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Contemporary Minority Politics:
Local Empowerment via International Advocacy

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ABSTRACT

This essay presents an analysis of contemporary ethnic minority politics, not at local or national levels, but rather at the international level. It evaluates the opportunities for ethnic groups, who face discrimination by the mainstream in their home states, to engage in claims-making via supranational political arenas.

The central question set forth in the following pages aims to unearth the conditions under which marginalized ethnic minorities may become empowered through the use of international normative frameworks and institutions. The subsequent analysis proceeds first by engaging with the literature surrounding international norms, institutions and minority empowerment, and second by conducting a comparative assessment of two case studies. The Kurdish minority in Turkey and the Roma populations of Central and Eastern Europe provide ample data for a comparative analysis. Campaigns by both of these groups seek access to and support from specifically European institutions in order to pursue their aims at local and national levels. These case studies are explored in an effort to test the argument that international institutions, which embody and advocate normative frameworks based on concepts of human rights, are a source of legitimization and empowerment for marginalized groups.

The analysis concludes that international institutions and norms, by offering platforms of advocacy, do indeed represent a burgeoning source of opportunity for such groups to acquire a recognized voice in international arenas and to put pressure on national governments. However, opportunity is limited as it only exists and can be effective within the context of a hierarchical international system. In other words, realities of asymmetry in power between institutions and states are the condition upon which international norms and institutions may empower marginalized ethnic minorities. Finally, conclusions are drawn regarding the implications for minority empowerment opportunities within global institutions advocating normative agendas.

Table of Contents

Introduction.

> "The world is like a garden of flowers and every flower has its own color, its own beauty, its own smell. This color, this beauty, this smell, if you try to extinguish it, we say you are extinguishing humanity." – Abdullah Demirbaş (Interview with Kelly Stuart).

Demirbaş, a Kurdish rights advocate and politician in southeastern Turkey, speaks to the persecution Kurdish communities face in modern Anatolia. His words represent a broader claim by ethnic minorities who face discrimination and marginalization at the hands of the mainstream societies in which they reside. The protection of minority and human rights has been championed beyond local and state levels. International institutions, particularly those composed of western liberal democracies, promote these normative principles both at home and abroad.

The present essay seeks to explore the possibilities for minority groups to make use of supranational bodies as a means of circumventing exclusionary national modes of political claims-making. Under what conditions may marginalized ethnic minorities become empowered through the use of international normative frameworks and multilateral institutions? Through the analysis of theory and empirical case studies, it is argued here that human rights norms and international institutions can provide platforms for advocacy to marginalized ethnic groups. However, as the research and analysis will demonstrate, norms and institutions are insufficient independent sources of power. They must rely on asymmetries, in terms of political and economic muscle, between states in the international system in order to be effective.

The methodology breakdown will discuss how this essay measures the *marginality* of particular ethnic minorities, how it recognizes *empowerment*, and how the case studies were selected. A review of the existing literature will follow. The aim of the literature review is to provide a theoretical framework for the subsequent analysis. It will discuss the international political system, specifically its norms and institutions, as well as the theoretical basis for the argument that marginalized groups can gain empowerment by tapping into the opportunities presented by the system. The following sections explore case studies involving Kurdish communities in Turkey and Roma activism in Central and Eastern Europe. Through their analysis, the veracity of the argument presented by the theory will be evaluated in the

subsequent discussion. Finally, implications of the findings of this research regarding the empowerment of marginalized ethnic communities through international institutions and norms will be discussed.

Method.

In order to effectively conduct a legitimate analysis, the concept of marginality must be unpacked. A review of the existing literature suggests that marginality is "a complex condition of disadvantage which individuals and communities experience as a result of vulnerabilities that may arise from unfavourable environmental, cultural, social, political and economic factors" (Mehretu, Pigozzi and Sommers, 2000, p.90). While various scholars have broken down the term *marginality* into different sets of typologies, two basic categories can be distinguished across the board: spatial and social (or societal) marginality. It is the latter that is the focus of this analysis.

Societal marginality deals with the social conditions of a group. "Occupying the lower rungs in a stratified society, marginal groups are excluded from political processes, economic resources, and cultural esteem" (Brodwin, 2001, p.2). The basis of their exclusion can stem from a range of factors including the historical context of their relationship with the mainstream, differences in ethno-culture and language, collective educational status, etc. Furthermore, "Marginalized people are usually discriminated against, stigmatized, ignored and often suppressed on the basis of race, gender, age, culture, religion, ethnicity, occupation, education and economy by the mainstream" (J.E. Larsen (2002), referenced by Gurung and Kollmair, 2005, p.12).

The following table outlines broad indicators of marginality. Its authors pointedly make the clarification that each indicator alone may not be sufficient to constitute marginality, but that as a group they serve to paint a picture of what marginalized groups experience. This essay will employ these indicators in order to identify the ethnic minorities in the case studies as *marginalized*. Fulfillment of only one of the following criteria is insufficient to justify classification as marginalized, however fulfillment of every criterion is unnecessary. Rather, the case studies presented in the following pages will use this table of indicators as a general guideline in identifying marginality.

Table: Suggested Indicators for Marginality (Gurung and Kollmair, 2005, p.17).

Subject	Indicators
Societal	Child labour; gender inequalities; social exclusion; human rights violations
Infrastructure	Access to clean water; distance to transportation, bank, and communication facilities; energy supply
Health	Life expectancy; infant mortality; under- and malnutrition
Education	Literacy rate, gross enrollment ratio
Political	Participation in elections; corruption index; security status (violence, crime)
Economic	GDP per capita; unemployment rate
Environmental	Environmental pollution; conditions of natural resources
Development Index	Human Development Index (HDI); Gender Related Development Index (GDI); Human Poverty Index (HPI)

This analysis also discusses the *empowerment* of marginalized ethnic minorities. A group's empowerment cannot be simply equated with the accomplishment of their aims. This is a much too absolute and definitive concept of the term. A group is not disempowered when it experiences obstacles or even failure regarding the achievement of its objectives. Rather, the act of becoming empowered implies an initial state of vulnerability or marginalization. When a group overcomes that position of weakness – whether it is through collective mobilization, attaining a legitimate avenue of voicing concerns, accessing authority structures, etc. – they are undergoing the process of empowerment. The empowerment of marginalized ethnic minorities will here be recognized by the acquisition of a legitimate means of advocacy where none existed previously.

Another methodological point is the justification of the primary elements of the analysis: the minorities selected as case studies and the institutions they lobby. There are several commonalities between the Kurds in Turkey and the Roma in Central and Eastern

Europe that provide the basis for a comparative analysis. The Kurds and the Roma are ethnic groups that possess a distinct history, culture and language. Both populations are stateless and spread across continents. Both are minorities in the countries in which they reside and face marginalization by the mainstream based on their ethnicity. Most importantly to the scope of this essay, the Kurds and the Roma have sought empowerment beyond national political opportunity structures. In particular, both have lobbied European institutions[1] in order to pursue collective objectives on a local level. The main point of differentiation is the states in which they reside: Turkey is not yet a member of the EU, whereas the countries of Central and Eastern Europe are newly accessed member states. What this essay evaluates is the extent to which the institutions of Europe, which preach normative human rights principles at home and abroad, can empower marginalized minority groups by examining candidate countries at different stages in the accession process.

Finally, this essay chooses to highlight Europe over other regional or global sets of institutions because the European Union in particular represents a supranational governmental body that both embodies normative principles and attempts to export them through foreign policy, diplomacy and, most relevant to this analysis, accession conditionality.

> "The EU has gone further towards making its external relations informed by, and conditional on, a catalogue of norms which come closer to those of the European convention on human rights and fundamental freedoms (ECHR) and the universal declaration of human rights (UDHR) than most other actors in world politics. The EU is founded on and has as its foreign and development policy objectives the consolidation of democracy, rule of law, and respect for human rights and fundamental freedoms" (Manners, 2002, p.241).

While the present analysis speaks to European institutions exclusively, it argues that they offer broader implications for the normative power[2] – or the ability to promote norms within and beyond national territories – of international institutions on a global scale.

Literature Review: Theoretical Framework.

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[1] This term is used broadly to include institutions of the European Union and other political bodies representing the continent, such as the Council of Europe.
[2] This analysis defines the concept of international normative power according to the theory of *normative institutionalism*, which "emphasizes the behavioral impact of standards of appropriateness established by the community's normative and policy commitments" (Thomas, 2009, p.343).

The aim of the following literature review is to provide the theoretical basis for the subsequent analysis. It will proceed by first discussing the legitimating norms that constitute the international system, both historically and at present. Second, it will address how those norms may be promoted, enhanced and embodied by international institutions. Finally, the theoretical foundations for the argument presented here – that international norms and institutions can empower marginalized ethnic minority groups – will be established.

This section aims to evaluate a suggested shift in international norms of legitimacy away from traditional concepts of nation-state sovereignty and toward the provision of certain universal rights and standards. Such a shift in normative frameworks in international relations has presented an invaluable opportunity for the empowerment of traditionally marginalized populations. J. Samuel Barkin (1998) identifies three key themes in international norms of legitimation in the past half a century: nationalism, territory, and human rights. Shifts from one to the next, which are elaborated upon below, are significant with regards to the increasing opportunities for the empowerment of non-state actors and the opening up of the international system.

At the close of the Great War, nationalism was the primary legitimating norm around which the international system was structured. In such a system, "states can only interfere in the domestic affairs of other states for nationalist reasons, particularly if these involve members of the national group represented by the intervenor" (Barkin, 1998, p.241). Barkin identifies the fundamental problem with a nationally-defined world order in that it lends itself to large-scale inter-state conflicts based on the inevitable reality that the territorial boundaries of a nation-state will often fail to conform perfectly to the geography of a nation.

After 1945, an international system emerged that was dominated by two superpowers who not only identified themselves along ideological rather than nationalist lines, but who also were mutually interested in stifling inter-state conflict. Thus, while nationalist self-determination remained an important and valid norm, it was the concept of territorial legitimation that dominated international relations. However, Barkin claims that the spread of economic globalism and interdependence that characterized the postwar international system

8

became increasingly incompatible with norms based on "exclusivist state structures" (1998, p.244).

With the fall of the Soviet Union and the loss of the threat of a war between the superpowers, another shift occurred, a shift away from territory-based state sovereignty and towards state capacity and willingness to uphold citizenship rights. The Cold War era was replaced with a new international system, which was dominated mainly by western liberal democracies. Therefore, a new norm took hold: human rights, which include civil and political rights and which establish the legitimacy for intervention among states when a government fails to promote or protect these rights (Barkin, 1998, p.246-7). As George Kent writes, "Human rights are universal and apply to all persons… Human rights obligations cannot be treated as if they end at national borders" (Kent, 2004, p.113).

David Held also recognizes a shift in the international system towards a liberal regime based on universal human rights. In his book *Global Covenant* (2004), Held elaborates on the three major features of this regime, which are embedded in the International Bill of Human Rights:

(1) "the constitutive human rights regime;
(2) "the role of self-determination and the democratic principle…; and
(3) "the recent recognition of the rights of minority groups" (2004, p.125).

With the increasing recognition by states and non-state actors of universal standards regarding the natural rights of the individual, regardless of citizenship status, and the codification of those normative standards in multilateral institutions, new opportunities for empowerment outside of the national structure have arisen at the regional and global level.

The explicit protection of the rights of minority groups is particularly relevant to the scope of this essay. Regarding this feature of the broader human rights regime, David Held identifies two levels on which institutions and mechanisms have been built and through which minority groups can become empowered: global and regional. On a global scale, the United Nations General Assembly adopted a Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities in 1992. Held suggests that while the Declaration "is not legally binding, it is widely regarded in the UN system and in some leading INGOs (Amnesty International, Oxfam) as establishing a future trajectory of international legal

change" (2004, p.130). Regionally, Europe has made great strides in collectively addressing similar issues regarding the protection of minority populations. For instance, the Council of Europe adopted a Charter for Regional and Minority Languages as well as a Framework Convention for the Protection of National Minorities. Additionally, the Organization for Security and Cooperation in Europe (OSCE) founded the office of the High Commissioner for National Minorities to "provide 'early warnings' and 'early action' with respect to 'tensions involving national minority issues' (Held, 2004, p.130)." These are just a few of the ways in which human rights norms, specifically regarding minority protection, are becoming increasingly codified on global and regional scales. Consequently, the development of such institutions forges new avenues of advocacy for those who champion minority-human rights claims.

The leading role that European institutions have played in championing minority protection rights is particularly salient. In December 1999, the European Union announced that "along with observance of the rule of law, democracy, and respect for human rights in general, minority guarantees were a prerequisite for the recognition of new states in Europe" (Burgess, 1999, p.49). This was a momentous occasion as not only was Europe collectively declaring a commitment to the protection of minorities within its own territories, but also it was actively exporting minority-human rights norms beyond its immediate borders. The concept of conditionality, crucial to the EU accession process, is key to the transnational spread of norms. Jeffrey Checkel (2000) describes conditionality in terms of contemporary international relations as taking place between national governments and international institutions. The European Union requires that a national government comply with certain policies that are agreed upon during negotiations before it may grant the candidate country formal membership. Additionally, a candidate country is legally required to adopt particular pieces of the Community's body of laws before the next stage of the accession process can continue. In terms of minority-human rights protection, it is the conditionality of EU membership that ultimately serves as a platform for advocacy and the most effective bargaining tool of marginalized minority groups (Checkel, 2000).

Having established the existence of and broad respect for minority-human rights norms on an international scale and the role institutions play in buttressing them, the following pages

will address how they may be meaningful for non-state actors. Specifically, the present analysis is concerned with how ethnic minorities who have been denied a voice or oppressed by national authorities may become empowered by these norms and institutions. The theories in which this particular argument is grounded derive from a literature designed to address the political activities of immigrant populations. However, this essay finds them especially relevant to the broader discussion of the politics of marginalized ethnic groups. When minority populations face violent repression and persecution at home, it is often the case that they choose to migrate. In some cases, they are forcibly removed from their native lands by their governments. As a result, the ways in which they engage politically with their homelands are often the acts of a diaspora. Furthermore, minorities at home will attempt to establish networks with diaspora communities abroad in order to maximize support, resources and opportunities to voice their grievances. The marginal status of these populations at home often results in their political practices taking on a transnational nature. Eva Østergaard-Nielsen (2003a) writes extensively on homeland political claims-making. While she writes in reference to migrant or diaspora communities, this analysis argues that such political participation can also be applied more broadly to describe the activities of marginalized ethnic groups.

Why do some groups choose to go beyond the domestic institutional structures and engage in political claims-making within the international arena? In a comparative analysis of immigrant communities in French and Swiss cities, Patrick Ireland (1994) crafted a theory, *institutional channeling*, in order to describe how different forms of political participation adopted by migrants are shaped by the institutions and political structures available. For instance, if civic life in a community is limited for certain populations, i.e. legitimate opportunities to voice their concerns are constrained or non-existent, these groups may turn to non-institutional modes of claims-making. Ireland limits his analysis to the identification of forms of institutional channeling primarily within the domestic (or, 'host' state) political arena. However, Østergaard-Nielsen (2003a) builds upon Ireland's original argument and addresses models of institutional channeling regarding transnational homeland political claims-making.

Bridging Ireland's theory of institutional channeling to cases of transnational political participation, Østergaard-Nielsen (2003b) observes that, "where local institutional structures

may serve to constrain, global institutional structures may facilitate transnational political practices" (2003b, p.25). Consequently, transnational political actors may choose to direct their focus away from national political structures and toward international institutions and networks, such as the United Nations, the European Council, or the Organization on Security and Cooperation in Europe. The scope of Østergaard-Nielsen's research is on the politics of migrants. Therefore, she writes that these strategies are effective for groups who target homeland governments that maintain strong allies in their 'host state' or homeland states that are "too powerful for other states to meddle with" (2003b, p.25). It is argued here that this logic can also be applied more broadly to the political activities or homeland political claims-making of marginalized ethnic groups. Populations whose home state governments are unsympathetic to their issues, or who meet them with violence and persecution, may seek empowerment through international platforms of advocacy.

Haarstad and Fløysand (2007) make an argument that compliments this concept of circumventing traditional, perhaps unreceptive, political structures. They discuss globalization and the opportunities it has generated for "oppositional politics from below... [to] transcend what is usually seen as their natural scalar position and, in various ways, gain empowerment" (2007, p.293). They argue that globalization has opened up and reorganized spaces for engagement in politics and has enabled actors to 'scale jump', as "local issues can potentially be rearticulated at larger scales to mobilize political leverage" (2007, p.293). These authors discuss the time-space compression effects of globalization and the ability to forge and maintain transnational networks of support as the source of "bottom-up" claims-making and empowerment. The present essay would add to this thesis by arguing that international institutions that promote universal principles of human rights provide a common framework and language through which this rescaling can be accomplished.

> "Rescaling political claims to larger scales involves a rearticulation of the claims in order to make them correspond to the hegemonic discourses at these scales. In other words, the actors who rescale claims shape them in specific ways to draw legitimacy and support" (2007, p.294).

The hegemonic discourses discussed in Haarstad and Fløsand's research revolve largely around concepts of democratization. The opposition (non-mainstream) group, which was the

focus of their case study, capitalized on the importance of "post-Cold War global scale democratization discourse in the legitimization of local claims" (2007, p.303). The spread of liberal democratic values and the codification of those values in international institutions provide opportunities to empower groups that are unsuccessful in advocating their interests through national structures. Furthermore, Østergaard-Nielsen identifies human rights discourse as the "language of negotiation" and international organizations as the "site where such negotiation may take place"; she claims that it is perhaps the most important role of an international organization to "provide a normative frame of reference for those groups advocating democratization and human rights agendas" (Østergaard-Nielsen, 2003b, p.25).

Having thus established the theoretical context, the following pages will constitute an analysis of this theory-based argument. It will evaluate case studies involving minority ethnic groups facing opposition or persecution by their state governments and their use of human rights discourse and international platforms of advocacy to become empowered.

Case Study One: Kurdish Rights in Turkey.

Background.

While Kurdistan is not a recognized state in the international system, the Kurds are a distinct ethnic group with a long history, a common language and culture, as well as a consciousness of their identity as Kurds. In the aftermath of the Great War, the ancestral lands of the Kurds were divided and swallowed up by the current states of Iraq, Iran, Syria, Armenia (the Caucuses) and Turkey. The size of the total Kurdish population is difficult to assess. The countries in which they live tend to downplay the estimates, whereas Kurdish nationalists tend to exaggerate their numbers (Jwaideh, 2006, p.3). Middle East specialist David McDowall approximates that 24 to 27 million Kurds live in the region and about 13 million reside in Turkey. They constitute around twenty-three percent of Turkey's total population (McDowall, 2000, p.3). While exact numbers are difficult to establish, it is reasonable to claim that a large percentage of the Kurdish population, perhaps even a slight majority, live in Turkey.

Reaching as far back as the years of the Ottoman Empire, the Kurds in Turkey have resisted the domination of the mainstream political authority. They have a long history of

asserting their ethno-cultural distinctiveness, campaigning for greater autonomy, and in some cases launching rebellions for independence. Such efforts on the part of the Kurdish minority in Turkey have instigated severe responses from the state in the distant and recent past. The Kurdistan Workers Party (PKK), an armed nationalist movement advocating Kurdish rights and independence, has been deemed a terrorist organization by the Turkish state and any evidence of association with or sympathy for its activities and ideology has been met with harsh punishments. The conflict between the PKK and the state has raged over the past twenty years and has taken its toll both on Kurdish communities and greater Turkey (McDowall, 2000). The battle between the PKK and the state provides the backdrop for all contemporary Turkish-Kurdish interactions.

The Case: Mayor Demirbaş.

Abdullah Demirbaş was the mayor of Sur municipality in southeastern Turkey. Sur is the centre of Diyarbakir, the largest Kurdish city in the country. A 2006 survey conducted in Sur indicated that seventy-two percent of respondents identified Kurdish as their primary language, while only twenty-four percent claimed Turkish as their native tongue. The remainder gave Arabic, Armenian and Syriac as their language of daily use. Consequently, Mayor Demirbaş and the mayor of greater Diyarbakir Osman Baydemir agreed to implement a multilingual local policy for municipal services (Casier, 2010, pp.10-11).

> "One of the effects of the armed conflict has been an increased prejudice against the use of the Kurdish language by politicians, which is generally associated with the separatist claims of the PKK. Thus, the case of Mayor Demirbaş and the Sur municipality is an unparalleled political initiative in the region. No other mayor or municipal council in Turkey has openly engaged in the public use of Kurdish" (2010, p.11).

In immediate response to this agreement, the Turkish Minister of the Interior requested a judicial investigation that resulted in the cancellation of the initiative, the removal of Demirbaş from office and the handing down of a prison sentence to the mayor. These consequences were enacted by the State Supreme Administrative Court because the state's official language is Turkish and "municipalities cannot indirectly substitute other languages for

the official language of the state" (Bureau of the Congress, 2007). This series of events launched a transnational political campaign for respect for ethnic minorities in the Sur municipality and, more broadly, for deeper reform of Turkey's commitment to human rights principles.

Shut down by the national government and with no avenue for recourse within the Turkish system, Mayor Demirbaş and the DTP-Brussels delegation[3] focused their efforts on European institutions. In May 2007, they lobbied the European Parliament on the issue of multilingualism in municipal services claiming that, "We believe that different cultures can live together in unity, and the best example of this is the European Union" (Casier, 2010, p.11). Shortly thereafter, in June 2007, the mayor met with the Council of Europe (CE) in informal meetings in Strasbourg. He specifically lobbied the Congress of Local and Regional Authorities of the CE, which serves to promote local and regional democracy among the member states. Members of the Parliamentary Assembly of the CE were also visited. In particular, those members who had observed during recent committees monitoring the human rights situation in Turkey were targeted by the delegation. At all of these levels, Mayor Demirbaş and his colleagues advocated their position claiming that the Turkish state's decision to reverse Sur's multilingual local policy "handicaps minorities and pretends as if their language does not exist…" (2010, p.12).

The most important outcome of their efforts was manifested in the European Commission (EC). Turkey was granted candidate status for membership to the European Union in 1999. In order to acquire full membership, Turkey has since set out to fulfill the conditions established by the Copenhagen Criteria, which were developed by the Council in 1993 and stipulate the conditions candidate countries are required to meet should they seek accession. A continuing point of contention between the Turkish government and the European Union is the country's poor human rights record. Europe continues to encourage and even demand reforms by Turkey in this area. Essentially, the EU "has used the membership carrot to put pressure on

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[3] The DTP, or the Democratic Society Party, is the main pro-Kurdish political party in Turkey. Until 2009, it was recognized as legitimate by the state. The DTP-Brussels delegation represents a partnership between the DTP in Turkey and the Kurdish Institute of Brussels working for Kurdish rights from abroad.

Turkey to refrain from specific norm-violating actions" (Schimmelfennig, Engert and Knobel, 2003, p.507).

The Ankara delegation of the EC bases its reports on the recommendations of the Council of Europe, other institutions, and international organizations. Therefore, the report published by the Congress of Local and Regional Authorities after a fact-finding mission to the region became influential in the Turkey-EU accession negotiations. In a November 2007 progress report on Turkey's efforts to meet the European Union membership criteria, the Sur municipality multilingual initiative was specifically referenced: "No measures have been taken to facilitate access to public services for non-speakers of Turkish…" (Commission of the European Communities, 2007, p.22). Furthermore, this issue worked its way on to the agenda of the Enlargement Commission, whose role it is to support and monitor Turkey's legislative reforms. As a result, the "Kurdish question… is being discussed directly with the Turkish authorities" (Casier, 2010, p.13).

Analysis.

According to the indicators presented in the Method section, the Kurds in Turkey (in particular those of Diyarbakir) have experienced several conditions of marginality throughout the history of their struggle. Human rights violations, especially regarding minority rights (cultural, linguistic etc.), come hand-in-hand with Kurdish issues. Dr. Ismail Besikci, a Turkish sociologist who was imprisoned by the state on several occasions for his pro-Kurdish advocacy, writes:

> "The Turkish state and its official ideology deny the existence of the Kurdish nation and the Kurdish language. The Kurds are considered to be a Turkish tribe, the Kurdish language a dialect of Turkish… Official ideology implies legal sanction. Those who stray outside the boundaries of official ideology are shown the way to prison" (Entessar, 2010, p.135).

One of the primary tools of the Turkish state in suppressing Kurdish ethnic identity has been mass deportations. Law No. 2510 implemented a policy whereby "a person whose mother tongue is not Turkish may be resettled for military, political, cultural, or security reasons if the Ministry of Interior deems it necessary for the good of the country" (2010, p.136). As the

traditional lands of Kurdistan lie on the Turkish borders with Iran and Iraq, large-scale deportations of Kurdish villagers have taken place for security purposes and, in particular, to prevent close contact between Kurdish populations in these neighboring countries. For instance, thirty-two villages in Hakkari (constituting 10,600 persons) were marked for depopulation in 1990 (2010, p.136).

Furthermore, the Kurds have been subject to linguistic persecution by the state for decades. Even in the early years of modern Turkey, it was the aim of Ataturk and the Kemalists to wholly suppress Kurdish as a distinct cultural and linguistic identity.

> "Turkish topographical names began to replace Kurdish ones, the use of the words 'Kurds' and 'Kurdistan' were prohibited, and references to them were removed from Turkish history books and official publications: indeed, from 1938, the Kurds themselves were described simply as 'Mountain Turks' or 'Turks from the East'… Kurdish folklore was banned and gramophone recordings of Kurdish music were destroyed. In March [1924]… an official Decree banned Kurdish schools, organisations and publications" (Yildiz and Fryer, 2004, p.20)

In the early years of the Republic, the linguistic persecution of Kurdish had major implications on communities. The prohibition of Kurdish in schools dramatically reduced the benefits Kurdish children received from public education, as many had no knowledge of Turkish. From 1983 to 1991, during the period of military rule in Turkey, laws were enacted that effectively banned the use of the Kurdish language in public and private spheres. "[E]ven children who spoke in their mother-tongue within their own homes committed an offence" (2004, p.32). While this across-the-board ban on the use of Kurdish was eventually lifted, the official use of Kurdish remains forbidden, as the Sur case study above demonstrates. This has had impacts on the Kurdish community beyond the marginalization of their culture and distinct ethnic identity, even affecting public health. The Council of Europe's Congress of Local and Regional Authorities confirmed that the lack of Kurdish language municipal services had indeed had a negative impact on the health of citizens in Diyarbakir. This is especially relevant with respect to the area's female and child populations, many of whom speak only Kurdish (Bureau of the Congress, 2007).

Kurds in Turkey have also experienced political marginalization. For years, the only legal pro-Kurdish political party was the DTP (Democratic Society Party) and it has been the focus of

much government persecution. In November 2007 the state appealed to the Constitutional Court to ban the DTP from Turkish politics and to suspend 221 of its members from the political system for five years. This was in response to increasing tensions regarding how to manage the escalating conflict with Kurdish rebels and a call by DTP politicians for greater autonomy for the Kurds in southeastern Turkey. Chief Prosecutor Abdurrahman Yalcinkaya accused the DTP of maintaining links to Kurdish separatists. Kurd and DTP lawmaker Ahmet Turk responded to the Chief Prosecutors accusations by stating, "We believe that the policy of lynching a political party should be abandoned" (*The New York Times*, 2007). Two years later, in December 2009, it was decided by the Constitutional Court that the DTP, as it worked to undermine national unity by cooperating with the terrorist group PKK, would indeed by disbanded.

Returning to the case study at hand, the second challenge is to establish how and why the Kurds turned to international institutions in order to gain empowerment locally. Clearly, as the testimonies of Kurdish politicians demonstrate, Kurdish identity politics are often ignored or met with hostility by the broader political system. In addition to the complications presented by the marginalized position of the Kurds in Turkey, Mayor Demirbaş faced institutional challenges in his efforts to protest his dismissal and defend the legitimacy of the multilingual initiative. In the Turkish political system, parliamentary representation is dictated by a ten percent electoral threshold, a threshold that the DTP failed to meet.[4] "This lack of national political representation encouraged some of the democratically elected Kurdish mayors to organize themselves internationally" (Casier, 2010, p.11). One manifestation of this aim was the founding of the Kurdish Institute of Brussels, which engages Kurds in the homeland with the diaspora in Belgium and pursues both cultural and political goals. Regarding this case, the DTP and Brussels worked together to lobby European institutions. This is a clear demonstration of the *institutional channeling* theory. As the national political system proved to be closed to the Kurdish collective voice, this marginalized part of the population sought international institutions to make its claims heard and tailored its arguments to capture attention and support.

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[4] This was true until the DTP crossed the ten percent electoral threshold in the July 2007 elections.

Having established why the Kurds in Turkey have stepped beyond national political structures to lobby international institutions, the determining factors in choosing specifically European institutions must be considered. It is highly revealing that Kurdish rights advocates targeted the Council of Europe and the EU to make their case. The logic of this strategy is dependent on the assumption that the European Union was founded upon an ideology suited to human rights framing. As previously discussed, the EU possesses a normative identity that is rooted in, among other things, concepts of human rights. The strategic framing of Kurdish issues and demands according to minority-human rights discourse was crucial to the impact of their efforts in Europe. The DTP-delegation spoke in terms of linguistic persecution and cultural rights. They also emphasized the point that the multilingual project that the Turkish state took issue with is an initiative that would have been considered "standard procedure in European countries such as Belgium or Spain" (Casier, 2010, p.12). By lobbying human rights-oriented institutions with targeted discourse and issue framing, activists were successful in capturing the attention of European authorities who stood to put pressure on Turkey.

The salience of the European normative commitment to human rights and minority protection is further elaborated upon in the following section. The case of the Roma population, particularly in the new Central and Eastern European (CEE) member states, further demonstrates the capacity for international institutions to empower marginalized ethnic minorities.

Case Study Two: Romani Activism in Europe.

Background.

The experiences of the Roma in Europe provide an interesting comparative analysis with the Kurds. While they share many parallels, the Roma differ in that they are historically a nomadic people and have no territorial concept of a homeland. Thus, they harbor no nationalist aspirations for a state. The origins of the Roma, who are estimated at somewhere between seven to twelve million in total numbers, are widely debated. However, many scholars place their roots in northern India and claim that mass migrations to Europe occurred throughout the ninth to fourteenth centuries. While some Roma tribes are still nomadic, the vast majority in

Europe have become sedentary. About seventy percent of the Roma in Europe live in Central and Eastern Europe and the countries of the former Soviet Union. Approximately eighty percent of this population resides in countries that joined the European Union in 2004 or in countries that are currently engaged in accession talks (Ringold, Orenstein and Mitchell, 2004).

The historical context of the situation in Europe for the Roma is directly related to their present state of vulnerability and the measures they have chosen to address it. The Roma have an extended history of facing "sustained genocidal persecution and enslavement" (Gheorghe and Acton, 1995, p.31). They were treated as a social category of vagabonds and beggars and were subject to deportations and violence by both societies and states. During the years of Nazi Germany, the Roma were recognized as a distinct ethnic group, deemed "hereditarily sick", and targeted for elimination (Hancock (1991) quoted by McGarry, 2010, p.22). Between 250,000 and 1.5 million Roma died in the execution of Hitler's 'Final Solution'. Under the communist regimes in Central and Eastern Europe that followed the Second World War, the Roma were temporarily not the targets of violence and discrimination, as such open antagonism was not tolerated. This did not indicate the disappearance of negative sentiments towards the Roma by the mainstream, which resurfaced with a vengeance with the fall of communism in 1989. The years of democratic transition in this region witnessed increased racial attacks on Roma. "Roma, lacking effective agency and a voice to defend themselves, were subject to ill-treatment, murder and pogroms by mainstream society as well as the authorities" (McGarry, 2010, p.28).

Case Study: The Zámoly Affair and the European Roma Rights Centre.

This analysis highlights the experience of a Romani community in Zámoly, a village in Fejér County of central Hungary. Following Romania and Bulgaria, Hungary is home to the third largest Roma population in Europe, estimated somewhere between 550,000 and 600,000 (European Commission, 2003). Tensions between the Roma and non-Roma communities in Hungary escalated after the fall of the Soviet Union.

The Zámoly affair was a manifestation of these ethnic tensions. In 1997, a severe storm damaged a building that housed many Romani families. In the aftermath, the local authorities destroyed a set of such Romani accommodations and failed to offer the occupants alternative

residence. The Hungarian National Gypsy Self-Government stepped in and provided housing for this community in the center of Zámoly, intending for the situation to be temporary. Two years later, no action by the local authorities or the community had been taken to establish permanent accommodations for the displaced Romani families. Conflict broke out between the Roma and the non-Roma inhabitants, who complained that the Gypsies had occupied space in the village center for too long. Non-Roma community members were fatally injured in the conflict, exacerbating ethnic tensions and resulting in death threats being made against the Roma. This prompted Roma families to flee and seek political asylum in Strasbourg, France (Vermeersch, 2006).

József Krasznai – president of a local Romani organization, member of the National Gypsy Self Government, and vice-president of the Roma Parliament – acted as the official spokesman for these families. Krasznai was responsible for catapulting this incident in Zámoly onto the international scene and focusing the spotlight on the plight of the Roma in Hungary on a broader scale.

> "He attempted to turn his work on this specific case into a general protest action against the Hungarian government's treatment of the Roma… [B]y choosing Strasbourg as a destination, Krasznai placed the whole case in a European context. He told the press that he had written complaints to the European Court of Human Rights, the Council of Europe, and the European Parliament… By so doing, Krasznai managed to touch upon an important foreign policy concern of the Hungarian government: its reputation among the EU countries" (Vermeersch, 2006, p.131).

The Zámoly affair is one case in a widespread movement of Roma activism aimed at protecting and promoting their rights as an ethnic group. Access to international institutions, in particular those of Europe, has proven crucial to the progress of these campaigns. Local and transnational Romani movements seek the opportunities presented by international, in particular European, political structures. The European Roma Rights Centre, for instance, is "an international public interest law organization working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education" (European Roma Rights Centre, n.d.). When domestic legal efforts are exhausted, the ERRC appeals to international institutions, including the

European Court of Human Rights, the European Committee of Social Rights, as well as UN treaty bodies. Additionally, it maintains consultative status with the Council of Europe.

Most importantly, the situation of the Roma has been integrated into a broader Community-wide focus on protection of and respect for minority rights. In the accession negotiations leading up to the Eastern enlargements, part of EU conditionality was the explicit provision of minority protection rights for Roma living in CEE countries. The Copenhagen Criteria explicitly require states to demonstrate institutional stability in the areas of democracy, the rule of law, human rights and the respect for and protection of minorities. In the European Commission's *Agenda 2000*, it singled out the integration of the Roma as a source of concern regarding the eligibility for accession of the CEE bloc. Official Opinions published in the report claimed that in Hungary, Romania, Bulgaria, Poland, Slovakia and the Czech Republic, "the Roma minorities… suffer from discrimination and social hardship" (European Commission, 2003, p.4).

Analysis.

The Background section outlined the broad strokes of Roma persecution in Europe. Per the methodological requirements of this essay, the current situation of the Roma population as a marginalized ethnic minority in Europe will now be assessed. According to the indicators provided in the Method section, the Roma experience marginality on a variety of levels.

> "…[W]herever Roma find themselves, they are inherently connected to each other because of the shared experience of discrimination… Other problems, such as poverty, unemployment, illiteracy, and ill health must… be considered as by-products of discrimination" (Vermeersch, 2006, p.152).

While the great majority of Roma in Europe are citizens of the states in which they reside, and are thereby entitled to minority rights, the Roma often are excluded from the recognized minority groups that receive support and recognition from the state. Additionally, nomadic Roma communities are often penalized in legislation because they do not possess permanent residence (Liegeois and Gheorghe, 1995). Even beyond the recognition and protection of the linguistic and cultural rights of the Roma minority, basic rights are violated regularly as these populations are subjected to measures of control and expulsion. Liegeois and

Gheorghe argue that no state is innocent in terms of such anti-Roma practices. For instance, many states place prohibitions on caravans, which are central to the Roma way of life, in the name of protecting the landscape, agricultural lands, public health, etc. Furthermore, the Roma are consistently the victims of violent acts by societies and authorities. In 1995, conflict erupted between the villagers of the Romanian village Bâcu, the outcome of which was that Romani homes were set on fire and destroyed and several were seriously wounded. Similar stories of violence are common across the continent (1995).

The Roma also live on the fringe of society in Europe in terms of their socioeconomic position, accommodations/infrastructure, health and education. This is particularly true in CEE countries.

> "The transition to democracy was mired with difficulties but of all the communities it was Roma who suffered most. It was Roma who found themselves increasingly isolated, no longer afforded the protection of a paternalist state which resulted in high unemployment, substandard accommodation and inadequate sanitation and healthcare. Moreover, with a low education level and lacking basic skills to compete in the emerging free market economy the situation of many Roma actually deteriorated throughout the 1990s. Because of the high levels of unemployment of Roma and their resulting dependence on state welfare in the early 1990s, mainstream society treated Roma as an unwanted and unnecessary appendage" (McGarry, 2010, p.28).

Employment opportunities for Roma are generally slim, which in turn makes assimilation into mainstream society challenging. Traditional activities of the Roma are based on their nomadic nature. However, bans on door-to-door sales in many communities restrict their ability to rely on traditional modes of self-employment. Their itinerant lifestyle too is constrained as caravan parking becomes more and more difficult. Even in settlement, Roma are subject to harassment and are often forced to live in isolation on the outskirts of cities, which has led to the formation of ghettos and shantytowns. These communities experience problems with regular access to clean water, electricity, and sewage/sanitation systems. Thus, health levels among Roma populations are poor. While birth rates are high, life expectancy is low and infant mortality rates remain dangerous. Access to healthcare is difficult and nutrition is generally unbalanced. Finally, national education systems have traditionally overlooked the Roma, resulting in extremely high rates of adult illiteracy. A report by the Commission of the

European Communities in 1984 estimated ninety percent of Roma adults were illiterate (Liegeois and Gheorghe, 1995). It is clear from the accounts described here that the Roma population across the European continent experiences marginalization and minority-human rights violations on a number of levels.

As the above research suggests, the Roma are persecuted on a societal level by communities and largely ignored on a national level by local and state government policies. According to the theory of institutional channeling, this exclusion from local political opportunity structures motivates minority groups to seek empowerment through international platforms of advocacy. The Zámoly affair and the European Roma Rights Centre, for instance, exemplify how minorities who are marginalized at the national level seek justice through international platforms. Beyond targeting international organizations, the framing of Roma issues as human rights-oriented appealed to the normative principles embodied by these institutions and was equally as crucial to the success of Roma campaigns. Roma activists often strategically frame issues according to minority-human rights discourse.

> "Demands for political representation were placed within a frame of civil and political rights. Demands for special measures to tackle poverty and unemployment could be framed in terms of social and economic rights. There were even… demands for cultural rights, in the sense of the right to education in the Romani language or the support of a nomadic lifestyle" (Vermeersch, 2006, p.157).

The institutions of Europe have taken an acute interest in the plight of the Roma, particularly in the CEE member states where governments are either unwilling or incapable of providing the kind of support necessary to better integrate these marginalized communities. Not only were minority-human rights explicitly included in the Copenhagen Criteria for EU accession (with the Roma singled out as particularly marginalized and in need of institutional assistance), but also frameworks and funding for programmes were established specifically to address the Roma. Vermeersch supports the argument that international institutions can provide a source of power to marginalized ethnic groups when he writes, "The EU had the capacity and the financial resources to influence the minority policies of other states and to empower minority citizens to challenge the initiatives of their governance" (2006, p.196).

Discussion.

Both case studies demonstrate that European institutions and their normative frameworks have provided marginalized ethnic minority communities with opportunities for empowerment. By framing their concerns in terms of minority-human rights discourse, Kurdish groups in Turkey and Roma activists in Central and Eastern Europe have tailored their arguments to catch the attention of greater Europe. In doing so they have acquired a legitimate voice and platform to air grievances and put pressure on national governments.

A reasonable question to consider is the actual source of empowerment in these case studies. It is the position taken in this essay that it is not the normative power of these institutions that puts pressure on national governments. Rather, it is the hierarchical power structure between the EU and candidate countries that serves as the basis for minority empowerment. In other words, the Kurds and the Roma in these case studies explicitly chose to lobby European institutions because their home states were engaged in accession negotiations. Human rights frameworks and international institutions provide opportunities to marginalized groups in terms of claims-making, but it is the nature of the international system based on national interests and asymmetry of power that dictates the acts of states. Outside of this hierarchical system of power and leverage, which is inherent in the EU accession process, international norms and institutions lose much of their relevance.

It is Europe's commitment to ideals of human rights and democracy that it attempts to export through accession negotiations. It is reasonable to suggest that Kurdish movements, through human rights discursive strategies, seek to take advantage of this asymmetrical power relationship between the EU and Turkey. Marlies Casier (2010) too supports this assertion when she writes, "Picking up on criticisms expressed in previous progress reports by the European Commission, the DTP delegation characterized the Turkish measures as clear illustrations of the freezing of reform by Ankara" (2010, p.12). By framing their grievances in terms of human rights and democracy, the DTP delegation not only caught the attention of European agencies and politicians, but also succeeded in bringing their issues to the Turkish government at home through the power wielded by Europe. Ultimately, it is not the international institutions themselves or the normative frameworks they uphold that serve to empower minority groups.

Rather, they represent a burgeoning source of opportunity for marginalized ethnic groups to voice their grievances. However, norms and institutions are only effective within the context of an imbalance of power inherent in the international system.

This argument is buttressed by the fact that the real effectiveness of marginalized groups using international institutions and normative frameworks to achieve their aims is limited. It is true that Kurdish movements have successfully used international institutions and human rights discourse to make their case abroad and to bring it home to Turkey. The European Union, as the case study and background research demonstrates, does put pressure on Turkey to respect the political, linguistic and cultural rights of its minorities. However, the Kurdish question in Turkey is far from resolved and human rights violations are still common practice. Moreover, compared to the struggling post-communist countries of Central and Eastern Europe, Turkey now has a robust economy, maintains a strong relationship with the United States (who fully supports its accession), and is better positioned to negotiate with the EU in terms of economic and political muscle.

In the 1990s, Central and Eastern European countries were still reeling from the effects of decades of communist rule and struggling under the transition to democratic government and market-driven economies. Thus, the European Union was in a position to dictate the full terms of conditionality. Furthermore, the EU went beyond calling for minority rights reform in its candidate countries and issued frameworks to be implemented and even provided some funding to facilitate them. It is apparent that the Roma in Central and Eastern Europe stood to benefit greatly from the weakness of their home states and the relative strength of the EU. Comparatively, the force with which Europe demands reform from Turkey is considerably more tentative. Casier describes the Kurdish question as being "cautiously discussed as an individual human rights problem" between European and Turkish authorities (Casier, 2010, p.13).[5]

Nevertheless, the CEE member states do serve as a model for European power and assistance in terms of minority empowerment. In 1998, Accession Partnerships were

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[5] It is worth noting that the nationalist demands of some Kurdish groups, and particularly the armed struggle operated by the PKK, color Turkish-Kurdish relations in a different light compared to the Roma, who have no nationalist claims to territory.

established for Hungary, Romania, Bulgaria and the Czech Republic. These were designed to act as blueprints to assist these countries in meeting the Copenhagen Criteria. The integration of Roma was explicitly deemed a medium-term political priority. The Partnerships were revised on a semi-annual basis and in 2001 they reflected progress in addressing the situation of the Roma in these countries as they included the implementation of national action or framework programmes as a political priority. Further support for the Roma within the European system materialized in the ratification of the Amsterdam Treaty, which contains an article empowering the Community to actively address discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Consequently, an Anti-Discrimination Directive was implemented in 2000 intending to combat discrimination based on racial or ethnic origin in the public and private sectors.

> "It has a wide scope, including employment, training, social protection including social security and healthcare, social advantages, education, and access to goods and services including housing. Member states must designate a body for the promotion of equal treatment irrespective of racial or ethnic origin, which will, among other things, provide assistance to victims of discrimination in pursuing their complaints" (European Commission, 2003, p.6).

As part of the *acquis communautaire*, all member states were required to implement this Directive by 19 July 2003 and it was included in the accession negotiations of the CEE candidate countries. Additionally, the Phare Programme, which is designed to aid candidate countries in preparing for membership by providing them with financial and technical support, specifically addresses and designates funds toward the Roma. Financing for Roma projects has increased from €11.7 million in 1999 to €13.65 million in 2000 and €31.35 million in 2001. Past initiatives in Hungary have channeled European and Hungarian funds into projects aimed at reducing the dropout rate of primary school-age Roma children and pilot programmes for infrastructure development in slum-like segregated Roma neighborhoods (European Commission, 2003). These are just a few of the institutional and programme-oriented initiatives the Community has developed in the past in order to promote minority-human rights in its (current and prospective) territories. They demonstrate that an international institution, under conditions of hierarchy, can be successful in inducing reform at the national level regarding minority-human rights.

Conclusion: Implications.

The question initially posed asked under what conditions may international institutions and normative frameworks empower marginalized ethnic minorities. After first establishing that, in particular, human rights norms do exist and that they do partly characterize the nature of the contemporary international system, case studies were presented in order to test how effective norms and institutions may be in empowering these groups. The Kurds in Turkey and the Roma in Central and Eastern Europe were selected and justified as marginalized populations in their respective countries. To reiterate what was established at the start of this essay, the realization of a group's goals is not a sufficient measurement of empowerment. Empowerment is a process rather than an achievable state of being. Therefore, in the cases of the Kurds and the Roma, the acquisition of a recognized voice within arenas where they could voice their grievances legitimately and engage with authorities in power exemplifies minority empowerment. Their lobbying efforts toward European institutions support the argument that minority-human rights framing at supranational levels of advocacy can empower persecuted populations. However, as the discussion above demonstrates, opportunity for empowerment is limited. Opportunities arise only when there exists an established point of negotiation between states and institutions. Furthermore, there must be a substantial basis for bargaining. European institutions are reasonably successful in empowering marginalized groups when national governments seek accession, or some other incentive from the Community. Therefore, it is argued here that the condition for minority empowerment is asymmetry, in terms of economic or political clout, between states and institutions. Within this hierarchical relationship, international normative frameworks and institutions do lend a legitimate voice to marginalized ethnic minorities.

The context of the argument made in these pages is regional, exclusive to the European continent and those who wish to become a part of Europe. What, then, do the findings of this analysis mean more broadly on a global scale? In light of the conclusions drawn, it is difficult to impose the same conditions for minority empowerment universally. No hierarchical political structure with veritable normative power exists at the global level. The United Nations, while championing human rights principles in rhetoric, lacks the political muscle to induce member

states to comply with its demands in the way that the European Union directs its candidate countries. However, as Barkin (1998) argued previously, economic globalisation trends increasingly enhance interdependence between states and erode exclusivist state structures. Political and social ties too are being forged within local, national and international spheres by both state and non-state actors, as the transnational movements of marginalized ethnic groups demonstrate. This increasingly global integration of communities at multiple levels may lay the groundwork for new opportunities for the empowerment of marginalized groups.

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