

The Effectiveness of Harnessing Human Rights: The Struggle over the Ilisu Dam in Turkey

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ABSTRACT

Under what conditions can a human rights-based approach be successfully utilized? This article argues that the efficacy of a human rights discourse is, in large part, determined by the nature of the arena in which rights are claimed. Utilizing process tracing, involving content analysis and in-depth interviews, the article examines the decades-long struggle to block the construction of a large dam in southeastern Turkey. The analysis focuses on the struggle's three core dimensions: (a) *international* activism to influence foreign financial stakeholders; (b) *domestic* activism targeting the government; and (c) *regional* conflict over international water flows. Each of these dimensions is characterized by vastly different degrees of discursive rights consensus and leverage. In the international dimension, activists achieved both discursive consensus and leverage and were able to successfully thwart the Turkish government's goal of building a major dam. However, this ultimately proved to be a pyrrhic victory when the Turkish government secured domestic financing for the project. The loss of leverage in the domestic arena rendered anti-dam activists' rights discourse ineffectual. Finally, the lack of regional consensus on water sharing and Iraq's lack of leverage enabled Turkey to complete the dam.

INTRODUCTION

Can a human rights-based approach (HRBA) be utilized to protect the rights and interests of politically, socially and economically marginalized people? To address this question, this article examines the struggles of a group of

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marginalized people to block the Turkish government's ambitious mega dam project, the Ilisu Dam on the Tigris River. We explore activists' successful employment of a HRBA to stop the dam in 2002 and 2009, and compare it with the more recent inability of activists both domestically and regionally to stop construction. In 2018, the Turkish government was able to complete the dam: many of the opposition's feared human rights infringements were realized, including forced relocation, loss of cultural sites and significant environmental damage.¹ We argue that central to an analysis of this staccato process, ultimately resulting in the construction of the dam, is an understanding of the mechanism through which the power of a HRBA can be effectively animated in some arenas and not in others.

In the case of the Turkish dam, international and Turkish NGOs were able to successfully use a HRBA to invoke cultural preservation and the threat of displacement to pressure international financial institutions, mainly European Union (EU) banks that shared a common conception of rights, to withdraw their funding for the dam when human rights protections were not forthcoming. While this set the project back several years, a subsequent economic boom in Turkey allowed the government to replace international financing with domestic sources, effectively voiding the leverage domestic and international activists once held. To counter activists' HRBA, the Turkish government adopted a two-part discursive strategy: developmentalism and national security. While the former entailed promises of improvements in the living conditions of local people and a reliable energy supply to sustain economic growth, the latter capitalized on a decades-old ethnic conflict that served as a wedge issue to fragment and intimidate the opposition. While a final strategy to block the dam came from activists in Iraq — a downstream country that would be severely affected by the dam — the weakness of the post-2003 Iraqi government prevented it from securing leverage vis-à-vis the Turkish government, which went on to complete the dam with minimum concessions to its southern neighbour.

The early success of the anti-dam protesters was effectively rendered a pyrrhic victory, only temporarily blocking dam construction. Once the Turkish government secured domestic sources of funding, it could more easily exercise its sovereign state prerogative to decide which rights claims to prioritize, and to promote a hegemonic discourse centred on development and national security. In this new, inhospitable domestic arena, characterized by the lack of a discursive consensus between the Turkish government and the anti-dam movement both internationally and domestically, anti-dam protesters lost their allies and their leverage. With the rise of right-wing populist leaders and movements posing a challenge to liberal international norms and institutions, the struggle over the Ilisu Dam demonstrates both

1. On cultural rights, see Article 27 of the 1948 UN Universal Declaration of Human Rights (www.un.org/en/about-us/universal-declaration-of-human-rights); on environmental rights, see Boyd (2012); on relocation, see Morel et al. (2012).

the strengths and limitations of HRBAs in the face of nationalist and developmentalist platforms.

In highlighting the role of both cognitive and normative ideas in shaping the effectiveness of struggles over policy choices, our conceptual framework draws upon discursive institutionalism. Compared to other forms, such as historical institutionalism, discursive institutionalism eschews a deterministic approach and provides a more dynamic and agent-centred understanding of change, with its analytical focus on the role of ideas and discourses in shaping political behaviour. As such, both ideas and discourses, which are embedded in power relations, can advance certain political outcomes over others. Adopting this conceptual framework, we focus on the impact of philosophies/worldviews at a general level (i.e., associating the public good with growth or the protection of cultural heritage) on policy programmes (i.e., the state's role in providing energy or preserving heritage), which in turn directly inform specific policy solutions (i.e., building a large dam for energy provision to sustain growth) (Schmidt, 2008: 306). Specific policy change (e.g., rescaling the dam) is most likely to occur when activists manage to influence broader philosophies and programmes espoused by the government and the public. With the Ilisu Dam, activists were unable to achieve such discursive influence when the struggle shifted to the domestic realm where a developmentalist philosophy, energy-oriented growth programmes, and references to national security effectively neutralized a preservation philosophy and heritage-oriented investments.

Empirically, we employ process tracing, a method particularly useful to flesh out causal mechanisms shaping policy outcomes — in this case, discursive strategies related to the struggle over a mega-project — in a context characterized by both temporal and spatial variation (Bennett and Checkel, 2015). Further, we conduct a systematic content analysis of major English-language news outlets and a leading Turkish newspaper to identify the main frames through which opposing actors produced competing discourses about the dam and its impacts. Finally, we utilize insights from in-depth interviews conducted with several activists who were involved in the campaign against the dam as well as primary sources disseminated by the government and NGOs.

RIGHTS: PURPOSES AND EXPECTATIONS

Determining the relevance of human rights for people's everyday lives has, in the last two decades, become something of a cottage industry among academics and practitioners (e.g., Langford, 2018). The once unshakeable conviction that human rights were among humanity's greatest achievements and would ultimately form the basis of a worldwide international system is no longer a universally held truth. In the new millennium, the broad consensus regarding the relevance of human rights has been questioned by many,

including Posner, who argues that ‘human rights treaties can do little to improve the well-being of people around the world’ (2014: 8). He notes that despite the explosion in recent decades in the number of recognized human rights and international human rights treaties, tangible decreases in human rights violations are notably absent. He concludes that human rights approaches have dislodged more efficacious strategies, such as bottom-up, country-sensitive measures advanced by development economists, which are better able to ameliorate suffering and improve the lives of people around the world.

Hopgood (2014:1) accepts the arguments proffered by Posner and others, arguing that human rights are in decline because of their ‘systematic ineffectiveness’ and undemocratic nature. According to Posner (2014: 2), human rights approaches provide an ‘ideological alibi to a global system whose governance structures sustain persistent unfairness and blatant injustice’. In comparison, Ignatieff (2001), while presenting a more nuanced assessment of the impact of human rights, notes that in recent decades the moral consensus underpinning the human rights approach has been ‘splintering’. By implication, these scholars suggest that utilizing a HRBA to challenge the government’s plan to build a mega dam, and thus protect the rights of marginalized people living on the site, would likely end in failure.

On the other side of the debate, academics and activists provide concrete examples of how and where HRBAs have helped. Sikkink (2017: 8) argues that human rights have brought about ‘positive change in the world’ and details the causal link between human rights law and respect for human rights, noting specific improvements in the living conditions of millions of people. Similarly, Kenneth Roth (2017: 13), the Executive Director of Human Rights Watch, notes that ‘human rights standards provide guidance but become operational only with champions among governments and ordinary people’. However, Roth draws a pessimistic conclusion about the future power of human rights due to the rise of populist leaders around the world who make broad, concerted attacks on human rights values, language, laws and organizations.

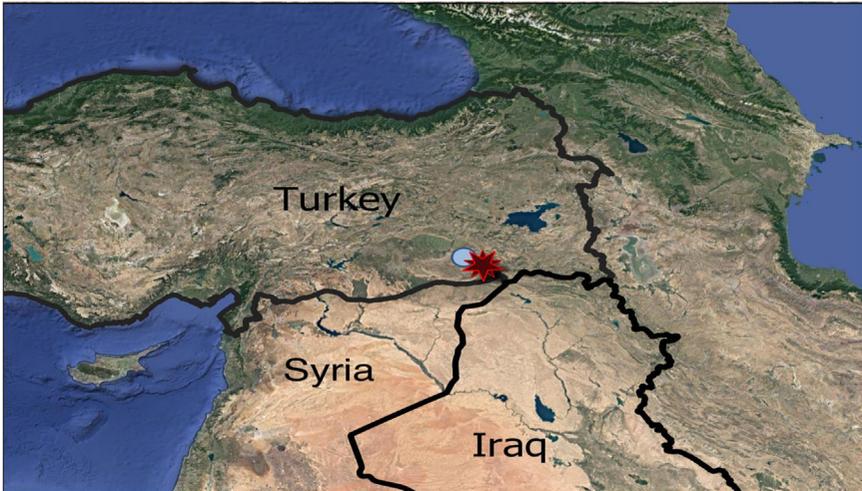
Despite the increasingly vocal concern over the efficacy of human rights, which began in the 1990s, many international agencies and organizations advocate a human rights-based approach. UNICEF (2011) defines a HRBA as a ‘conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights’. Gauri and Gloppen (2012: 486) expand that definition to include ‘principles that justify demands against privileged actors made by the poor or those speaking on their behalf, for using national and international resources and rules to protect the crucial human interests of the globally or locally disadvantaged’. The power of human rights then stems from the ability of a HRBA to ‘introduce a moral imperative to policy debates’ and ‘bring notions of social and economic justice into the human rights discourse’ (Baer, 2017: 23). Human

rights language is believed to empower the weak by adding to the available tools that can be harnessed to demand corrective action from the state.

Given these different positions, how should we expect human rights to operate in various contexts? To parse out whether human rights are one-size-helps-all, we ask to what extent rights discourses have been effectively utilized to animate human rights. We argue that, rather than expecting human rights to provide blanket benefits to all, the efficacy of rights discourses is dependent upon the context in which they are called upon. We assert that, in certain conditions, rights do indeed matter and provide tangible benefits to underserved, poor and marginalized populations. At the same time, in other contexts, the international human rights regime has failed to ensure that rights do what they are intended to do. Central to determining when a rights discourse will successfully animate human rights is the identification of conditioning factors that act to either strengthen or mitigate the intended effects of rights claims. In the case of the struggle against the Ilisu Dam, we identify two such conditioning factors: discursive consensus and leverage. First, consensus on rights is of paramount importance to their efficacy (e.g., An-Na'im, 1992; Donnelly, 1998). For human rights to carry weight, there must be widespread agreement on their morality, necessity and pre-eminence. Consensus on these aspects of rights should then work by producing norm-based reactions to violations. Lacking such consensus on the primacy of rights, actors develop competing discourses, such as developmentalism or national security, that undermine the political effectiveness of rights-based agendas. Second, when powerful actors do not abide by the international consensus on the importance of human rights, they may still be obliged to take human rights seriously. This happens when a reaction to rights violations carries some cost, be it reputational, financial, or otherwise. We conceptualize these costs as leverage, a conditioning factor that strengthens the effects of a discursive rights consensus. In short, the existence of meaningful leverage allows activists to combat rights violations by asserting a rights discourse to defend their position, imposing tangible sanctions that deter further violations. When such leverage is absent, states may pay lip service to rights, signing up to international agreements and touting their records, while denying the same rights to marginalized people at home.

THE MULTIFACETED STRUGGLE OVER THE ILISU DAM

The Ilisu Dam, located on the Tigris River approximately 50 km north of Turkey's border with Iraq and Syria (see Figure 1), is the second largest of 22 planned or existing dams, forming the Southeast Anatolian Project (Güneydoğu Anadolu Projesi — GAP), an ambitious state-led development initiative originating in the 1970s. While the original goal of the GAP was to expand irrigable areas and produce hydroelectricity, the justifications for the project varied considerably over time. Its objectives moved beyond

Figure 1. The Ilisu Dam Area and Hasankeyf

Note: Hasankeyf is represented by a circle and the Ilisu Dam by a star.

Source: created by Joshua Lambert.

technical solutions of irrigation and electricity production to include both socio-economic (reducing income disparities) and political ambitions (ending rural federalism and defeating the Kurdish insurgency) (Bilgen, 2018). The construction of the Ilisu Dam, begun in 2006, was eventually completed in early 2018. The Ilisu reservoir began to fill in summer 2019 and power generation started in May 2020. While the primary function of the dam is electricity generation, it also enables the construction of a smaller dam, just north of the border with Iraq and Syria, for irrigation. Official Turkish statements report that the dam will produce 4.2 billion kilowatt-hours of electricity and add 2.5 billion Turkish Liras to the economy per year (DSI, 2020).²

The dam met intense international and domestic opposition: critics warned of numerous deleterious impacts including the destruction of ancient cultural sites, forced population displacement, water degradation both domestically and regionally, environmental degradation and considerable biodiversity loss. Many of these fears were realized with the final construction of the Ilisu.³ The dam submerged the 12,000-year-old town of Hasankeyf, a unique cultural heritage site.⁴ It left around 200 localities under water,

2. Approximately US\$ 3,285 million at September 2021 exchange rates.

3. The nature of the harmful impacts of major hydropower projects are evident even in dams built according to World Bank-issued guidelines and standards (for the NT2 dam in Laos, see Baird et al., 2015; for the Three Gorges Dam in China, see Heggelund, 2006; but also see Wilmsen 2018).

4. Hasankeyf was not the first major archeological site in the region to be inundated. Moreover, many other barely excavated ancient sites in the Tigris Valley are now under water.

forcing the displacement of more than 80,000 people. Biodiversity loss is expected to produce further threats to endangered species while, further down the Tigris River, a loss of riverine ecosystems and extinction of known endangered species is probable. Finally, the dam is expected to exacerbate water shortages, especially in Iraq, leading to further issues with biodiversity, irrigation, fishing, drinking water, health concerns and transportation (Hockenos, 2019).

One glaring negative impact is immediate — the loss of the historical site at Hasankeyf (see Supporting Information Photo S1 in the online article). The site was submerged with most of the historical fortress buried under a thick layer of concrete. To camouflage this deliberate act of destruction, the Turkish government transported a number of ‘movable’ structures, including the shrine of a Muslim ruler and a mosque from the 15th century, to an ‘archaeological park’. Adjacent to the park is a museum in which 1,453 artifacts excavated from Hasankeyf and nearby sites are exhibited.⁵ In the words of one civil servant, ‘perhaps they [the visitors] will not have the opportunity to see the old Hasankeyf, but when they want to feel it, they could do so by coming to our museum’ (Tür, 2019). The government also promoted ‘new Hasankeyf’ as a tourist destination offering nature walks, watersports and paragliding (Ergin and Beyca, 2020). The government’s efforts to generate a model of tourism out of the destruction of a unique cultural heritage site illustrates how it abandoned the uneven reterritorialization previously pursued during mining projects in the Ida Mountain region in Western Anatolia. There the government designated certain areas for ecotourism and rural capitalism (i.e., olive industry) while allowing mining companies free rein in other areas (Hurley and Ari, 2011).

To make sense of the multifaceted and complex processes characterizing the struggle over the Ilisu Dam spanning more than two decades, we employ a discursive institutionalist approach and offer an analytical overview of the three dimensions of the struggle around the dam. This overview illustrates how activists in the international context, characterized by discursive consensus and meaningful external leverage, were able to successfully animate human rights claims. In the domestic and regional contexts, characterized by a lack of discursive consensus concerning rights and a lack of meaningful leverage, however, activists were unable to halt construction of the dam utilizing a HRBA. Table 1 visualizes our theoretical framework; for each dimension — international, domestic and regional — it summarizes the discourses employed by the opponents of the dam, the degree of discursive consensus, and the level of leverage which activists gained over actors whose involvement was essential for the completion of the project.

5. The symbolism is hard to miss here as 1453 is the year that the Ottomans conquered the Byzantium capital of Constantinople and converted the main cathedral, St Sophia, into a mosque. The nascent Turkish Republic designated St Sophia a museum in 1934. On 11 July 2020, the AKP government turned it back into a mosque.

Table 1. Three Periods and Dimensions of the Anti-Ilisu Dam Struggle

Dimension and Period	Anti-Dam Discourse	Rights Consensus	Leverage
<i>International</i> Targeting European actors: late 1990s to 2009	Resettlement, cultural heritage and water rights	Yes; export credit agencies responding to environmental and human rights discourse	High; international financing
<i>Domestic</i> Targeting Turkish government: 2006 to 2019	Resettlement, cultural heritage and environmental impact	No; Turkey presenting an alternative discourse of developmentalism	Low; limited public opinion mobilization via media campaigns
<i>Regional</i> Targeting Turkish and Iraqi governments: 2009 to 2019	Water share and water rights	No; Turkey presenting an alternative discourse of aid	Low; geopolitical power relations

Source: authors' own elaboration

International Dimension: Funders, Activists and Companies

The first international consortium to fund the Ilisu Dam was established in 1997, led by a British company. The creation of the consortium triggered international and domestic opposition, in part led by a Kurdish NGO based in the UK and in alliance with a number of European environmental NGOs (Atzl, 2014). The initial campaign against the Ilisu Dam took place in a context of increasing environmental concern regarding the promotion of large dams as sources of 'clean energy' (e.g., Hudson, 2017). The World Commission on Dams (WCD), established as a result of meetings between transnational activists and the World Bank in 1998, generated considerable pressure on export credit agencies (ECAs) that were used to fund such projects. The opposition against the first consortium framed the issue as a human rights violation, citing eradication of the Kurdish identity, and argued that the dam would lead to armed conflict between Turkey and its southern neighbours (Warner, 2012). The dissolution of the first consortium ultimately resulted from Turkish failure to comply with four measures stipulated by the ECAs relating to proposed resettlement programmes, upstream water treatment plants, maintenance of downstream water flow, and preservation of archaeological heritage. With the withdrawal of the United Bank of Switzerland, the main financial backer, in 2002, the project appeared defunct.

The Turkish government initiated the formation of a second international consortium in 2005, this time led by an Austrian company. This second attempt similarly generated significant opposition that paved the way for a transnational campaign to stop construction of the dam. Upon the formation of the second consortium, seemingly more intent on observing the OECD Common Approaches⁶ and guidelines provided by the World Bank

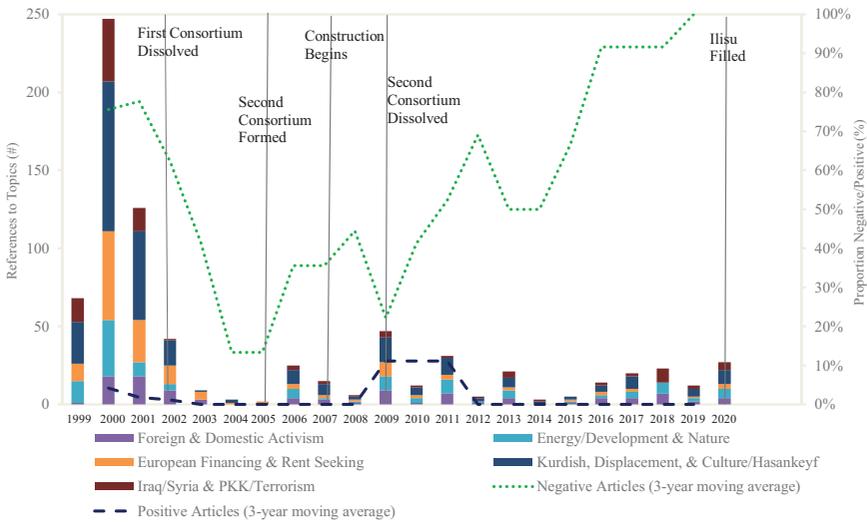
6. See: <https://legalinstruments.oecd.org/public/doc/280/280.en.pdf>

and WCD, terms of reference (TOR) between the ECAs and the Turkish government were prepared and signed. These terms created a project implementation unit and three committees of experts on environment, resettlement and cultural heritage, instituting a legally binding framework. Once the second consortium was operational, learning from past successes, activist networks in the European ECA countries, along with national and local groups, began organizing around these specific aspects of the project. The anti-dam campaign generated significant public interest and support, including within Turkey. The opponents of the dam found new local, national and international allies who highlighted the negative cultural and environmental impacts of the project and generated considerable pressure on its international backers. Groups including Friends of the Earth, the London-based Kurdish Human Rights Project, ECA Watch Austria and The Corner House were instrumental in intensifying international focus on human rights abuses and negative environmental impacts. Doğa Association and Atlas Magazine, at the national level, and the Initiative to Keep Hasankeyf Alive (*Hasankeyf'i Yaşatma Girişimi*), at the local level, were also highly engaged in the struggle. Activists personally met with European ambassadors to Turkey to express their strong opposition to the project (Hommes et al., 2016). As in the first campaign, the primary goal was to stop the construction of the dam on grounds that no mitigation mechanisms could prevent the destructive effects on cultural heritage, biodiversity and the local population. With this goal in mind, activists aimed to have ECAs withdraw their guarantees covering the financial risk of the consortium (Warner, 2012).

Nonetheless, after publishing an Environmental Impact Assessment and Resettlement Plan in 2005 and negotiating 153 conditions with the ECAs on issues including resettlement, the environment and watercourses, the Turkish government was awarded export credit guarantees in 2007. The anti-dam opposition protested the decision and argued that the relevant World Bank standards and safeguards were not met. Their concerns included the lack of adequate measures and compensation for the population facing forced displacement from the inundated areas, the destruction of cultural and historical heritage, and adverse impacts on the riverine ecosystem (Eberlein et al., 2010). While construction of the dam had begun in August 2007, ECA agreements were again terminated in 2009 when field investigations, supported by information provided by anti-dam groups, revealed that the Turkish government was not meeting the negotiated conditions (Atzl, 2014; Hasankeyf Koordinasyonu, 2019: 14). The negotiated Environmental Impact Assessment (EIA) plans provided the factual basis needed for activists to pressure international banks, companies and ECAs to withdraw their support from the Ilisu Dam project, thus activating their most meaningful source of leverage.

To develop a systematic understanding of the discursive framing of the struggle, we conducted a content analysis of major international English-language news media coverage of the Ilisu Dam from 1997 to 2020, using

Figure 2. Content Analysis, International English-language News 1997–2020



Source: authors' research.

Nexis-Uni, which resulted in 172 relevant news articles.⁷ Figure 2, illustrating the results of our content analysis of international news, reveals several interesting trends. First, international media coverage was highly critical of the construction of the dam. Following the dissolution of the first consortium in 2002, negative news coverage plummets (as does coverage generally). However, such coverage increases with the establishment of the second consortium and grows steadily after the construction of the dam was resumed with the support of domestic banks. Next, coverage in international English-language news outlets is largely centred on three topic areas: (1) displacement, Kurdish and ethnic dimensions, and the destruction of culture/Hasankeyf; (2) European funding; and (3) energy/development and nature.⁸ Disaggregating these categories further, the most commonly referenced topics in international news, in order of frequency, were European funding, displacement, and the destruction of culture/Hasankeyf. Reference to the Kurdish ethnic group appears in slightly more than 50 per cent of the recorded English-language news articles, almost 80 per cent of which take a negative position on the dam. Furthermore, on average, news items that are critical of the dam tend to have more references to these three categories than non-critical items. Around 74 per cent of negative stories refer

7. The procedure for the content analysis is described in detail in Appendix S1 included as Supporting Information in the online version of this article.
 8. For purposes of parsimony, we collapse topics into fewer categories and group less frequent topics together.

to one of the above mentioned three categories. In comparison, only 55 per cent stories not mentioning funding, displacement, or destruction of culture were negative. Finally, in contrast to Turkish-language coverage, the topic of energy/development receives little coverage in the international press.

In line with our theoretical framework, we assert that activists were able to successfully animate a discourse of human rights, especially in terms of preserving cultural heritage and opposing forced displacement, due to the existing discursive consensus within the EU and the resulting degree of external leverage that ECAs in both the EU and US were able to exert over the project. In the absence of countervailing discourses that would reduce the effectiveness of their invocation of rights, activists were able to mount a successful campaign of public pressure on the ECAs to take steps to protect the rights they had publicly agreed to. In short, discursive consensus concerning the importance of rights to environmental protection, cultural preservation and the protection of marginalized groups, made their utilization by activists salient in the fight against the dam. Further, once concerns about rights violations, including the failure to comply with guidelines set out in the ECA TOR concerning resettlement, cultural heritage preservation and downstream water quality were publicized, international financing of the dam was made untenable.⁹

Ironically, this victory ended the most substantial leverage activists had over the Turkish government. In February 2010, then-Prime Minister Recep Tayyip Erdoğan stated that construction of the dam would continue after the consortium identified necessary funding from Turkish banks. The shift to domestic financing coincided with a marked reduction in European leverage over the Turkish government. The post-2009 period saw growing deterioration in EU–Turkey relations that translated into diminishing prospects for Turkey’s eventual membership in the EU. Turkish aspirations to become an EU member had acted as a significant stimulus in its environmental protection efforts. When the goal of membership appeared unattainable, however, Turkish political elites lost their incentive to support environmental protection and European agencies lost leverage over Turkish actions (Adaman et al., 2020; Scheumann et al., 2014).

Domestic Dimension: The Government and Activists

Since the foundation of the Turkish Republic, the motto of ‘reaching the level of Western civilization’ has been a core discursive element shaping state policies. Relatedly, there has been a national consensus that development, defined primarily in terms of economic growth, is a public good that must be promoted by the state (Eralp, 1990). Successive Turkish governments, despite their ideological differences, have sought legitimacy through

9. With the exception of an Austrian company, Andritz, all European companies withdrew.

the pursuit of large-scale developmentalist projects. Since the 1980s, a neoliberal institutional framework that encouraged the direct involvement of business in such projects has been gradually established (Erensü and Madra, 2020). A coup in 1980 crushed primarily popular leftist movements and facilitated the advent of neoliberalism. It also paved the way for the 1982 Constitution, which enshrines the principle of the state over society and greatly curtails individual and group rights. Until the late 1990s, developmentalist projects received little or no domestic criticism even from the parties in opposition.

Given this political worldview, the construction of hydroelectric dams has been central to successive government programmes in Turkey since the 1960s. This goal reached an unprecedented level of ambition under the Justice and Development Party (AKP), whose rule has been characterized by neoliberal expansionist policies including rapid and widespread privatization of the energy sector (Özkaynak et al., 2020; Scheumann et al., 2014). Adopting a highly top-down developmentalist approach, the AKP government has equated energy with national progress, exhibiting little concern for local participation, environmental justice, or sustainability (Aksu et al., 2016). In particular, the geographic and demographic reconfiguration through top-down developmentalist projects of the upper Euphrates and Tigris basin, populated primarily by Kurdish people, constitutes a central aspect of Turkish modernization (Harris, 2008). The preparation of EIAs and resettlement decisions have been highly centralized, involving limited input from civil society actors and elected local authorities. Displacement caused by dams in the region and elsewhere in the country has further exacerbated existing inequalities; while such displacement increases the precariousness of already marginalized populations such as women and landless peasants, it also generates opportunities for rent seeking among well-connected locals (Morvaridi, 2004). With the Ilisu Dam impoundment by early 2020, thousands of people were forcibly displaced from their villages, migrating to larger cities in the region. While the government created a new soulless town on the other side of the river, a large number of displaced people lacking formal land ownership, including landless peasants, received no compensation (Bianet, 2020).

As AKP rule took an increasingly authoritarian turn in the 2010s, private energy companies, enjoying cosy relations with the government, became steadily dependent on the state's arbitrary disciplinary practices to sustain their profits (Erensü, 2018). Similar to the trend in some other states, including India and Poland, the right-wing populist Turkish government justified energy projects with developmentalist and national security discourses, aimed at stifling dissent and protecting the private interests that benefit from such projects (Bridge et al., 2018). Indeed, Human Rights Watch specifically points to Turkey as a country that has withdrawn from the fight for human rights and has instead taken advantage of the lack of international pressure to destroy domestic dissent (Roth, 2017: viii).

A 2003 law, enacted shortly after the AKP came to power, allowed private companies to lease water-use rights for 49 years to produce electricity. The government promoted a particular discourse of rivers in which their use for electricity was prioritized, at the expense of both environmental and local community rights (Islar, 2012). If not used for energy production, rivers are perceived to ‘flow wastefully’, without a purpose (DSI, 2018). In this capitalist, developmentalist paradigm, hydroelectric power is portrayed as a way both to reduce Turkey’s dependence on energy imports and to satisfy increasing energy demands.

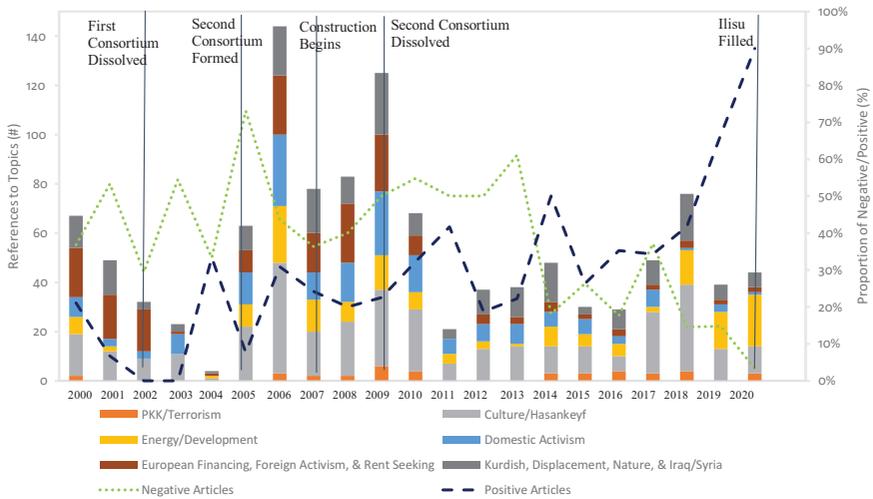
The Ilisu Dam has been central to this developmentalist paradigm given its size and scale. In fact, the AKP government has refused to consider alternative dam projects capable of tapping into the energy production potential of the Tigris River while sparing Hasankeyf from inundation (Yalcin and Tigrek, 2016). It also refused to consider obtaining the recognition of Hasankeyf as a UNESCO World Heritage site, which would have ensured its protection as in the case of several sites in Western Turkey. Instead, the government portrays the dam as a symbol of clean and sustainable development in an underdeveloped region (Harris, 2008; Hommes et al., 2016). A video produced by the General Directorate of State Hydraulic Works (DSI, 2018) epitomizes this developmentalist paradigm, portraying the taming and transforming of nature as a major accomplishment of the Turkish state. The video presents the dam in this remote region as a source of great national pride.

In the light of vast differences between the international and domestic discourses surrounding the dam, we analysed the discursive environment in Turkey concerning the dam. Similar to the process employed to analyse the international English-language news sources,¹⁰ we used *Hürriyet* newspaper to find and aggregate relevant reporting on the Ilisu Dam, identifying 532 articles (see Figure 3). We chose to focus on *Hürriyet* for reasons of feasibility (it has an extensive online archive that is searchable from 2000 onwards) and representativeness: *Hürriyet* has been the most prominent mainstream newspaper in the country providing extensive coverage of a variety of issues.

Several patterns in Figure 3 are noteworthy. First, *Hürriyet* was more critical (negative) of the dam project in the period prior to 2014, including after the Gezi protests which took place in the summer of 2013. A group of environmental activists started a sit-in to protest the government’s plan to replace one of the remaining green spaces (the Gezi Park) in the centre of Istanbul with a shopping mall and luxury apartments. In the face of police brutality, protests grew exponentially, spread to all parts of the country, and included a wide variety of social groups expressing their discontent with the top-down policies of the government. While the government eventually shelved the urban development project, it characterized the protests as a conspiracy

10. Described in detail in Appendix S1 in the online version of this article (see footnote 7).

Figure 3. Content Analysis, Domestic Turkish-language News 2000–2020



Source: authors’ research.

whose ultimate aim was to stage a coup; it became more authoritarian and tightened its hold over the media. In early 2018, *Hürriyet* was bought by a pro-government business conglomerate with the result that, as shown in Figure 3, negative coverage of the dam declined precipitously in 2018, disappearing completely by 2020. During the same period, the proportion of coverage painting the dam in a positive light saw a marked increase.

Second, until 2009, when the second consortium was dissolved, both foreign funding and international and domestic anti-dam activism received widespread coverage. Coverage of the dam in *Hürriyet* intensified between 2006 to 2009 and tended to be more negative than the previous period (46 per cent to 42 per cent negative, respectively). This period also witnessed well-coordinated activities by Turkish environmental associations that brought significant public interest to the issue. Moreover, as the Kurdish movement gradually made ecological justice central to its political platform, a large group of NGOs and municipalities in Kurdish cities established the Initiative to Keep Hasankeyf Alive in 2006. Consequently, among the topics referenced in articles conveying a negative position on the dam, domestic activism is the most common (67 per cent) in *Hürriyet* (only 11 per cent of these articles convey a positive position on the dam). The next two most common topics referenced in negative articles are nature (55 per cent) and rent seeking (54 per cent). With regard to positive coverage of the dam in *Hürriyet*, articles referencing energy and/or development are common (71 per cent). Also in line with the characterization of the government’s dam discourse as both developmentalist and national security oriented, 51 per cent of items referencing the Kurdistan Workers’ Party (PKK) and/or

terrorism convey a positive tone on the dam, with only 10 per cent being negative.

These figures, taken together, are consistent with our theoretical framework. The content analysis illustrates the competing discursive frameworks that dominated public discussions of the dam in the international and domestic dimensions: an ethos of cultural preservation and rights motivating the opposition versus an ethos of developmentalism and security that motivated the government. In the domestic dimension there was no discursive convergence that would favour the struggle against the dam. Furthermore, once international financing was no longer an impediment for the Turkish government, leverage also dried up. While in the international dimension discursive consensus and leverage acted to mutually reinforce the efficacy of a rights discourse, the domestic dimension illustrates how the absence of both conditioning factors had the opposite effect.

The content analysis also suggests that developmentalism emerged as a formidable rival discourse. This competing discourse undermined the formation of a consensus about the primacy of rights (such as cultural heritage preservation) during the struggle over the Ilisu Dam. However, this does not mean that the hegemony of the developmentalist discourse is unassailable, and that environmentalism is condemned to defeat in contemporary Turkey. Elsewhere, environmentalist activists have scored notable victories and halted destructive energy and infrastructure projects by forming robust cross-class coalitions and legal mobilizations. In a small town in northern Turkey, a coalition of educated urban citizens with a history of leftist activism formed a viable coalition with peasants to prevent the construction of a coal power plant by a powerful Turkish conglomerate in 2013. Arsel and colleagues (2015) coined the term ‘environmentalism of the malcontent’ to describe the motives of resourceful, relatively well-off, educated and urbanized citizens who express their dissent towards the AKP regime and its neoliberalist agenda by establishing strategic coalitions with peasants directly affected by destructive energy projects. More recently, a group of domestic NGOs successfully pursued a court case in 2018 against a mega-bridge on the Aegean coast that would have a devastating impact on flamingos and other wildlife in the wetlands close to Izmir, the third largest city in the country (Scaramelli, 2019).

Given divergent outcomes in cases of domestic opposition to developmentalist projects, how might we explain the ultimate victory of developmentalism in the case of the Ilisu Dam, that resulted in the destruction of a unique cultural heritage site, massive displacement and ecological devastation? We argue that the presence of a third discursive element, that of national security, reflecting deep ethnic cleavages, helps to explain the variation. The area affected by the dam is largely inhabited by the Kurdish people and contested between the state and PKK. This dynamic had two implications: it made it difficult for anti-dam activists to establish a sustainable, broad coalition with robust local linkages; and it enabled the government to frame

the dam not only in terms of developmentalism but also in terms of national security.

In Turkey, environmental activists have commonly been accused of serving foreign interests and working against Turkey's national interests (e.g., Özen and Özen, 2009: 562). Moreover, existing identity-based cleavages (ethnic or sectarian) confine the appeal of environmental concerns and make it harder to form coalitions capable of rising above partisan politics (Knudsen, 2016). As Turkish politics has become more polarized over the years (Somer, 2019), it has been increasingly difficult to establish cross-ideological alliances. Especially after the Gezi protests in 2013, Turkish government figures have tended to perceive environmental activists as part of a hostile opposition pursuing a partisan agenda (Adaman et al., 2020; Özler and Obach, 2018).¹¹ This dynamic was most pronounced during the struggle over the Ilısu Dam, given its location in a Kurdish-inhabited area.

As Figure 3 shows, the campaign against the dam reached the peak of its public outreach during the second consortium phase, from 2005 to 2009. In this period, a number of domestic NGOs organized various highly visible activities, including well-advertised train and bus rides from Istanbul to Hasankeyf, and ensured the involvement of celebrities including pop stars such as Sezen Aksu, Sertap Erener and Tarkan. They also challenged the construction of the dam using juridical means. While the courts delivered some favourable verdicts that slowed the pace of the project, the judicial process hardly made a dent in the government's determination to bring the project to completion (Güsten, 2011). In 2006, a group of activists also applied to the European Court of Human Rights. In 2019, the Court declared the application inadmissible noting that there is no European consensus to infer the existence of a universal individual right to the protection of cultural heritage (Bianet, 2019). The ability of activists to organize mass protests was limited given the repressive security practices in the region, which remained a conflict zone between the Turkish state and PKK.

The campaign made the saving of Hasankeyf, a cultural heritage site, central to its framing, at the expense of other themes including displacement and the rights of the Kurdish minority. In the words of a prominent Turkish activist, 'our response [to the question of "if we are not going to build a dam, what are going to do?"] is to declare the site a UNESCO World Heritage Site and make the region like Cappadocia'.¹² That very deliberate

11. It should be noted that surveys contest the impression that the Turkish public has little concern for environmental protection. According to a 2018 nationally representative survey, 68 per cent of respondents disagreed with the statement that certain plant and animal species could be sacrificed to build a dam (KONDA, 2018a). At the same time, only around 30 per cent of the respondents opposed the construction of hydroelectricity plants, a ratio significantly lower than the opposition against nuclear and coal plants (KONDA, 2018b).

12. Interview (virtual), Turkish environmental NGO representative, December 2020. Since 1985, 18 sites in Turkey, including Cappadocia, a top tourist destination, have been given this classification. The obstacle is that the Turkish government has been unwilling to initiate

strategy entailed disconnecting the dam from the Kurdish conflict with the goal of neutralizing the government's oft-repeated accusation that activists were 'supporting terrorism'. As the same activist expressed it, 'When we started this campaign, it was almost unthinkable to oppose such a state-led project We deliberately avoided the Kurdish question, framed the issue exclusively in terms of nature, and sought the involvement of popular figures to have broader impact'.¹³ The concern was that any association with the Kurdish cause would reduce the public appeal of the campaign, given the armed conflict between the Turkish state and the PKK. While domestic NGOs and the Kurdish movement eventually organized collaborative activities, their priorities remained distinct. When the Turkish government openly negotiated with the PKK leadership from late 2012 to mid-2015, the Kurdish movement did not explicitly incorporate the suspension of dam construction into its list of core demands from the government despite pressure from environmental activists.

The concerns of the campaign were not unfounded. PKK militants staged a series of attacks throughout the years to slow construction of the dam. The attacks provided the AKP government the pretext to discredit the multifaceted opposition to Ilisu as 'terrorism' and to portray the dam as a national security issue. The government sought to link the opposition to the dam with Kurdish separatism and accused international forces of impinging on Turkish sovereignty (Scheumann et al., 2014). For a local Kurdish activist who was involved in the campaign from 2012, the state's long-term goal to construct the dam was primarily about national security rather than energy production: 'We focused on saving the cultural heritage. We applied to [the European Court of Human Rights] and aimed to get UNESCO status. But that was not sufficient to prevent the construction of a dam pursued on national security grounds'.¹⁴ A similar view is expressed by an activist at an Iraqi environmental NGO who notes that while Turkish politicians publicly encourage both the Iraqi government and the Kurdistan Regional Government to build more dams to produce electricity, their main goal 'is to create a reservoir on the border to keep the PKK out'.¹⁵ An activist from Hasankeyf succinctly explained how the dam aimed to serve goals beyond development:

The Ilisu Dam was a political project. The state had difficulties to govern people who were living in villages spread through the area. The dam forced Kurdish people to migrate, and the

the process to obtain the UNESCO designation. Ironically, in 1981, Hasankeyf was declared 'a protected area' by the government, which prevented any further construction in the town centre.

13. Interview (virtual), Turkish environmental NGO representative, December 2020.
14. Interview (virtual), Kurdish environmental activist, December 2020. A similar political logic combining developmentalist goals with security concerns informed by ethnic differences underpinned Saddam Hussein's campaign to destroy the Mesopotamian marshes (Ariel, 2015).
15. Interview (virtual), Iraqi environmental NGO representative, December 2020.

state established control. Depopulation was the main strategy of the state. It was not about cultural preservation or even energy production. Besides, the state also obtained a weapon vis-à-vis Iraq with this dam.¹⁶

The government used its security apparatus to harass and intimidate locals who actively participated in the anti-dam struggle. Several interviewees noted that residents of Hasankeyf who joined the campaign and were involved in protests were subsequently detained and persecuted by the security forces.¹⁷ In contrast to other environmental struggles in Turkey where locals held demonstrations to stop construction of energy projects, local mobilization against Ilisu remained feeble. For instance, *Hürriyet* reports only a single large-scale demonstration in Hasankeyf that took place during the ground-breaking ceremony for the dam in August 2006. Especially after 2015, the campaign primarily relied on press releases and social media posts.

The impact of this securitization is also evident in the results of the content analysis: 48 per cent of news items mentioning the PKK/terrorism supported the dam while only 11 per cent of such items were critical of its impacts. This framing found expression at the highest level of the government. A leading AKP politician accused the main opposition party, which objected to the dam in its latest stages, of adopting a position espoused by the PKK. He claimed that the PKK opposed the project because the dam would reduce Turkey's trade deficit by lessening its energy imports.¹⁸ Most notably, in a speech delivered in February 2018, several months before the combined presidential and parliamentary elections, President and AKP leader Erdoğan declared:

Terrorists did not want the construction of the Hasankeyf Dam [*sic*]. Why? Because the Hasankeyf Dam was a very important project blocking their terrorist struggle. We spent lots of funds on the Hasankeyf Dam. Now Hasankeyf is not becoming a dam. There is a formation of sea, the Hasankeyf Sea We work hard; we never stop; we do not sit back. Terrorists are on a different path; they block the future of our country; we are in the path of service.¹⁹

In summary, we argue that the lack of discursive consensus among the actors relevant to the struggle (including the Turkish government and international and domestic anti-dam activists), made evident here by vastly different discourses related to the dam, made it more difficult to form and sustain a broad coalition capable of countering the hegemonic

16. Interview (virtual), a displaced Arab activist from Hasankeyf, December 2020.

17. While Hasankeyf had a sizable Arab population, the villages in the area are predominantly Kurdish. The current mayor — first of the old city and now of the new town — was elected under the AKP ticket in 2009, 2014 and 2019.

18. See: www.marasmanset.com/guncel/chp-hdp-iliskisi-desifre-olmustur-h32316.html (20 May 2020).

19. See: Cumhurbaşkanı Erdoğan: Hasankeyf Barajının yapılmasını istemiyorlardı (3 February 2018).

discourses promoted by the state, and further reduced any possible leverage of the anti-dam struggle over the government. An increasingly authoritarian, right-wing government pursued a developmentalist and national security agenda directly opposing anti-dam activists' HRBA. Moreover, unlike the early stages of international opposition to the project, financing for the dam was procured from within Turkey, eliminating a key source of leverage for activists who had publicized rights violations resulting from the dam's construction and operation as a way of pressuring international financiers.

Regional Dimension: Iraq and Turkey

Iraq and Syria lie downstream of Turkey (see Figure 1 above). The Tigris-Euphrates river basin is vital to the sustainability of agricultural production and water supply in Iraq, but water stress in the basin has been aggravated in recent years, with major implications for societal unrest and political instability in the country — a process similar to the effects on the Syrian civil war of a massive drought between 2007 and 2010 (Al Jabbari et al., 2015; Kelley et al., 2015). The decline in water security, resulting in illness and fatalities, triggered mass protests concerning water quality and availability in Basra in 2018 and 2019. The filling of the Ilisu Dam and the construction of the Cizre dam are expected to result in significant reductions in annual water inflows to the Tigris, thus further aggravating Iraq's water crisis (HRW, 2019).

The most salient issue regarding the Ilisu Dam in non-Kurdish parts of Iraq, as compared with either the international or domestic dimensions, is thus water flow rather than cultural heritage.²⁰ With the announcement of each new dam in the GAP project, both Iraq and Syria protested (Warner 2012). Turkey has largely claimed the principle of absolute territorial sovereignty (known as the Harmon Doctrine), maintaining that each state can do with the water flowing within its borders as it pleases. Turkey is the hydro-hegemonic power in the basin (Zeitoun and Warner, 2006): relative to Syria and Iraq, it not only enjoys an upstream position that translates into control over the flow of the rivers, but by the beginning of the 21st century it also had superior political, economic and military assets. Syria managed to achieve some concessions from Turkey despite its weaker and more vulnerable position by using its support to the PKK as leverage (Daoudy, 2009), leading to a bilateral treaty agreeing to a water-sharing scheme regarding the Euphrates River signed by Syria and Turkey in 1987. By contrast, post-2003 Iraq, characterized by high levels of political instability, violence and external intervention, lacked leverage to strengthen its bargaining position vis-à-vis Turkey. In fact, Iraq has become a major destination of

20. Interview (virtual), Iraqi environmental NGO representative, December 2020.

Turkish exports with Turkish companies heavily involved in various sectors of the Iraqi economy.

The Turkish government has framed the management and development of the resources of the Tigris and Euphrates rivers as a national matter with little concern for regional and local dynamics, seeing hydropower as a central aspect of its image as a sovereign nation state pursuing development (Harris and Alataout, 2010). It is not surprising, then, that Turkey strongly opposed the UN Watercourses Convention of 1997 that gives each riparian state an equal status and calls for an equitable share of the waters of transboundary rivers. While both Iraq and Syria are parties to the convention, Turkey was one of only three countries, alongside Burundi and China, that voted against the convention in the UN General Assembly (Warner, 2012). Turkey thus argues that there is no core international legal text that regulates the management of transboundary waters. It also claims that Iraq makes accusations against Turkey to cover up its own inefficient policies and water pollution issues. It suggests that Iraq's water problems are caused by a lack of technological infrastructure and resources, made worse by ongoing political instability (Aksünger, 2019; Maden, 2013). An official Turkish working group established in 2017 argued that Turkish dams actually have positive impacts on both Syria and Iraq by preventing floods and providing water supplies during droughts (MFA, n.d.; Ormancılık ve Su Şurası, 2017).

Turkey and Iraq have met several times, eventually signing a Memorandum of Understanding (MoU) in 2009, which is yet to be approved by the Turkish parliament, concerning a variety of transboundary water issues. Additionally, Iraq agreed to participate with Turkey in a number of working groups with promises of capacity sharing to improve water infrastructure and the stated aim of managing downstream negative implications of the dam. In the context of bilateral cooperation, Turkey promised to share technology and capacity with Iraq in order to improve the latter's water management and treatment capacities (Kibaroglu and Gürsoy, 2015). Overall, the establishment of a bilateral institutional framework promises greater trans-border cooperation regarding water issues and a reduction of the prospect of 'water wars' (Kibaroglu, 2019). Nonetheless, these bilateral meetings and agreements have failed to address the demands of Iraqi civil society actors concerned with water security. Iraqi activists are deeply concerned that the Ilisu Dam will enable the construction of a number of irrigation dams with adverse impacts on the flow of the Tigris into Iraq. They also argue that Turkey has a legal obligation to address Iraq's concerns due to the Treaty of Friendship and Neighbourly Relations between Turkey and Iraq, signed in 1946. Iraqi activists point out that when EIAs were prepared by Turkey, there was no consultation with downstream communities in Iraq and the documents were not translated into Arabic. The core of their argument is that Turkey shows no concern for the externalities of the dam and its

impacts on the people of Iraq (Save the Tigris and Iraqi Marshes Campaign, 2014).

The regional dynamics could have contributed to the more effective use of a HRBA to halt the construction of the Ilisu Dam had the Iraqi government been more supportive of activism pursued by civil society organizations in Iraq. Several Iraqi NGOs, in alliance with a local Turkish and two Western NGOs, submitted a shadow report to the UN Committee on Economic, Social and Cultural Rights in September 2015 which was critical of the inaction of the Iraqi government against the dam (Save the Tigris and Iraqi Marshes Campaign, 2015). The report, espousing a human rights discourse, argued that Turkish and Iranian water policies have severely exacerbated water scarcity in Iraq. In particular, the Ilisu dam and the smaller Cizre dam will further reduce the quantity and quality of water Iraq can utilize from the Tigris River, in the absence of a comprehensive water-sharing agreement among riparian states of the Euphrates and Tigris basin. Consequently, the report argues that economic, social and cultural rights of Iraqi people are being violated. The displacement of the Marsh Arabs, already suffering food insecurity and water-related illnesses, will lead to the extinction of their cultural lives. The report calls on the Iraqi government to negotiate a water-sharing agreement with Turkey and to make a complaint to the UN Security Council if negotiations are unsuccessful. However, in sharp contrast to massive Egyptian protests over the Ethiopian Renaissance Dam on the Blue Nile River, the Iraqi government remained passive.

Nasrawi (2018) argues that the Iraqi government is too fragmented and weak to effectively face the issue of water scarcity. Turning again to our theoretical expectations, the lack of any leverage over Turkey has left Iraq unable to challenge Turkey's ambitious hydropower and irrigation policies over the Euphrates and Tigris River basins. Moreover, the lack of an established consensus on riparian water rights has further weakened the Iraqi hand. Bilateral negotiations have resulted in only minor and vague concessions by Turkey, including promises of water-management technology and temporary delays in the filling of the Ilisu Dam. Ankara therefore has free rein to pursue its own nationalist and developmentalist priorities without much concern for water scarcity in Iraq. While Iraqi activists tried to put pressure on their government to take a more vigorous and assertive diplomatic stance, and sought allies in Turkey and Western countries, the Iraqi government remained unresponsive to such efforts and did not pursue a HRBA in its negotiations with Turkey over the dam. The regional dimension of the struggle against the Ilisu differs from the previous two dimensions in that the lack of discursive consensus was a matter of secondary importance. Given that the struggle occurred between two sovereign states, wherein one had a clear power advantage, the role of discourse in any policy decisions would have been limited. Nevertheless, the total lack of discursive consensus among regional states concerning riparian water rights further exacerbated the lack of leverage Iraq held vis-à-vis Turkey.

CONCLUSION

The tragic irony of this case is that the initial success of anti-dam activists ultimately removed the mechanism that constituted their greatest leverage: the threat of withdrawing international financing. The achievement of activists in the international dimension was driven by the discursive rights consensus present among European countries, funders and anti-dam activists. This consensus enabled the imposition of costs, in the form of leverage, tied to international financing. Once Turkey was able to finance the dam project domestically, activists had few strategies with which to confront the Turkish government's dam policy. Indeed, after the AKP government overcame the financial issue by obtaining credits from Turkish banks, it hardened its position and vigorously pursued the construction of the dam. Without this leverage, the international backlash against the Ilisu Dam diminished. The government framed water as an abundant resource to be exploited to sustain economic growth and a national security asset to be utilized against both neighbouring countries and a discontented ethnic minority. Against such discourses espoused by the Turkish government, the utilization of a HRBA by anti-dam activists was ineffective. At a regional level, Iraq, already suffering from severe water shortages, pollution and mismanagement, will experience greater degradation of water flowing from the Tigris as the Ilisu becomes operational. A lack of leverage, technical capability and infrastructure on the part of Iraq have allowed Turkey to sweep aside feeble objections from unstable Iraqi governments and nascent civil society and to continue with its plans to dam the Tigris.

At first look, one might consider the outcome overly deterministic: in a context characterized by hegemonic developmentalism, no struggle against such a large development project could have succeeded. Our study, which is informed by a discursive institutionalist approach emphasizing the role of agency in achieving change under certain constraints, however, suggests that this was not the case. The devastating effects of the Ilisu Dam on culture, the environment and the Kurdish ethnic group could have been avoided. As anti-dam activists proposed early on — and as has been achieved in many other locations, primarily in western Turkey — Hasankeyf could have been established as a UNESCO world heritage site, thus ensuring its protection. The reluctance to consider any alternatives to the government's GAP ambitions makes clear the power of the Turkish government's discursive strategy concerning development and security.

The case study illustrates that a HRBA can indeed be an effective strategy to protect the rights and interests of marginalized people, even in increasingly non-democratic countries, but its utility is context specific. Conditioning effects, in this case discursive consensus and leverage, were mutually reinforcing in each dimension. The presence of discursive consensus in the international dimension made leverage both more likely and more effective. Its absence in the regional and domestic dimensions allowed for

competing discourses to prevail, negating any possible leverage associated with a HRBA. The mechanism we propose to explain the varied outcomes in this case has clear implications for similarly situated programmes and offers a warning to activists vis-à-vis calculations surrounding leverage. Activists elsewhere may learn from those in Turkey: international financing of development projects, while not always desirable, nonetheless allows activists meaningful leverage in the struggle for rights.

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SUPPORTING INFORMATION

Additional supporting information may be found in the online version of this article at the publisher's website:

Photo S1: An overview of the Tigris River and Hasankeyf, March 2003 (photo taken by Güneş Murat Tezcür)

Appendix S1: Content Analysis Procedure