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NEGATIVE BRIEF: Kurdish Independence

By Vance Trefethen

**This brief can be used against a plan that argues for US support for the Kurds (an ethnic group in northern Iraq) to gain independence from Iraq and establish their own Kurdish homeland state. In this brief, KRG stands for “Kurdistan Regional Government,” which is the local government in the northern Iraq Kurdish area that could potentially declare independence.**

OPENING QUOTES / NEGATIVE PHILOSOPHY

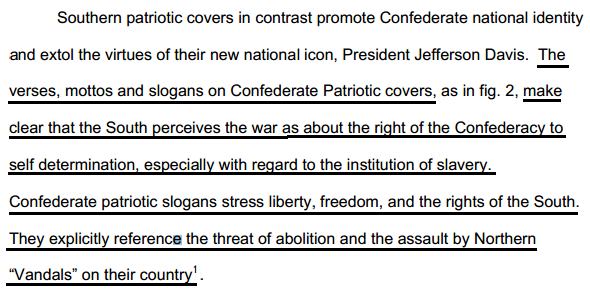
Experts have recognized for centuries that absolute self-determination isn’t realistic

Dr. Rupert Emerson 1960. (PhD;  professor of political science and international relations at Harvard Univ.)  *From Empire to Nation: The Rise to Self-Assertion of Asian and African Peoples* <https://www.mtholyoke.edu/acad/intrel/emerson.htm> (ellipses in original)

In its most extreme version the right of self-determination could mean the right of any group of disaffected people to break away at their pleasure from the state to which they presently belong and establish a new state closer to their heart's desire. As far back as 1793 in the setting of the French Revolution Carnot reported to the National Assembly that:  
If . . . any community whatever had the right to proclaim its will and separate from the main body under the influence of rebels, etc., every country, every town, every village, every farmstead might declare itself independent.

Theory of absolute right of self-determination is flawed: The Confederacy claimed the same right. Should Lincoln have conceded it?

Dr. Steven R. Boyd 2006. (PhD; professor of history at Univ of Texas at San Antonio) 4 Nov 2006 “Remembering the War Through the Mails: Postwar Confederate Patriotic Envelopes and the Reconstruction of Civil War Memory” <http://postalmuseum.si.edu/research/pdfs/Boyd_paper.pdf>



INHERENCY

Self-determination doesn’t necessarily mean the right to an independent state based on ethnic origin

Zoran Lutovac 1998. (Serbian Ambassador to Montenegro) Institute of Social Sciences, University of BelgradeThe Right to Self-determination: The Collapse of the SFR of Yugoslavia and the Status of Kosovo <http://www.bmlv.gv.at/php_docs/download_file.php?adresse=/pdf_pool/publikationen/14_sr3_lutovac.pdf>

Until now the leaders of the Kosovo Albanians and both the Serbian and Yugoslav government have often been invoking "the international norms" and "Helsinki principles", but, these norms and principles have often been interpreted selectively and restrictively. Each side has stressed only that what favors its own position, and has ignored that which is contrary to their particular political aims or practice. Thus, for example, as has already been said, the right to self determination, invoked by the leaders of the Kosovo Albanians, does not necessarily mean the right to an independent state or territorial autonomy. Likewise, for Yugoslavia to be entitled to invoke the Helsinki principles, it, first of all, has to entirely comply with the Helsinki norms and uphold the OSCE standards. The essence is that the Helsinki principles ought to be respected in their entirety, and not selectively, which means, as a coherent package of rights and duties. The Helsinki principles have been developed, particularly since 1989, in the spirit of encouraging the development of democratic, civil states founded on universal human rights, and not nationalist states in which rights are conditioned by ethnic origin.

Self-determination does not include a right of secession for minorities

Zoran Lutovac 1998. (Serbian Ambassador to Montenegro) Institute of Social Sciences, University of BelgradeThe Right to Self-determination: The Collapse of the SFR of Yugoslavia and the Status of Kosovo <http://www.bmlv.gv.at/php_docs/download_file.php?adresse=/pdf_pool/publikationen/14_sr3_lutovac.pdf>

Most authors who have dealt with the right of self-determination argue that minorities have no such right, particularly not in its most extreme form – secession. Secession is not allowed by international law, that is, the breaking up of a state cannot be legal. As early as 1920, the League of Nations Council denied the right of self-determination to national minorities in the case of the Aland islands. According to the Pact decrees, minorities do not enjoy the right of self-determination even in cases where it would be justified by "their numbers and concentration of settlements in some parts of a state". The Declaration on Giving Independence to Old Colonies and Their Peoples (1960) stresses that "any attempt partially or totally to break up the national unity and territorial integrity of a state is incompatible with the aims and principles stated in the UN Charter".

Self-determination does not require secession: It means cultural and economic development through local autonomy, confederation etc.

Zoran Lutovac 1998. (Serbian Ambassador to Montenegro) Institute of Social Sciences, University of BelgradeThe Right to Self-determination: The Collapse of the SFR of Yugoslavia and the Status of Kosovo <http://www.bmlv.gv.at/php_docs/download_file.php?adresse=/pdf_pool/publikationen/14_sr3_lutovac.pdf> (ellipses in original)

The right to self-determination means the right to the determination of political status, but also the right to the realization of political, economic, social and cultural development. Thereby, it should be stressed that the determination of political status does not mean only, not even primarily, the right to secession, but instead another set of steps for political self-determination: confederation, federation, autonomy, local government, participation in government... Contrary to this, in the nineties of this century, as interpreted by the political actors in states where the right to national self-determination was invoked, it was reduced mainly to the right of secession. All other important features and elements of the principle were largely neglected or were left as an alternative variant, if secession proved impractical. This unilateral and simplified interpretation and the inappropriate identification with anti-colonialism runs contrary to the modern tendencies of regional integration and the softening of state borders.

Kurds in Iraq already have autonomy

[Michael Werz](https://www.americanprogress.org/about/staff/werz-michael/bio/) and [Max Hoffman](https://www.americanprogress.org/about/staff/hoffman-max/bio/) 2014. (Werz - graduate of Frankfurt University’s Institute for Philosophy and was professor at Hannover University in Germany. He is currently an [adjunct professor](http://explore.georgetown.edu/people/mw286/) at Georgetown University’s [BMW Center for German and European Studies](http://cges.georgetown.edu/).. Hoffman -  Policy Analyst on the National Security & International Policy team at American Progress; M.A. in history from the University of Edinburgh, Scotland ) The United States, Turkey, and the Kurdish Regions 31 July 2014 <http://cdn.americanprogress.org/wp-content/uploads/2014/07/Kurds-report.pdf> (brackets added)

[Kurdish] President Barzani has reasons to be self-confident; northern Iraq represents an exceptional success given the troubled history of the country over the past two decades, though human rights challenges remain. The U.S.-led no-fly zone to protect Kurdish civilians in the wake of the first Gulf War resulted in the return of many refugees and gave a degree of de facto autonomy to the region. In part since the 1991 Gulf War, but particularly since the 2003 U.S.-led invasion and occupation of Iraq, Iraqi Kurdistan has been largely autonomous. Parliamentary democracy has produced two successive presidential elections, economic development, and some of Iraq’s lowest poverty rates.

SOLVENCY

Turkey is the key to success, but Turkey will never agree to full Kurdish independence

Bill Park 2014. (Senior Lecturer in the Department of Defence Studies, King’s College, London University ) Turkey-Kurdish Regional Government Relations After the U.S. Withdrawal From Iraq: Putting the Kurds on the Map? March 2014 <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1190> (brackets in original)

That “door of hope,” he said, “is Turkey. And if that door, that hope is closed, it will be impossible for us to surrender to Baghdad.” Nechirvan Barzani has been highly instrumental in engineering the rapprochement with Ankara, but he is far from alone among the KRGs, and especially its KDP, leadership. Another leading KDP and KRG figure, Safeen Dizayee, has said in an interview that “even if tomorrow when there is a Kurdish independent state in Iraq, it would be a dependent independent [country] whether on Turkey, Iran, Syria or Iraq,” and made it clear that Turkey represents the preferred option. Falah Mustafa Bakir, head of the KRG’s Department of Foreign Relations, is another leading KRG figure who pins his hopes on the KRG’s relationship with Turkey. However, these KRG leaders understand that Turkey is not ready and may never be ready to countenance full Kurdish independence.

Turkey likes the Status Quo: “De facto” independence (functioning independently without official legislation) but not a declaration of independence for the Kurds in Iraq

Bill Park 2014. (Senior Lecturer in the Department of Defence Studies, King’s College, London University ) Turkey-Kurdish Regional Government Relations After the U.S. Withdrawal From Iraq: Putting the Kurds on the Map? March 2014 <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1190>

So, if Iraq continues along its present path, how will Ankara square its declared commitment to Iraq’s territorial integrity with its embrace of a de facto independent KRG? Given the uncertain future of its own Kurdish problem, and the likely reaction of Iran in particular, it is hard to imagine Turkey supporting an Iraqi Kurdish declaration of independence.

Iran and Turkey can and will sabotage any moves toward Kurdish independence

*Cale Salih 2014. (analyst specializing in Iraq, Syria and Lebanon; formerly* Middle East and North Africa Fellow for the International Crisis Group for two years, based in Beirut and Cairo, where she worked on Lebanon and Syria reports; later served as the Video Editor at Al-Monitor, an online newspaper covering the Middle East, and as the Senior Syria Analyst at Integrity Research & Consultancy based in Beirut) TIME magazine 6 Aug 2014 “Kurdistan Isn’t About to Leave Iraq Amid ISIS Fighting“ <http://time.com/3083172/iraq-kurdistan-independence/>

Regional and international interests also confine the Kurds. Iraqi Kurdistan is a landlocked region with powerful neighbors who have long been masters at power plays across borders. Iran and Turkey are opposed to Kurdish independence, fearing that their own restive Kurdish populations may be inspired by the Iraqi Kurds’ example. These two regional superpowers can – and, if history is anything to go by, will – attempt to sabotage any moves toward independence.

DISADVANTAGES

1. Net benefits. Autonomy within an existing state, like the Kurds have now, is the best policy

It’s costlier to create new independent states than it is to improve conditions for an ethnic group within existing states

Cross-apply from Inherency: That’s all we have to do to uphold “self-determination”

[Michael Werz](https://www.americanprogress.org/about/staff/werz-michael/bio/) and [Max Hoffman](https://www.americanprogress.org/about/staff/hoffman-max/bio/) 2014. (Werz - graduate of Frankfurt University’s Institute for Philosophy and was professor at Hannover University in Germany. He is currently an [adjunct professor](http://explore.georgetown.edu/people/mw286/) at Georgetown University’s [BMW Center for German and European Studies](http://cges.georgetown.edu/).. Hoffman -  Policy Analyst on the National Security & International Policy team at American Progress; M.A. in history from the University of Edinburgh, Scotland ) The United States, Turkey, and the Kurdish Regions 31 July 2014 <https://www.americanprogress.org/issues/security/report/2014/07/31/94936/the-united-states-turkey-and-the-kurdish-regions/>

The Kurds’ place in the Middle East is not a new question. Neither, more broadly, is the question of how to incorporate subnational ethnic or religious groups within the national borders that emerged from World War I. By and large, most policymakers have concluded that it would be costlier to redraw those borders than to work within existing lines, problematic as they often are. The national identifications based on these boundaries have taken root over the past century and should not be underestimated.

2. Iraq/Turkey Relations Damaged

Link: Kurdish moves toward independence inflame tensions between Iraq and Turkey

Bill Park 2014. (Senior Lecturer in the Department of Defence Studies, King’s College, London University ) Turkey-Kurdish Regional Government Relations After the U.S. Withdrawal From Iraq: Putting the Kurds on the Map? March 2014 <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1190>

Today, disputes over the territorial delineation of the KRG remain a source of tension, while the discovery of significant reserves of oil and gas within and straddling the borders of the KRG has raised the stakes. Tensions have been heightened still further by the determination of the KRG authorities to pursue an energy policy independent of the central government. This has involved entering into lucrative energy exploration and exploitation agreements with a number of major energy companies, among them the U.S.-based ExxonMobil and Chevron, and moving ahead with an energy partnership with neighboring Turkey involving the construction of direct pipelines across their shared border. Baghdad regards these activities as illegal, and fears that they could be a precursor to Kurdish independence and a break-up of the country. Baghdad also resents Turkey’s role in these developments, which has added to the tensions between these two countries that had already emerged as a result of the increasing authoritarianism and Shia sectarianism of the Iraqi government of Prime Minister Nouri al-Maliki.

Brink: Turkey/Iraq relations are now on the brink over the issue of Turkey appearing to support Kurdish claims

Bill Park 2014. (Senior Lecturer in the Department of Defence Studies, King’s College, London University ) Turkey-Kurdish Regional Government Relations After the U.S. Withdrawal From Iraq: Putting the Kurds on the Map? March 2014 <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1190>

The Iraqi government clearly believes Turkey has already gone too far in its relationship with Erbil. Unsurprisingly, Baghdad reacted angrily to an unannounced visit to Kirkuk by Turkish Foreign Minister Ahmet Davutoglu in August 2012. Davutoglu travelled to Kirkuk directly from Erbil without first informing the Iraqi government, according to Baghdad. Although the primary purpose of Davutoglu’s trip was to meet with and reassure the city’s Turkmen population and thus could not be construed as a show of support for Kurdish claims to the city, Maliki nevertheless accused Turkey of treating the KRG as an independent state, and threatened a review of Baghdad’s relationship with Ankara.

Impact: Iraq/Turkey relations are key to stability in the region

Voice of America 2013. (US government international news broadcasting agency) 7 Nov 2013 “Turkey-Iraq Relations Warming Over Regional Concerns“ <http://www.voanews.com/content/turkey-iraq-relations-warming-over-regional-concerns/1785917.html>

Over the past year, the leaders of Turkey and Iraq have exchanged hostile barbs, accusing each other of sectarianism. But relations now seem to warming. Turkish Foreign Minister Ahmet Davutoglu said at a recent joint news briefing in Istanbul with visiting Iraqi Foreign Minister Hoshyar Zebari that Turkey always considered Iraqi-Turkish relations as key to stability in the region. Zebari’s visit to Ankara, and Davutoglu’s announcement that he will be traveling to Baghdad, suggest the two countries are renewing ties after a tense period.

3. Human rights in Turkey

Link & Impact: US pressure over the Kurds would be counterproductive to our efforts to encourage better human rights in Turkey

[Michael Werz](https://www.americanprogress.org/about/staff/werz-michael/bio/) and [Max Hoffman](https://www.americanprogress.org/about/staff/hoffman-max/bio/) 2014. (Werz - graduate of Frankfurt University’s Institute for Philosophy and was professor at Hannover University in Germany. He is currently an [adjunct professor](http://explore.georgetown.edu/people/mw286/) at Georgetown University’s [BMW Center for German and European Studies](http://cges.georgetown.edu/).. Hoffman -  Policy Analyst on the National Security & International Policy team at American Progress; M.A. in history from the University of Edinburgh, Scotland ) The United States, Turkey, and the Kurdish Regions 31 July 2014 <http://cdn.americanprogress.org/wp-content/uploads/2014/07/Kurds-report.pdf> (brackets added)

Regarding the future of the Kurds more broadly, the United States should continue to be clear about its concerns over backsliding on the human rights and democracy fronts in Turkey. President Barack Obama—to whom Prime Minister Erdoğan still listens—and Secretary of State Kerry should be more vocal. While it likely would be counterproductive for the United States to weigh in on the Kurdish issue specifically, more frequent and vigorous public calls for enhanced multiethnic tolerance and inclusion in Turkey from the highest levels would be an encouraging message for Kurdish civil society organizations, Turkish political parties, and populations throughout the region.

Impact: Turkey has numerous human rights problems

International Service for Human Rights 2014. (Swiss non-profit human rights advocacy organization) “The Situation of Human Rights Defenders in Turkey“ 16 June 2014 <http://www.ishr.ch/sites/default/files/article/files/turkey_-_upr_briefing_paper.pdf> (brackets added)

At its first Universal Periodic Review (UPR) of May 2010, Turkey accepted only 10 out of 20 recommendations concerning freedom of expression, association and peaceful assembly. However, it accepted both recommendations concerning human rights defenders (HRDs) promising to ‘investigate all complaints of harassment and persecution against human rights defenders and NGOs, and sanction those responsible’ and ‘consider inviting the United Nations Special Rapporteur for Human Rights Defenders to visit the country ’. Nevertheless, four years later, HRDs [human rights defenders] and journalists still complain of continued judicial harassment and growing repressions on protesters and civil society as well as failure in holding perpetrators accountable. 1. Risks facing human rights defenders  
•The most commonly cited obstacle to human rights defenders and journalists is the limitation of freedom of expression. In the last report on Freedom of Press 2014, Freedom House lowered the ranking of Turkey from ‘Partially Free’ to ‘Not Free’ due to the fact that ‘constitutional guarantees of freedom of the press and expression are only partially upheld in practice, undermined by restrictive provisions in the criminal code and the Anti-Terrorism Act.’  
•CPJ [Committee to Protect Journalists] reported that ‘Turkish authorities held 40 journalists behind bars, making it the world's leading jailer of journalists (...). With recent releases in Turkey, Turkey now holds 21 journalists in jail.’  
•Other risks concern the right to peaceful assembly, excessive force by police, and impunity. According to Amnesty, Turkey continues ‘its policies of violence, repression and censorship in the face of the people presenting their demands for human rights in a peaceful and democratic way’.

4. US/Turkey relations damaged

Link: Turkey opposes Kurdish independence. See solvency evidence above

Link: The US must respect Turkey’s concerns about the Kurds. If not, we lose Turkish support against ISIS

Akbar Ahmed 2014. (jouranalist) HUFFINGTON POST Turkey, Reluctant Partner In Obama ISIS Strategy, Frustrates U.S. Officials 11 Nov 2014 <http://www.huffingtonpost.com/2014/11/11/turkey-isis-obama-problems_n_6135856.html> (brackets added)

[former senior State Department adviser Joshua] Walker said the Obama administration had failed to realize the importance of domestic concerns to Erdogan's policy calculations. He added that the U.S. could work to build broader Turkish support against ISIS by making clear overtures to Ankara for help and offering to serve as an "honest broker" in the peace process with the Turkish Kurds. Such a public statement, he said, could give Erdogan cover to tell his public that while aiding the Syrian Kurds might be politically unpopular with Turks, he felt compelled to come in on the side of the West. "Turkey's all about respect," Walker said, adding that the U.S. needs to ensure the Turks "get the level of respect that they deserve if we genuinely believe that we need Turkey to eliminate ISIS."

Link: US needs Turkish cooperation to effectively fight ISIS (Islamic State movement in Syria and Iraq)

Peter Weber 2014 (journalist) THE WEEK Here's why Turkey isn't helping save Syria's Kobani from ISIS 9 Oct 2014 <http://theweek.com/speedreads/index/269559/speedreads-heres-why-turkey-isnt-helping-save-syrias-kobani-from-isis>

The U.S., which has conducted at least 19 airstrikes against ISIS forces outside Kobani, acknowledges that aerial bombardment won't roll back ISIS by itself. The White House wants Turkey, with [NATO's second-largest army](http://hosted.ap.org/dynamic/stories/U/US_UNITED_STATES_TURKEY_ISLAMIC_STATE?SITE=AP&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2014-10-09-03-09-15" \t "_blank), to [step in](http://www.nytimes.com/2014/10/09/world/middleeast/isis-syria-turkey-border-us.html?_r=0" \t "_blank) with ground forces, shelling, training Syria rebels, or at least letting Turkish Kurdish forces across to the border to help defend Kobani. But it's complicated. First, Turkey is pretty open about wanting Syrian President Bashar al-Assad deposed, so sending troops into Syria is tricky. Second, Ankara has said it will only start fighting ISIS if the U.S. helps set up a humanitarian buffer zone in northern Syria, an idea Secretary of State John Kerry [says](http://www.nytimes.com/2014/10/09/world/middleeast/isis-syria-turkey-border-us.html?_r=0" \t "_blank) is "worth looking at very, very closely," but is considered too expensive and knotty for U.S. planners. Third, Turkish President Recep Tayyip Erdogan dislikes the Kurdish militias almost as much as ISIS. The Syrian Kurds fighting in Kobani, known as the YPG, are allied with Turkey's Kurdistan Worker's Party (PKK), a militant group engaged in a long battle for autonomy. "Americans officials fear Turkey could simply choose to remain out of the fray, and let two of its enemies — the Islamic State group and Kurdish guerrillas — fight for Kobani," [says The Associated Press](http://hosted.ap.org/dynamic/stories/U/US_UNITED_STATES_TURKEY_ISLAMIC_STATE?SITE=AP&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2014-10-09-03-09-15" \t "_blank). "That would give the militants an opportunity to do as much damage to the Kurdish fighters in Syria as possible."

Impact: ISIS is a serious threat to the US homeland

[*Stuart Gottlieb*](https://sipa.columbia.edu/faculty/stuart-gottlieb) 2014. (*teaches American foreign policy and counterterrorism at* [*Columbia University*](http://www.columbia.edu/)*, where he is also a Member of the* [*Saltzman Institute of War & Peace Studies*](http://www.siwps.com/)*) THE NATIONAL INTEREST 20 Sept 2014* Four Reasons ISIS Is a Threat to the American Homeland <http://nationalinterest.org/feature/four-reasons-isis-threat-the-american-homeland-11317>

The fact is groups like ISIS always think and act in terms of both local and global ambitions—or, in the parlance of the “defensive jihad” they believe they are waging, their targets are both “near enemies” (apostate Muslim rulers) and “far enemies” (the infidels that support them). While some in Congress and elsewhere still believe ISIS is a localized problem of little concern to the United States, the inconvenient truth is that ISIS actually represents a dangerous new chapter in the global war being waged by Al Qaeda and its affiliated and inspired groups, and a clear and present threat to the U.S. homeland.

Impact: Upsetting Turkey is bad: Turkey’s approach is key to proper treatment of the Kurds

[Michael Werz](https://www.americanprogress.org/about/staff/werz-michael/bio/) and [Max Hoffman](https://www.americanprogress.org/about/staff/hoffman-max/bio/) 2014. (Werz - graduate of Frankfurt University’s Institute for Philosophy and was professor at Hannover University in Germany. He is currently an [adjunct professor](http://explore.georgetown.edu/people/mw286/) at Georgetown University’s [BMW Center for German and European Studies](http://cges.georgetown.edu/).. Hoffman -  Policy Analyst on the National Security & International Policy team at American Progress; M.A. in history from the University of Edinburgh, Scotland ) The United States, Turkey, and the Kurdish Regions 31 July 2014 <https://www.americanprogress.org/issues/security/report/2014/07/31/94936/the-united-states-turkey-and-the-kurdish-regions/>

In Turkey, the state’s long-standing efforts to assimilate Kurdish culture and suppress Kurdish political organizations—primarily the Kurdistan Workers’ Party, or PKK, which is also a militant armed group—through military force seem to have been abandoned. The Turkish government has undertaken a new set of political negotiations, accompanied by a softer rhetoric toward cultural differences. Turkey’s approach toward the Kurds remains integral to the country’s process of democratization and the establishment of the effective rule of law, which is in turn important to Turkey’s role as a NATO ally and U.S. partner. It is in this longer-term context—alongside the urgent need to insulate against the further spread of violent groups such as ISIS—that the Kurdish question should be re-examined.