13 The Educational Language Rights of Kurdish Children in Turkey, Denmark, and Kurdistan (Iraq)¹

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Linguistic Human Rights in Education: An Overview

Research on educational performance indicates that linguistic minority (LM) children taught through the medium of a dominant language in submersion (sink-or-swim) programs² often perform considerably less well than native dominant-language-speaking children in the same class, both in general and on tests of (dominant) language and school achievement. They suffer from higher levels of push-out rates, stay in school fewer years, have higher unemployment, and, for some groups, drug use, criminality, and suicide figures, and so forth. There would appear to be a strong argument that such children do not benefit from the right to education to the same extent as children whose mother tongue is the teaching language of the school, and that this distinction is based on language—see Skutnabb-Kangas (2000), for educational and sociological arguments, and for the human rights instruments that embody some linguistic human rights; for legal arguments, see also de Varennes (1996); Magga, Nicolaisen, Trask, Dunbar, and Skutnabb-Kangas (2005), for a summary of the arguments.

Given what we know about the educational benefits of mother tongue medium (MTM) education and, as importantly, the educational harm, with resulting impact on employment prospects, mental and physical health, and life chances generally, of education of LM children mainly through another language, it can be forcefully argued that only MTM education, at least in primary school, is consistent with the provisions of several human rights documents (see Magga et al., 2005, for an elaboration; see also http://www.tomasevski.net (n.d.), the website of the late Katarina Tomasevski, the UN Special Rapporteur on the Right to Education from 1998 to 2004, for reports on the right to education). No other form of education seems to guarantee the full development of the human personality and the sense of its dignity, nor does it enable children who are subject to non-MTM education to participate as effectively in society. Those research findings are thus taken for granted in this article which state that maintenance-oriented MTM education (with good teaching of a dominant language as a second language, with bilingual teachers) is often the best way to enhance LM children’s high-level bilingualism, school achievement, a positive development of identity, and self-confidence.

In this article we are going to use a “particular case,” namely Kurds in Turkey, Iraq, and Denmark, to elucidate a general phenomenon of presence or absence of Linguistic Human Rights (LHRs).

Why Kurds? Why Comparisons?

Kurds have often been called the world’s largest people without a state. Since none of the states where the Kurds have lived for centuries (Syria, Azerbaijan, Iran, Turkey, and Iraq) have census figures based on language or ethnicity, the figures for the numbers of
Kurds vary between 25 and over 40 million, depending on the reliability of the source (McDowall, 2004). For instance, Kemal Burkay (n.d.), the General Secretary of the Kurdistan Socialist Party, and Wikipedia (n.d.-c) end up with similar total upper figures for Kurds in Iran, Iraq, Syria, and Turkey (36.5 and 37.5 million, respectively; in addition, there are a minimum of 1.5 million Kurds in diaspora in other countries). Turkey has the largest Kurdish population, a minimum of 15 million, probably much more. Statistics provided by the Central Intelligence Agency (CIA; 2007) document the Kurdish population as accounting for some 20% of the total population of Turkey.

Most Kurds see themselves as one people. The borders of Kurdistan (the land of the Kurdish people where they have lived for centuries, often interspersed with other peoples but in most cases as the majority in their own areas) are likewise unclear and contested, but there is agreement about what the “core” Kurdish areas are, except maybe among the most ideologically anti-Kurdish politicians. In Turkey, even the very existence of Kurds has been denied until very recently. The Turkish Law No. 2820 on Political Parties, section 81, from 22 April 1983, had the following (close to surrealistic) formulation: “It is forbidden to claim that there exist minorities in Turkey. It is forbidden to protect or develop non-Turkish cultures and languages.” The second part indirectly admits that minorities do in fact exist—no law would be needed to deny protection and development of something that does not exist. The law was repealed on April 12th, 1991, the same day as a new Law to Combat Terrorism (No. 3713) came into force. This law prohibits claims of minority existence equally efficiently but more covertly (see Skutnabb-Kangas, 2000, pp. 517–518). And the latest denial of the existence of Kurds is embedded in Article 301 of the Turkish Penal Code, where all expressions of Kurdishness, including use of the Kurdish colors in clothes, is forbidden (see below). How can children, whose ethnicity, language, and very existence are denied, be granted linguistic human rights in education?

When these children or their parents immigrate to some democratic Western country, in our case Denmark, is it easier for them to enjoy these rights? Official European Union (EU) policies celebrate multilingualism and claim to support it—but is this valid also for Kurds in the EU?

And when Kurds can decide for themselves how to educate their own children, do they rush for English-medium, as many Asian parents do (Hong Kong, Singapore, parts of India), or do they opt for another big international language, Arabic? Do Kurdish children under the Kurdistan Regional Government in Iraq have educational language rights? Have the Kurds in Iraq learned anything from the oppression that they have experienced, most recently under Saddam Hussain—do the Kurds in their turn now oppress linguistic minorities such as Assyrians or the Turkomen in Iraqi Kurdistan? We believe that there are lessons of more general relevance for social justice to learn from how the three countries concerned are treating Kurds.

**Lack of Educational Language Rights in North West Kurdistan (Turkey)**

This part could, sadly, consist of one sentence: As of early spring 2008, Kurds in Turkey have no educational language rights.

All education is through the medium of Turkish. Children are not allowed to study Kurdish as a subject in schools. There is no Kurdish medium education in day care, kindergarten, or schools. In theory, some teaching of Kurdish as a subject to teenagers and adults is allowed, but the rules around this teaching have so far made it more or less impossible.

The following examples from 2002 to 2006 are from court cases where the Kurdish
language and expressions of Kurdish culture are either overtly prohibited, or prohibited on the basis of being labeled “terrorist activities” which fall under the vague definition of terrorism in the Turkish Penal Code, Article 301.

A case has begun before the state security court in Diyarbakir against 27 children aged between 11–18, because they had demanded the right to native [Kurdish] language tuition…. The state prosecutor…accused the children and adolescents of “aiding [i.e. “sponsoring”] a terrorist organization” through their demands, and has called for prison terms of 3 years and 9 months.6

In 2002, student petitions calling for the right to merely receive some optional instruction in the Kurdish language were incriminated “on grounds of being instrumental to the [“terrorist”] PKK’s efforts to establish itself as a political organisation. State Prosecutors were briefed by the Ministry of the Interior in January, 2002, to bring charges of “membership in a terrorist organization” punishable with 12 years’ imprisonment against any students or parents who lodge[d] petitions demanding optional Kurdish lessons. By 23rd January 2002, a total of 85 students and more than 30 parents had been imprisoned and over 1,000 people (among them some juveniles) detained” for merely “having demanded optional first language education in Kurdish.”7

Even today, as Turkey is engaged in the EU “accession process,” “programmes in Kurdish for children on radio or TV” remain “prohibited.”8 An August 2005 BIA News Centre report described the following restrictions that were in place:

Local media groups who seek [to] broadcast programs in languages and dialects other than Turkish”—i.e. Kurdish—“…will [need to] present...an affidavit” clarifying their intentions and behaviour, “stating that they will not broadcast...programmes with the aim of teaching that language.”9

Teachers who have sought to simply “learn the Kurdish language” in preparation for a time when they might be allowed to teach it in schools, have also been targeted by the “Anti-Terror Police” and tortured by them for their seemingly “terrorist inspired” activities: “12 people, of whom 11 were teachers”, we are told, for instance, “were allegedly tortured while being detained by police after having been arrested in Kızıltepe for learning Kurdish together.”10

The Swedish news agency TT reported on the 25th of August, 2006, the Turkish authorities in Istanbul have seized 1,208 Kurdish versions of books about Pippi Långstrump (Pippi Longstocking), the world-famous fictional children’s character. They were sent on the August 7th from Sweden by an organization that runs an education project for Kurds. The books had been sent for delivery to libraries in five Kurdish villages. As it is well known, Astrid Lindgren’s books about Pippi Longstocking have been translated into 85 languages and published in more than 100 countries.11

The Article that has been criticized most intensely in the negotiations regarding Turkish EU membership is Article 301 from the Turkish Penal Code. We quote some of the parts that are most relevant for our language-related concerns here, together with a short extract from one of the most respected critics, Martin Scheinin. Article 301, on the denigration of Turkishness, the Republic, and the foundation and institutions of the State, was introduced with the legislative reforms of June 1, 2005. It states in its first two Articles the following:
Shelley K. Taylor and Tove Skutnabb-Kangas

1. Public denigration of Turkishness, the Republic or the Grand National Assembly of Turkey shall be punishable by imprisonment of between six months and three years.

2. Public denigration of the Government of the Republic of Turkey, the judicial institutions of the State, the military or security structures shall be punishable by imprisonment of between six months and two years.

Even if Article 4 states that “Expressions of thought intended to criticize shall not constitute a crime,” we note the following in the lists of “Offences committed for terrorist purposes” (from its Articles 5 and 6):

A person who makes the propaganda of the terrorist organisation or its purposes shall be punished with a prison sentence of one to three years.... The below stated acts shall also be punished according to the provisions of this paragraph:

a) Carrying the emblem or the signs of the terrorist organisation in a way to demonstrate that s/he is a member or supporter of the organisation, wearing clothes that [are reminiscent of] the uniforms on which such emblems and signs are placed, or covering the face partly or completely during demonstrations and rallies in order to conceal one's identity,

b) Carrying posters, banners, placards, pictures, signboards, equipment and materials, chanting slogans or using audio devices for the purposes of the organization.

A letter, sent on May 21, 2006, to the Parliament Justice Committee by Martin Scheinin, UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, informed Turkey that the new anti-terrorism law...

...fails to meet the requirement of proportionality in the use of force by security forces, introduces “improper restrictions on freedom of expression” and reflects the danger of punishing civilians not involved in violence. This danger is exacerbated by the very broad definition of terrorism that is being used and the very long and wide list of terrorist offences. (Fernandes, 2006b)

Similar sentiments are also expressed in the protest letter by Article 19, the NGO monitoring freedom of expression (Mendel, 2006).

In the U.S. backed “war” against “PKK terrorists,” it has become apparent that “one line of reasoning” currently used “in Turkish legal practice is,” indeed, “guilt by association” (Rud, 2005, p. 57). An example of this reasoning is from the education field:

1. The terrorist organisation the PKK is making propaganda for the right to use the Kurdish language, including in education.

2. Consequently, anyone who advocates the right to use the Kurdish language is guilty of supporting (“aiding and abetting,” Article 169 of the Turkish Penal Code) a terrorist organization.

(Lack of) Educational Language Rights for Kurds in Denmark

It is presently estimated that 1.3 million Kurds live in Europe where they settled as guest workers and refugees (Council of Europe, 2006). Denmark recruited many foreign workers from the 1960s until it permanently closed its borders to immigration in 1973. By
The overall population of Denmark was close to 5.5 million (5,427,459) in January 2006, according to Danmarks statistikbank (Statistics Denmark) (2006). Of this overall population, 31,008 were listed as Turkish “immigrants”; 24,542 were listed in a separate category as Turkish efterkommere. The distinction made in official documents between children born to ethnic Danes versus those born to other ethnic groups is noteworthy, given that ethnic Kurds, for example, have resided in Denmark for up to 40 years and three generations. This distinction is indicative of extant social divisions between ethnic groups in Denmark, divisions that play themselves out in how access to mother tongue education is prioritized for some, rather than a right for all, thus pitting ethnic groups against each other in a divide and rule manner. Following recent changes to educational language policies in Denmark, Danish municipalities are now only obliged to provide free mother tongue instruction (as a subject, not a medium of instruction) to school-aged children whose parents come from the Danish territories of Greenland and the Faeroe Islands, and member countries of the European Union (Kristjánsdóttir, 2003). The change left the municipalities free to charge immigrant groups a fee for their children to receive mother tongue instruction – or to organize it themselves. A further complication to ethnic Kurdish children exercising educational language rights by gaining access to mother tongue instruction existed long before the more recent limitation cited above. Various European Community (EC) now European Union (EU) countries interpreted the EC 1977 Directive on the education of the children of migrant workers differently, on the basis of what they thought was implied by the term a national language. The different interpretations resulted in different policies as to which language(s) migrant workers’ children had the right to receive mother tongue (MT) instruction in.

Informants in a longitudinal ethnographic study on ethnic Kurdish children’s educational experiences in Denmark (Taylor, 2001; in press) had different interpretations of how the directive applied to Kurds residing in the EU. Some believed that EU countries such as Denmark were obliged to provide MT instruction in Kurdish because it was a national language in Turkey. Others believed that ethnic Kurds in Denmark should receive MT instruction in Turkish since Kurdish was a (much disputed) national language, but not an official language in Turkey. Still others believed that by not providing MT instruction in Kurdish, Denmark was tacitly respecting Turkish national language policy of the time (“No language other than Turkish may be taught as a native language to citizens of Turkey in instructional and educational institutions,” Turkish Constitution, Article 42/9, quoted in Skutnabb-Kangas & Bucak, 1995, p. 355). Yet others believed that ignoring the fact that not all Turks were “Turks” suited Denmark’s policy of nondecision on the matter of Kurdish language rights in Turkey as minority language rights in Denmark are
an unpopular (Achilles heel) issue with Danes who view maintaining minority languages as un-Danish, therefore no priority (Taylor, 2001). In that sense, speaking Kurdish or other minority languages was and is seen as denigrating Danishness in Denmark, just as much as speaking Kurdish in Turkey is seen as denigrating Turkishness. However, while daring to request Kurdish MT instruction in Turkey or Denmark is in violation of the Turkish Penal Code, Article 301 (3. “denigration of Turkishness is committed by a Turkish citizen in another country the punishment shall be increased by one third”) in Turkey, it is not (yet!) in violation of the Danish Penal Code.

The Taylor (2001; in press) study revealed that a Danish–Turkish bilingual/bicultural program that featured equal numbers of ethnic Danish and Turkish students also featured a (hidden) Kurdish population: half of all students classified as “Turks” were, in fact, Kurds. The key question that arose in the study was: How could such a misclassification error occur, and continue? There were many layers to the answer. For one, both Turkish and Kurdish students were registered in the program on the basis of their citizenship, as either Danish or Turkish. As Kurdish children in the diaspora are made invisible by virtue of being members of the world’s largest people without a state, they were classified as “Turks.” A policy document from the program inception phase, however, revealed that the bilingual–bicultural program planning committee did recognize the potential for (Turkish/Kurdish) error (Helkiær, 1987). Section 4.4 of the report, “Turkish and Kurdish children” (Tyrkiske og kurdiske børn), deals specifically with population variables. It states:

Since there are two school-entry choices for Turkish and Kurdish pupils in this municipality—that is, bicultural and parallel groups—on a practical level, it would be feasible to divide the two groups up. There is no doubt that [this arrangement] would be preferable from a linguistic point of view. But obviously the issues involving Turkish and Kurdish peoples involve much more than language. The committee’s assessment of the situation was that if we were to propose such a clear division of the two groups, we would be meddling in a politically and emotionally charged matter and, as Danes, would have a hard time imagining the consequences of such an action. (p. 15)

Therefore, Denmark respected Turkish domestic language policy even for ethnic Kurds residing in the diaspora, on Danish soil.

This raises the further question of why Kurdish parents residing in Denmark did not object vociferously then, and do not now. Again turning to the Turkish Penal Code, Article 301, which even prohibits instruction in the Kurdish language in the diaspora, Article 3 is informative. For a Kurd residing in Denmark (“a Turkish citizen in another country”) to request Kurdish MT instruction, which could be construed as the “denigration of Turkishness,” the punishment is not only steep: punishment “shall be increased by one third.” Data deriving from interviews with Kurdish parents, and Turkish and Kurdish educators in Denmark (Taylor, 2001) revealed that Kurdish parents greatly feared negative repercussions for seeking Kurdish-medium MT instruction in Denmark. They feared for themselves as they frequently returned to Turkey for summer holidays, and they feared for their loved ones residing in Turkey. In 1981, when the first course was offered that taught Kurdish teachers from Turkey to read and write Kurdish, there were threats toward the participants from the Turkish Embassy. During the course, there was a burglary in the locality where the course was held, and the only thing that disappeared was a list of the participants. When we (the course organizers, including Tove Skutnabb-Kangas) complained to the relevant Danish Ministry about obstruction in relation to a legal activity in Denmark (to learn how to read and write a language), there was no reply.
Article 301 shows that this threat still exists, effectively limiting Kurdish parents’ ability to decide for themselves how to educate their own children by limiting the Kurdish MT option. Therefore, the Danish case shows that children whose ethnicity, language, and very existence are denied in one country (Turkey) do not readily have access to and may be severely limited in their ability to exercise their right to linguistic human rights in education even when their parents or grandparents immigrated to a democratic Western country such as Denmark. Their Kurdishness is still “forbidden” due to their membership in a people without a state, and because of a combination of ethnic Danes viewing the maintenance of non-Danish MTs as denigrating Danishness in Denmark and Kemalists (i.e., supporters of Kemal Atatürk’s ideologies) in Turkey viewing maintenance of Kurdish as an MT as denigrating Turkishness. Combined, this accounts for Kurdish children’s lack of educational language rights in Denmark.

Educational Language Rights in South Kurdistan (Iraq)

In South Kurdistan (northern Iraq), with a population of 5.5 million, where Kurds form a large majority, the situation today is completely different. The area of South Kurdistan (approximately 80,000 square kilometers, around 18% of the total area of Iraq, is comprised of the governorates of Arbil, Sulaimania, Dohuk, Kirkuk, and parts of Dyala and Nineva. Two thirds of the 5 million Kurds in Iraq live in the first three provinces (Kurdistan Democratic Party [KDP], n.d.-a). These are under the administration of the Kurdistan Regional Government (KRG; 2006). The rest are still administered by Iraq.

All education in South Kurdistan, including university education, is free. In the last report that Tomasevski (2006) submitted to the United Nations as Special Rapporteur on the Right to Education, she examined 170 countries in terms of the extent to which they offered education free or for-fee. Even primary education is for-fee in more than half the countries examined (see Table 25 in Tomasevski’s document). The global pattern of economic poverty-based exclusion from primary school is part of the global strategies for “no poverty reduction.” Education is often priced out of the reach of the poor. The trend has been a transition from free-and-compulsory to market-based education where the costs of even primary education have been transferred from governmental to family budgets. In view of this, South Kurdistan is remarkable. The “Educational Ladder” in Iraqi Kurdistan consists of “2 years pre-school education for the 4–5 years age group (not compulsory); 6 years compulsory primary education for 6–11 years; 6 years of secondary education of 2 cycles of 3 years each and higher education of 2–6 years” (KDP, n.d.-b).

During Saddam Hussain’s regime, all education in South Kurdistan—where it existed in the first place—was in Arabic; however, Kurds have themselves had the administrative control of education since 1991 when the “safe haven” (no-fly zone) was created. Article 4 of the new Constitution of Iraq, which was ratified on October 15th, 2005, states:

First: The Arabic language and the Kurdish language are the two official languages of Iraq. The right of Iraqis to educate their children in their mother tongue, such as Turkomen, Syriac, and Armenian shall be guaranteed in government educational institutions in accordance with educational guidelines, or in any other language in private educational institutions. Wikipedia (n.d.-a)

Today Kurdish children in Kurdistan have Kurdish as their medium of education in all subjects. Abdulaziz S. Faris, Director General (DG) of Primary Schools and Kindergartens in South Kurdistan’s Ministry of Education, informed the second author in
Hawler/Erbil that Kurdish children also learn English as an obligatory subject in primary school (personal communication, March 2006). Faris (personal communication, 2006) further commented that: Assyrian-, Turkomen-, and Arabic-speaking children are taught through Assyrian/Syriac, Turkomen, and Arabic in Kurdistan; they learn Kurdish and English as second/foreign languages, and minorities have their own departments in the Ministry of Education, each with their own director general (DG). Additional meetings between the second author and Fakhradin Bahaddin, DG of Turkoman Education, and Nazar Hana Khizzo, DG of Assyrian Education (personal communication, March 2006) in the Ministry of Education in Hawler/Erbil gave her the impression that these DGs were very satisfied with the position of minority groups in education, as compared to the period before the new Constitution came into effect. There are obviously also critical voices (for Assyrian education, see Odisho, 2004).

Assyrian/Syriac, Armenian, Chaldean, Turkoman, and Arabic are taught as mother tongues. All these languages are also taught as elective subjects to those who want to learn them, while English (and Kurdish for non-Kurdish speakers) are obligatory as second/foreign languages. During a private dinner that the second author attended with the former Minister of Education, Abdul-Aziz Taib, he said: “Every child in the world has the right to education through the medium of their mother tongue” (personal communication, March 15th, 2006).13 Abdul-Aziz Taib (personal communication, March 2006) reiterated this comment during a private dinner that the second author attended with the former Minister and his brother Mueyed Taib, a lawyer.14 Thus, in (Iraqi) Kurdistan, basic linguistic human rights are respected, for both Kurdish children (an earlier minority), and for most minority children.

There are, of course, problems too. Nimrod Raphaeli, Senior Analyst of the Middle East Media Research Institute/MEMRI’s Middle East Economic Studies Program, claims (2006):

[In the] Middle East Economic Studies Program Kurdish and English will be the two leading languages, while Arabic, like the languages of other minorities, will be an elective subject. It is no secret that a whole new Kurdish generation, including many who studied at Kurdish universities, has little or no proficiency in Arabic. That situation raises a serious question about their future integration into a federated Iraq. (n.p.)

While signs of prosperity are palpable across Kurdistan, there are also signs of corruption, nepotism and, generally, poor governance. Also, as in the rest of Iraq, there are shortages of electricity and gasoline, which are causing a lot of hardship to large segments of the Kurdish population. Further, there is the issue of poverty. Despite rapid economic growth generated by local and foreign investments, many families still live below the poverty line. All this influences children’s health, including food availability and intake.

School resources and supplies, including teaching materials, are still poor. Teacher training is traditional and often authoritarian and inadequate, despite good intentions. Teaching through the medium of languages that have never or seldom been used in schools requires time, effort, and training. There is no training as yet in language planning. Both corpus planning and acquisition planning are badly needed. There is also a risk of inappropriate “advice” from American and British publishers and other bodies being accepted both of necessity and because of lack of awareness of research on various aspects of languages and education research and experience elsewhere. But the good intentions and motivation are palpable. Children’s literature is very much in evidence and it includes children’s magazines.
A Short History of the Kurds and Their Language(s) in Iran, Iraq, Syria, Turkey, and the Former Soviet-Union

The Kurds are amongst the oldest inhabitants of the Middle East, and Kurdistan was an ancient Mesopotamian civilization (Skutnabb-Kangas & Bucak, 1995). The Kurdish language has a rich legacy. It has been spoken for at least 3000 years, and the oldest Kurdish literary text predates the Islamization of Kurdistan (Skutnabb-Kangas & Bucak, 1995). Following the signing of the Treaty of Lausanne in 1923, Kurdistan was divided between five countries: Turkey, Iran, Iraq, Syria, and the former Soviet Union (Chaliand, 1993; Mauriès, 1967), leaving the Kurdish language community divided and dispersed. Since then, the Kurds have been subjected to colonial rule in four states, Turkey, Iran, Iraq, and Syria, and hundreds of thousands of Kurds have been deported or internally displaced from Kurdistan to other parts of the occupying states or forced to move to other countries. Thus it has been, and still is, difficult for the Kurds to develop their language in any way similar to what occurs in closely knit nondispersed language communities (Skutnabb-Kangas & Bucak, 1995, p. 351).

Kurdish has four dialect groups, but two main dialects (Hassanpour, 1992). Kurmanji (the northern dialect of Kurdish), is spoken in the northern half of Iraqi Kurdistan, the Caucasus, Turkey, Syria, and northwestern Iran. Kurdi or Sorani (the central dialect), is spoken in western Iran and central Iraqi Kurdistan. Kurmanji is the most commonly spoken dialect, especially in Turkey, and 75% of all Kurds worldwide are estimated to speak Kurmanji (Chyet, 1992, p. xix). Kurds forcibly moved from the Kurdish-dominant provinces into the interior of Turkey over a hundred-year period did not experience a total disappearance of the language, but their Kurdish was altered. Due to the Turkification policy of deportations from the eastern provinces to the interior, widespread borrowing occurred, and “Kurdish vocabulary…evolved in different directions in different parts of Kurdistan” (Skutnabb-Kangas & Bucak, 1995, p. 352). Another side effect of the Turkification policy was that Kurds denied linguistic human rights such as Kurdish-medium instruction never learned to read or write their mother tongue.

As of 1972, 82% of all Kurds worldwide who self-identified as Kurds were concentrated in the eight Kurdish dominant provinces along the (south-)eastern frontiers of Turkey (Bulloch & Morris, 1993, p. 180; Kendal, 1993, p. 39; McDowall, 1991, 2004). Hassanpour’s (1992, p. 22) “Map 9” illustrates that Kurmanji- and Zaza-15 (or Dimili-) speakers are concentrated in two areas encompassed by those Kurdish-majority provinces. This means that using both Kurmanji and Zaza as instructional languages would be a viable alternative; however, while instruction via the medium of high-status languages (e.g., English) is offered, Kendal’s (1993, p. 75) statement is still true: “there is not one school where teaching is carried out in Kurdish, the language spoken by about one-quarter of the population” of Turkey.

Because the borders between languages and dialects are hazy, not linguistically but politically defined, it is also impossible to tell whether there is one Kurdish language, with several dialects, or several Kurdish languages. Nonetheless, Wikipedia (n. d.-b) lists the following as subdialects of Kurdish: Kermanshahi, Laki, Gorani, and Zazaki (Dimili). Though clarity is lacking about whether languages or dialects such as Zaza belong under the label “Kurdish,” most Zaza-speakers seem to identify themselves as Kurds and their language as a dialect of Kurdish. For example, the author of an online Kurdish school for Kurmanji, Sorani, and Dimili (Diljen, 2006) describes Dimili (Zazaki) as a Kurdish dialect spoken by 3 million Kurds.

The Treaty of Lausanne also left Kurdish writing systems divided and dispersed. For example, the Kurdish alphabet is a modified version of the Arabic alphabet in Iraq and
Iran; a modified Latin alphabet is used in Turkey and Syria, and a modified Cyrillic alphabet is used by Kurds residing in the former USSR (Wikipedia, n.d.-b).

Comparison and Lessons from the Comparisons

We can start analyzing children’s educational linguistic human rights by looking at the extent to which:

1. their mother tongues are accepted and respected;
2. they learn their mother tongues fully (it is their main teaching language):
3. they are not forced to shift languages;
4. they learn an official language;
5. they can profit from education, regardless of what their mother tongue is (see Skutnabb-Kangas, 2000, pp. 501–505 for details).

It is clear from the three descriptions that Kurdish children in South Kurdistan (and to a large extent also Assyrian and Turkoman children) are granted these basic LHRs in education.

On the other hand, both Turkey and Denmark violate Kurdish children’s LHRs. Turkey does it brutally and visibly, with the help of fear, threats, open prohibition, imprisonment, and torture. Denmark does it in more sophisticated and invisible ways, with hidden prohibition and naturalizing the nonexistence of the Kurdish language in education. Both states glorify their own official language and culture (Turkish and Danish) and stigmatize Kurdish language and culture (and, in Denmark, other minority languages; for example, Arabic, and cultures and religions, especially Islam).

This was how Atatürk, the founder of the Republic of Turkey and its first President, saw the Turkish language:

> The Turkish language is one of the most beautiful, rich and easy languages in the world. Therefore, every Turk loves his language and makes an effort to elevate its status. The Turkish language is also a sacred treasure for the Turkish nation because the Turkish nation knows that its moral values, customs, memories, interests, in short, everything that makes it a nation was preserved through its language despite the endless catastrophes it has experienced. (Virtanen, 2003, p. 15)

The glorifying claims about Danishness presented by several MPs of Dansk Folkeparti, the extreme right-wing supporting party of the Danish Centre-right government (Spring 2007) are to a large extent similar, as one can see if one runs a search for the word sprog (language) on the party’s home page (Dansk Folkeparti, n.d.).

Stigmatizing Kurdish is done somewhat differently in Turkey and Denmark. In Turkey, it has long been claimed that Kurds are mountain Turks. When the possibility of “Kurdish” existing arises in Turkey, it is not seen a separate language but as a dialect of Turkish; however, in actual fact, Kurdish is Indo-European in origin and Turkish is not—the two languages are unrelated. The following examples underscore the suppression and oppression of the Kurdish language and the very Kurdish nation.

“We have no ethnic minorities,” a “high official in Ankara” told Alan Cowell of the *New York Times* in February 1990.

In May 1989, the National Security Council launched a campaign denying the existence of a distinct Kurdish nation and a Kurdish language. Pamphlets were issued
and distributed to schools in the south-east, claiming that Kurdish is not a distinct language, but a dialect of Turkish.

There is no such thing as the Kurdish people or nation. They are merely carriers of Turkish culture and habits. The imagined region proposed as the new Kurdistan is the region that was settled by the proto-Turks...Kurdish is a border dialect of Turkish”—Professor Dr. Orhan Turkdogan. (all quoted in Fernandes, 2006a)

In Denmark, on the other hand, all immigrant minority languages are seen as useless by most center and right wing politicians (hence, the policy of nondecision), and as preventing the learning of Danish. Danish is even claimed to be the mother tongue of the “second generation”; that is, the children of immigrant minorities:

It is self-evident that refugees who are only going to be in Denmark during a short period should maintain their mother tongue. But when one is born and has grown up in Denmark and will have one’s whole existence here, then the mother tongue is Danish—full stop. (Svend Erik Hermansen, Social Democrat Party, quoted in Skutnabb-Kangas 2000, p. 109; emphasis added)

In both countries, the relationship between the two languages is rationalized so as to make enforced linguistic and cultural assimilation seem useful or the only sensible possibility for the minority—it is claimed to happen for their own good, and the state educational authorities are “helping” the children. It is interesting that both countries, despite not being settler colonies, are following the example of the United States. Just as the United States killed off or forcibly assimilated the indigenous peoples, in order to profit from their land, water, and material resources, Turkey wants to eliminate, physically or linguistically and culturally the Kurds as a nation. In the same way as the United States does not tolerate other languages and cultures and sees them as “un-American,” and a threat to “Americanness,” Turkey and (many politicians in) Denmark see other languages and cultures as a threat to the integrity of the state and as denigrating its “Turkishness”/“Danishness.” While the United States aggressively supports the Turkish state’s war against “PKK terrorists,” that is, all Kurdish people (see Skutnabb-Kangas & Fernandes, 2008), the Turkish and Danish ideologies of genocide vis-à-vis Kurds fit the old and present-day U.S. physically genocidal (indigenous peoples) and culturally and linguistically genocidal assimilationist (immigrant) policies extremely well. Change “immigrant” to “Kurdish,” “American” to “Turkish/Danish,” and “English” to “Turkish/Danish” in the Theodore Roosevelt (1919/1926) quote below, and we have post-1923 to present-day Turkish ideologies and present-day Danish ideologies:

In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person’s becoming in every facet an American, and nothing but an American.... There can be no divided allegiance here. Any man who says he is an American, but something else also, isn’t an American at all. We have room for but one flag, the American flag.... We have room for but one language here, and that is the English language...and we have room for but one sole loyalty and that is a loyalty to the American people. (p. 554)17

The parallels between the above quote by Roosevelt (1919) and Atatürk’s (1931) quote, which follows, is astounding:
Language is one of the essential characteristics of a nation. Those who belong to the Turkish nation ought, above all and absolutely, to speak Turkish. Those people who speak another language could, in a difficult situation, collaborate and take action against us with other people who speak other languages. (Mustafa Kemal Atatürk, quoted in Meiselas, 1997, p. 145)

Here we have one of the main global reasons behind enforced assimilation: the false hypothesis that the existence of minorities necessarily leads to the disloyalty and the disintegration of what one, also falsely, claims to be a nation-state, with one nation and one language. In fact, it is often precisely a lack of human rights, including minority rights and linguistic and cultural human rights that, in situations where ethnic and linguistic differences match economic and political injustices, leads to conflict and the desire to secede.

Global Comparison: Assimilation Is Not Freely Chosen if the Choice Is between One’s Mother Tongue and One’s Future

Assimilationist education of minorities is genocidal, according to the United Nations (1948) Genocide Convention’s definitions. Turkey is guilty of systematically treating Kurds in ways which fall under each of the five definitions of genocide in its Article 2:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group. (United Nations, 1948, E793)

Education offered to Kurdish children in both Turkey and Denmark is specifically guilty of genocide according to the definitions II(e): “forcibly transferring children of the group to another group”; and II(b): “causing serious bodily or mental harm to members of the group”; (emphasis added). In the following, we give a few examples from other parts of the world of how education may contribute to genocide according to these two definitions (for more, see Skutnabb-Kangas, 2000).

Pirjo Janulf’s (1998) longitudinal large-scale study of Finnish children in grade 9 in Sweden is one. All their education was through the medium of Swedish—there were no Finnish-medium classes at that point. After 15 years Janulf went back to as many of her original Finnish subjects in Sweden as she could find. Not one of them spoke any Finnish to their own children (Janulf, 1998, p. 2). Even if they themselves might not have forgotten their Finnish completely, their children were forcibly transferred to the majority group, at least linguistically. This is what both Turkish and Danish education attempts to do to Kurdish children.

A Canadian report from 1998 (“Kitikmeot Struggles to Prevent Death of Inuktitut”) cited in Martin (2000a) discusses what happens to Inuit children who have only experienced English-medium instruction throughout their educational careers: Once teenagers,
they can no longer converse fluently with their grandparents. This also happens with many Kurdish children in Turkey and Denmark. Assimilationist education is genocidal because it transfers children forcibly from their own group to another group, linguistically and culturally.

In an African study Williams (1993, p. 24) conducted in Zambia and Malawi, some 1,500 students in grades one through seven were observed and tested. The Zambian students had all their education in English, from day one, whereas the children in Malawi were taught in local languages, frequently their mother tongues, during their first four years of schooling, with English as a subject. The children in Malawi switched over to English-medium instruction from grade five onwards. Large numbers of Zambian pupils “have very weak or zero reading competence in two languages,” Williams (1995) states, whereas the children in Malawi had slightly better test results even in the English language than the Zambian students. In addition, the children from Malawi learned to read and write their own languages. Williams (1998) concluded that there was a clear risk that the policy of using English as a vehicular language could contribute to stunting, rather than promoting, children’s academic and cognitive growth. This constitutes “causing serious mental harm” in the Genocide Convention’s (1948) sense. Education of many Kurdish children in Turkey (and also in Denmark) is also very likely to stunt rather than promote their cognitive and academic growth.

Another Canadian report about Inuit children in English-medium education, “Keewatin Perspective on Bilingual Education,” by Katherine Zozula and Simon Ford 1985 (cited in Martin 2000a), discusses Inuit students who are neither fluent nor literate in English or Inuktitut, and who only perform at a fourth grade level of achievement after nine years of schooling. Mick Mallon and Alexina Kublu (1998, cited in Martin 2000b) confirm this observation, noting that many Inuit young people are not fully fluent in either language, and are apathetic. This is also likely to be the case with many Kurdish children in Turkey and also some in Denmark.

As for the United States, the same lack of LHRs for minorities that we see in Turkey and Denmark is also a major factor in preventing members of U.S. minorities from achieving, and high-stakes testing and other measures included in the No Child Left Behind (NCLB) legislation do not help. Baker (2006) observes that, in essence, the NCLB “makes states, districts, and schools accountable for the performance of LEP [limited English proficient] students” (p. 198). Indeed, the intention of NCLB is to “punish failure to show progress in annual English assessments”; hence, its emphasis on the rapid acquisition of English (Edwards, 2004, p. 120). In fact, NCLB legislation has missed its mark with regard to enhancing the performance of English-language learners.

Neither has NCLB improved students’ math or reading scores in general. Stephen Krashen (2007a; Information disseminated on Krashen’s e-mail list krashen@sdkrashen.com, March 4, 2007) cites research that documents how far NCLB has missed its mark: two major reports by Lee (2006), published by the Harvard Civil Rights Project, and Fuller and colleagues (2006) at the Policy Analysis for California Education research center at Berkeley, note that there is no improvement on national tests of reading since NCLB was passed, and the rate of growth in math was the same as it was before NCLB. Lee’s report also concluded, contrary to White House statements, that gaps among racial groups and high and low poverty groups are mostly unchanged.

If, as Baker (2006) suggests, the purpose of NCLB legislation was to enhance the performance of English-learners, and if, as Krashen (2007a, 2007b) reports, gaps among
dominant and minority group children have not changed, what motivation could the government have had in formulating, and currently reauthorizing, NCLB legislation?

Crawford (2000) outlines links between the push for subtractive, dominant-language-only-medium, submersion education and the English Only movement in the United States. Ideologically, the English Only movement is linked to Roosevelt’s (1919/1926) views and the way he mixes his vision of equality and loyalty to allegiance to one nation. To Roosevelt, Atatürk, many Danes, and Americans that sympathize with the English Only movement, allegiance to one nation—be it the United States, Turkey, or Denmark—is symbolized by speaking only one language: English, Turkish, or Danish, as the case may be. Crawford (2000) suggests that for people with an English Only mentality, provision of MT instruction may only represent one accommodation to societal diversity, but is viewed as a dangerous accommodation; one that may lead dominant group members down a “slippery slope” to “social equality? fewer advantages for white Anglo-Americans? linguistic human rights for everyone? These are nightmarish prospects for the privileged and the powerful, and for those who share their worldview” (p. 28). Substitute Turkish or Danish for English in English Only, and the parallels are overwhelming.

While the fears of adversaries of linguistic accommodation for LM children may seem exaggerated, when translated into state educational language policy, these fears have deleterious effects. Subtractive, dominant-language-only-medium, submersion education may cause serious mental harm to indigenous, minority, or dominated group students, and attempts, often successfully, to forcibly transfer them to another linguistic group. This is linguistic genocide.

To qualify as genocide, an act has to be intentional. Have states had an intention to “forcibly transfer children of the group to another group”; and “cause serious bodily or mental harm to members of the group”? YES, unfortunately they have. As many examples show (e.g., Fernandes 2006a, 2006b, in press-a, in press-b, Skutnabb-Kangas & Fernandes, 2008), Turkey has certainly had (and has) the intention to kill the Kurdish language and identity. This intention has been and is still openly expressed in countless documents. Denmark has been less open about the genocidal intentions. But it is possible to read the intentions from effects.

Dominant-language-only submersion programs “are widely attested as the least effective educationally for minority language students” (May & Hill, 2003; May, Hill, & Tiakiwai, 2003, a thorough two-volume survey of bilingual education research). This is the model Turkey is using for Kurdish children. The negative results of subtractive teaching were already known at the end of the 1800s. States and educational authorities (including churches) have had this information (Hough & Skutnabb-Kangas, 2005) for a very long time. “Modern” research results regarding the organization of indigenous and minority education have been available for at least 50 years, since the publication of the UNESCO (1953) expert group book: The Use of Vernacular Languages in Education. If states, despite this, and despite very positive results from properly conducted additive teaching, have continued and continue to offer subtractive education, with no alternatives, knowing that the results are likely to be negative and thus to “transfer children” and “cause serious mental harm,” this must be seen as intentional.

What should Turkey and Denmark do instead? We know from research that the longer indigenous and minority children in a low-status position have their own language as the main medium of teaching, the better they also become in the dominant language, provided, of course, that they have good teaching in it, preferably provided by bilingual teachers. If the Turkish/Danish states want Kurdish children to learn Turkish/Danish well, the best method would be to use Kurdish as the main teaching language, and to teach Turkish/Danish as a subject, using bilingual teachers who know both Turkish/Danish...
ish and Kurdish. While a reason frequently offered for not providing bilingual education is that students’ backgrounds are too diverse for MT provision to be feasible, this paper has shown how Kurdish MT instruction is not even offered in settings with sufficient numbers of Kurdish children for the provision of bilingual education to be a sound, feasible option for parents (e.g., in the eight Kurdish dominant provinces along the [south-] eastern frontiers of Turkey). While Turkey and Denmark are remarkably short-sighted in this respect, focusing on the supposed denigration of their official state language, (Iraqi) South Kurdistan is remarkably visionary.

While the (Iraqi) South Kurdistan system is still far from reaching its goal, it has envisioned and implemented a system aimed at providing education that promotes trilingualism. This could be compared with the Indian three-language formula (with successes and failures) (see, e.g., Annamalai, 1995, 1998, 2001, 2003, 2005; Mohanty, 2000, 2006). If such vision can be translated into policy and practice in a region with as many logistical and political challenges as there are in (Iraqi) South Kurdistan, schools in both Turkey and Denmark should minimally aim at school-aged children gaining competence in three languages:

1. for all: mother tongue (Arabic, Armenian, Danish, Kurdish, Turkish, etc);
2. for all minorities: the dominant state language (Turkish or Danish); for native Turkish or Danish-speakers: a domestic minority language;
3. for all: English (or some other major international language).

Schools in both Turkey and Denmark have the resources to realize (Iraqi) South Kurdistan’s vision for a trilingual educational system that enables minority children to maintain their language and identity and to have the educational benefits of MTM education. What Denmark and Turkey lack are South Kurdistan’s good intentions and motivation to act on behalf of its linguistic minority children. They value linguistic chauvinism at the cost of the heightened employment prospects, mental and physical health, life chances, and social justice that MTM education brings. There is a lesson here for all countries with indigenous peoples, minorities, and oppressed majorities. The Organization for Security and Cooperation in Europe (OSCE), which has 55 member states, including Canada and the United States, has a High Commissioner on National Minorities whose main task is to prevent ethnic conflict. Max van der Stoel (1997), OSCE’s first High Commissioner, has reported that the two main demands of the many minorities he has consulted with have been: more political and economic rights, and mother tongue medium education. When launching The Hague Recommendations Regarding the Education Rights of National Minorities (Foundation for Inter-Ethnic Relations, 1996), authoritative guidelines for minority education, interpreting standards in international law, van der Stoel (1997) stated:

…in the course of my work, it had become more and more obvious to me that education is an extremely important element for the preservation and the deepening of the identity of persons belonging to a national minority. It is of course also clear that education in the language of the minority is of vital importance for such a minority. (p. 153)

The Hague Recommendations (1996) advocate for mainly MTM education in elementary and secondary schools, and for bilingual teachers who know the LM children’s MT and the official (or “State”) language as a second language. The Explanatory Note to The Hague Recommendations (1996) states:
submersion-type approaches whereby the curriculum is taught exclusively through the medium of the State language and minority children are entirely integrated into classes with children of the majority are not in line with international standards. (p. 5)\(^9\)

The United Nation’s (2004) Human development report links cultural liberty to language rights and human development and argues that there is:

…no more powerful means of “encouraging” individuals to assimilate to a dominant culture than having the economic, social and political returns stacked against their mother tongue. Such assimilation is not freely chosen if the choice is between one’s mother tongue and one’s future. (p. 33)

Minimal social justice requires that children do not need to choose between their mother tongue and their future; however, the three cases outlined in this chapter suggest that Kurdish children must choose between their MT and their future in Denmark and Turkey because there is no provision for Kurdish MT instruction in those countries. While the educational system in (Iraqi) South Kurdistan is not ideal and has many logistical and political challenges, it envisions, implements, and provides education that promotes trilingualism. Thus, the case of (Iraqi) South Kurdistan may serve as an example for Denmark, Turkey, and other countries, not only for providing for Kurdish children’s educational language rights, but for striving for social justice in education for all LM children. Therefore, while this chapter emphasizes how the three countries concerned are treating Kurds, it also presents lessons of general relevance to all educators concerned with linguistic and cultural justice.

Notes

1. Shelley K. Taylor is mainly responsible for the Danish data, based on Taylor (2001) and updates; Tove Skutnabb-Kangas is mainly responsible for the Turkish and Iraqi data, some of which is from Skutnabb-Kangas and Fernandes (2008). The rest was composed jointly. We would like to thank Hongfang Yu for her conscientious, diligent assistance in formatting this text.

2. The submersion (sink-or-swim) metaphor refers to LM children (e.g., ethnic Kurds in Denmark) who begin receiving instruction through the medium of a dominant language (e.g., Danish is the dominant language in Denmark) without prior knowledge of the language of instruction. They do not receive MTM instruction or MT support, but are left to sink, struggle, or swim; hence, the image of being thrown off a diving board into the deep end of the pool without knowing how to swim, without swimming lessons, and without a life preserver (Baker, 2006).

3. Hassanpour (1992) reports that, since the 1970s, Kurdish diasporas have emerged in Europe, North America, Oceania, Lebanon, Japan, and other countries. See McDowall (2004) for further discussion of the Kurdish diaspora in Europe.

4. Exact figures are not available for the total number of Kurds worldwide since (a) Kurds have not been included in any census as Kurds and ethnic or mother tongue questions have not been asked; (b) respondents fear reprisals for self-identifying as Kurds; and (c) Middle Eastern authorities prefer to minimize numbers of Kurds (Hassanpour, 1992, p. 12; Kendal, 1993, p. 39; Yassin, 1995, p. 37). However, the country report updated by the CIA (2007) on April 17th, 2007 and Kurdoologists concur with McDowall’s (1991, p. 9) earlier estimate that some 20 to 25% of the population of Turkey is Kurdish.

5. Please note that spellings of Kurdish and Arabic names often vary as transliteration produces many ways to spell them (see note 14 below for a related point).
12. For sake of comparison, figures listed for etterkommere from other countries in the January 2006 census included 1,690 from Norway, 336 from Canada, and 4,189 from Vietnam.
13. The official Ministry interpreter translated the former Minister of Education, Abdul-Aziz Taib’s comment to Tove Skutnabb-Kangas from Kurdish to English.
14. During the second dinner, the lawyer acted as a Kurdish–Swedish interpreter.
15. Most things Kurdish (e.g., place names, language/dialect names) have both a Kurdish name and a Turkish/Iraqi/Iranian/Syrian name. Thus, Zaza is the Turkish term while Dimilî is the Kurdish term. The unofficial capital of North Kurdistan (Turkish Kurdistan) is Diyarbakir in Turkish, but Amed in Kurdish. We use the Turkish names if these are used in our references. Furthermore, as noted in note 4 above, the spelling of place and language/dialect names often varies.
16. For further information on Atatürk, see Wikipedia (n.d.-d).
18. For a summary of NCLB requirements, see Baker (2006, pp. 198–199).
19. See earlier definition/explanation of the term in note 2 above.

References

The Educational Language Rights of Kurdish Children


