could add new dimensions to how victimhood is perceived. The strong emphasis on the resistance capacity of victims also risks leaving less politicised or organised victims out of the discussions.

In conflict and post-conflict contexts, agency is particularly important, because the victims of the conflicts usually have been victimised and marginalised long before direct violence starts. They are often subject to discrimination based on poverty, ethnicity, and gender (Robins, 2017) and are excluded from political power. Putting the emphasis on the agency of victims has the potential to challenge the existing power relations that enabled the conflict in the first place, and which tend to continue in the aftermath of the conflict. These power relations must be acknowledged and challenged for the conflict to truly end and transform (Parlevliet, 2010). Recognizing victims' agency plays a crucial role in challenging those power relations. Without recognising those power relations, elite groups are likely to determine and implement peacebuilding and post-conflict justice mechanisms on behalf of the victims and reproduce the same power hierarchies.

This chapter is part of an empirical and theoretical study that situates the Kurdish conflict within a transitional justice framework from a victim-centred perspective. To move the victim-centred transitional justice agenda further, future research can focus on differences in the discursive content of victimisation in different political camps in Turkey. Another important topic of inquiry would be how victims who are less politicised or less organised make sense of their victimisation experiences. This will ensure a broad understanding of diverse experiences, perceptions, and demands of those affected by the Kurdish conflict in different ways, and for different reasons. Such an understanding can inform the conflict transformation, peacebuilding, reconciliation, and transitional justice scholarship and practice in Turkey.

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