Democratic Developments in the Turkish Republic
Democracy in Turkey Hinges on Secularism and Security

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Abstract
The historic Westernization project in Turkey has recently taken a turn towards the difficult task of consolidating deliberative and participatory democracy under the impact of the urgency of reforms taken up in order to meet membership requirements in the European Union. This process necessitates the elimination of the traditionally authoritarian, nationalist, exclusionary, patriarchal, and assimilationist character of the Turkish state as well as the reaching of a compromise over the interpretation of secularism, which will help to reconcile the different segments of the society. This study aims to make a critical evaluation of the developments in the diverse areas of democratisation in Turkey. With the help of the theory of Social Constructivism, it is claimed that once basic social and political issues are openly discussed with an impact that shakes up all segments of the society, gets even the top level of judiciary involved, and gives a chance of full expression to contending views including voices from the institutions and leaders of the European Union, then the way for the consolidation of democracy can be paved more easily. Then it is no more possible to suppress the demands of individuals or groups for greater democratisation and their urge to come together to voice their concerns through independent civil society organisations.

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Introduction

Much of the discussions and questioning over the recent turmoil in Turkish politics reveals a problem over how to read the course of events. The point of view in this study is to interpret the overall contestations and confrontations as a process of democratic overhaul that holds the strong possibility of consolidating democracy with recourse to deliberative procedures, eliminating exclusionary aspects of democratic rule, and opening the way for greater “Westernisation” for Turkish society in the long run. As a member of the United Nations, NATO, the Council of Europe, the Organisation for Security and Cooperation in Europe, plus a great number of other international organisations, and a candidate negotiating for membership in the European Union (EU), Turkey needs to maintain a certain level of procedural democracy and has an obligation to consolidate participatory and deliberative democracy.

The most important steps needed towards greater democratisation presently can be briefly summarised as follows: increasing the reform efforts for EU membership; taking up with serious intent the creation of an overall new ‘civil’ Constitution for the Republic of Turkey; stabilising civilian-military relations at a reasonable level that corresponds to optimal universal standards; confronting with transparent legal mechanisms the murders committed in Turkey against individuals of minority or non-Muslim groups; completing the legal process that was started with the case called “Ergenekon” against the illegal activities of some ultra-nationalistic groups; responding to rightful claims of ‘Alevis’ in Turkey whose complaint of discrimination at schools has been found understandable also by the European Court of Human Rights; reaching a peaceful social, legal and political conciliation over the wearing of the “turban” by women at Turkish universities; elimination of Article 301 of the Turkish Penal Code, which includes references to denigrating expressions against the Turkish state; lowering of the ten percent barrier applied for political parties entering the elections and strengthening democratic processes in political parties; following the early Spring 2008 military excursion into PKK (Partia Karkaren Kürdistan) camps in northern Iraq, the necessity of (re)creating civilian measures for economic, social and cultural improvements in southeastern Turkey, providing ease for the development of all levels of democratic dialogue on the subject with the participation of a wide circle of national actors.

To this long list of needed reforms, one should add the lack of consensus over the meaning of secularism, which has lead to the two important cases before the Constitutional Court in 2008.

Ernesto Londoño writes that Turks are divided over the following question: “What role, if any, should Islam play in the affairs of a predominantly Muslim democratic state whose Constitution regards secularism as sacred.”¹ Sacred and indispensible, one should add.

Turkey in its political history has established basic electoral processes, constitutional provisions, secular principles and institutional structures, but the Turkish state has also been authoritarian, nationalist, patriarchal, and assimilationist.² These are cultural traits that still survive, not only in government and state policies, but also in the way political parties, educational institutions, the military and even social life and family life are generally run. One must also note the recent trend of change towards liberal and participatory dimensions of democratisation, which started with Turkey’s climb first into the position of a ‘candidate’ country in 1999, then a ‘negotiating’ country, in the course of her 40 year-old aspirations to acquire membership in the EC/EU.

Even the military is in favour of EU membership and sees the membership as a “geostrategic” need for Turkey. There are however some reservations of the military on some of the EU demands, such as “political liberalization, concessions on the Cyprus issue, removing the
extraordinary security measures in the southeast region, recognition of Kurdish identity and rights, and reducing the military’s influence over the country’s political affairs.”

The military sees “eventual EU accession as a natural extension of Turkey’s NATO membership, which would further cement its relationship with the Western powers.”

The problem arises when security issues in Turkey are seen to be in conflict in some cases with the promotion of human rights and greater democratisation. The gravitational forces of influence and incentives are emanating from the EU, pulling Turkey into democracy. There are, on the other hand, security dimension of the geostrategic positioning of Turkey, and internal security problems due to PKK terror. These are two main issues of concern that are assumed to be irreconcilable and that call for a trade-off.

In order to build my observations concerning the democratic developments in the Turkish Republic on, I have chosen the theoretical perspective of Social Constructivism since its major reference stance is social, and it is based on social interaction processes, communicative practices and collective meanings. The theory of Social Constructivism, even though it is a theory of international relations, is used in this study as a framework for discussing the various elements of the current situation in Turkey that has the appearance of a dangerous conflict. ‘Constructions’ in this case are not meant to refer to the basic structures of the Turkish state but to the creation of new democratic institutions and processes or to the strengthening of regional and local sub-national administrative units and to the building of better governance methods and good practices.

In Part I, some aspects of the theory are discussed in relation to their real life parallels in Turkish political issues. Part II reviews democratisation efforts, in the so-called “reform” or “harmonisation” packages of recent governments. In Part III, the particulars of the recent democratic or the seemingly antidemocratic processes in Turkey are presented through various critical perspectives, of natives or foreigners, over the power struggle between various secularist elements/parties and the governing Justice and Development Party (AKP). The study ends with a general evaluation and on a positive note that there is only one way out of the current state of affairs and that is greater but not less democracy, since transparency as a component of democracy has lately been taking the upper hand in the affairs of the state, both foreign and domestic affairs, as well as in the media, through the contestations of fiercely opposing sides.

The assumption is that the seeming confrontations between the politicians, military elite, judiciary, secularists, nationalists and Islamicists will bring out into the open the real obstructions in the way of the consolidation of democracy in Turkey. The leading actors of the European Union, such as the EU Commission President, the Commissioner Responsible for Enlargement, the co-President of the Joint Parliamentary Council of Turkey and the Community, and a number of national political leaders are also contributing positively by taking active part in the disputes, by bringing immediacy to the issues on the political agenda, and in this way exerting indirect pressure upon all the local actors, including the government.

I. Social Constructivism and the Turkish Case

Social Constructivism as a theory accepts the mutual constitutiveness of agency and structure. Thus the democratic transformation lived in Turkey today can be rightly interpreted as a step towards greater ‘Europeanisation’, which had been the utmost endeavour of Mustafa Kemal Atatürk, the leader of the structuring of the Republican Turkish state, its values and infrastructure, and its embarkment on a continuous and revolutionary ‘Westernization’ project. Social Constructivism also helps to detect the constitutive effects of European law on Turkey, its rules and policies in all aspects of life based on “the stability of institutions guaranteeing democracy.” Social Constructivism, by focusing on communicative practices, may also provide for the right reference point for revealing how Turkish people can
emerge with positive outcomes from this democracy hurdle that they experience at present. Even a simple observation of the language used shows how ‘European’ terminology derived from European Union ‘literature’ on values and principles is used by the proponents of the secularist view as well as by the Islamicists.

Social Constructivism is “an umbrella approach under which various theoretical interests and research strategies merge,” and which seems applicable in this case since it concerns itself with ‘the social construction of reality.’ The social world is constructed of ideas and beliefs that concern various physical entities and what these entities signify in the minds of people. It is a world of human thoughts and beliefs, of ideas and concepts, of understandings among human beings, especially among groups of people. Thus, the headscarf (“‘libran”) wrapped around the head in a very specific way by increasing numbers of modernist Islamic young women in Turkey is seen by the secularists as a ‘piece of rag’ (“bohça”) not worth all this bickering over; whereas that same physical entity is referred to by its proponents as ‘my morality that deserves the utmost respect.’

The social world which is a social structure is an intersubjective domain. There are no natural laws of society, economics or politics. Constructivists were inspired by theoretical developments in other social science disciplines, such as philosophy and sociology; thus the current democratisation process and its painful thrashes in Turkish society which is complicately connected to the surge of religious attitudes, overlapping with lack of universal and/or occupational education on an equal basis for all, and social insecurity caused by relative poverty, may be clarified.

Constructivists question the way interests are constituted among a wide range of international phenomena; in the case of Turkey, the society is composed of segments with such diverse thoughts, beliefs and ideas, that an international relations theory which takes the social dimension as its basis, seems pertinent. Anarchy is explained to be a social construct, something that is intersubjectively understood by different parties and which is reproduced through their interaction. The parallelism of the current Turkish situation to constructivist view is seen in the joint call of the seven most prominent and widely representative non-governmental organizations in Turkey, (TOBB, TİSK, Türk-İş, Hak-İş, KamuSen, TESK and TZO) to all political parties including the government in power to take a step back and restore the tranquility needed in Turkey in the face of economic problems surging in the world. The two main opposition party leaders immediately responded that they were not the ones who had taken any wrong step forward, therefore there was no need for them to take a step back. Claiming that the only object of this advice could be the government in power, they found the joint statement of the NGOs lacking in substance as well. However, in line with Constructivist Theory, the behavior of all parties that find themselves within an anarchic dispute situation contributes to make it so, no matter what form such behaviour may take.

Political positions in the state are not static entities but being dynamic agents, they are all (re)constituted through complex historic events and practices, and show how variable, unstable and constantly changing outcomes and structures may emerge. Recent changes were evident in the responses of the AKP government to some of the democratic requests, like its sudden show of flexibility towards conciliation with civil society representatives over the proposed social policy amendments to law. Again, much too evidently a positive position was taken by President Abdullah Gül who acted swiftly in arranging a meeting over lunch with the first opposition leader Deniz Baykal of People’s Republican Party (PRP) and another meeting over tea with the second opposition leader Devlet Bahçeli (NMP) on 26 March 2008 at the Presidential Kiosk (“Çankaya”) in Ankara. The AKP government, furthermore, hushed down its preparations for a constitutional amendment over tightening the provisions concerning the closing down of political parties, another one of its hasty attempts at constitutional change, piecemeal as need arises, instead of bringing out to the public as well as to the Parliament’s approval the already prepared proposal package for full constitutional change.

Constructivists say that political actors’ subjective and intersubjective beliefs, including norms, identities, and cultures are the important causes of political outcomes. A major
constructivist claim is that political actors do not always make decisions based on calculations of individual utility or material benefit. Instead, they follow socially-defined rules and norms, even when doing so may not be directly in their self interest. The focus on constructivist research is thus on the social construction of the collective rules and norms that guide political behavior.\textsuperscript{14}

In the eyes of Turkey's secularist people, the political behavior of the AKP so far in government has been, through bits and pieces of attempted, lost or gained steps and actions, accumulated evidence of a grand design centering upon transforming of Turkey into an Islamic Republic, and eliminating the stronghold of secularism as state policy. This, they claim, corresponds to becoming a core of unrest and dissidence in the society and breeding separatism, as the basic reason for party-closing in the current Turkish law. Even though the AKP marginally escaped the ban, 10 members of the 11-member Constitutional Court in its decision on 30 July 2008 did declare the AKP guilty of having undermined Turkey's constitutionally mandated secularism throughout its six years in power since 2002.

The emphasis of the constructivist approach on thoughts and ideas that enter into the existence of a specific line of political activity, fits well into the structuring of positions on both sides of the divide in Turkey at present, the secularists and the Islamicists, with quite different life-worlds. The constructivist stance not only helps to explain the existing situation but also heralds a hopefully democratic outcome of this dilemma: change for both sides becomes possible since anarchy is assumed to be the result of what opposing parties make of it. The two camps may, through dialogue, start thinking about each other in new ways and in the end create new norms that may be radically different from the old ones for both sides. Social realities are potentially ‘changeable’ and ‘contestable’ as well as ‘durable,’ and social realities tend to have a local presence and are confined to a limited time-frame.\textsuperscript{15}

Constructivists object to rationalism and treat the interests and identites of actors as endogenous to interaction. Thus actors' material or institutional positions are not significant; their socially constructed interests are important, as derivatives of processes of social interaction. Human agents construct and reproduce social reality through their daily practices; they do not exist independently from their social environment and its collectively shared systems of meaning.\textsuperscript{16} Thus, President Abdullah Gül and Prime Minister Recep Tayyip Erdogan, in loyalty to their wives, mothers and daughters who have moral dedication to headscarves, as well as the greater percentage of peer and voter groups in their close environment who are committed to the life-worlds of devout Muslims, feel strongly the obligation to act in line with this collectively shared system of meanings. The social norms within which actors are locked in not only regulate their behaviour but also constitute the identity of actors in the sense of defining who “we” are as members of a social community.

It is clear from the explanations of social constructivism that there is no absolute truth and that norms can be changed in time. Truth and knowledge are produced from a specific social and historical standpoint, which reflects the interests and culture of the groups in question.\textsuperscript{17} Even if diverse actors, each locked in its own truths and knowledge, may never be unified, social interaction may be reached between actors which can lead to more benign and friendly modes of anarchy.\textsuperscript{18}

\textbf{II. Democratic Steps Taken in Harmonisation Packages}

The role of the state in Turkish politics is of great importance. All measures, including reforms, have always been expected from the state. Before going into the recent reforms under the title of “harmonisation packages,” which are again enacted by the state or government, it would be helpful to take a look at the ‘numbered’ democratic transitions Turkey has gone through. The first of the three phases of democratisation was in the early 1920s, with the establishment of the Turkish Republic (representational democracy); the second was in 1946-1950, when Turkey passed into multi-party regime (electoral
democracy); and the third wave of democratic consolidation started in the late 1980s, moving towards participatory democracy and the process is continuing into the present. The Third Wave democracies refer to the phenomenon of a recent wave of democratic transitions in the world starting in the 1970s and culminating in the mid 1990s.19

There are factors that prevent Turkey from consolidating its participatory democracy successfully. Turkey has had a cyclic pattern of democracy and authoritarian rule, reverting back to democracy relatively quickly every time. The Turkish Republic was formed after the people of Anatolia under the leadership of Mustafa Kemal Atatürk had fought a War of Independence against the European powers which were in an effort to partition the remaining lands of the empire, in agreement with the Sultan. Mustafa Kemal Atatürk and his supporters fought against the invading powers successfully, which was followed by a War of Liberation against the Ottoman regime. The elites who established the Turkish Republic had fears of not being able to hold together the diverse ethnic and religious elements of the population of the former empire. Efforts at integrating and homogenising the population through the principles of nationalism, etatism, republicanism, populism, secularism, and continuous reformism, was vital.20 Secularism allowed for recognition of the rights of religious minorities, Orthodox Greeks, Jews and Armenians; and more importantly, secularism helped to place the practice of Islam under the control of the state and tried not to allow any place for religion in politics.

The military, from the beginning, indirectly took part in the civil effort, the founding of the Republic, since Atatürk himself and the supporting elite around him during the difficult War of Independence had been high officers of the Ottoman military staff who, after their participation in the Turkish Grand National Assembly, turned themselves into civilians. Therefore the military has always viewed itself as above the state and the guardian of the nation and protector of the solidarity of the Turkish Republic. The military has watched over the political parties as if the politicians would easily be tempted to sacrifice the hard-won basic values of the Turkish state, for the vote.

Education in the new Republic has been conceived as the primary mechanism of the state for the secularisation and modernisation of the society and as a vehicle of forging a nationalist ideology. However, discrepancies and discrimination as a result of government policies especially in the last two decades, coupled with reductions in the budget and erosion in the quality of curriculum, created a large private education industry that caters more to the well-to-do. Islamicists, on the other hand, have been trying to take every opportunity to re-establish the former empire’s religion-oriented education back into schools.

It is also important to point out the Ottoman Sultan’s conception of state RELIGION dichotomy in politics. The present-day Westernized secularist components of the population in Turkey are suspicious of the AKP government’s intentions of reverting back to the policy of including ‘ulema function’ in the legislative, executive and judicial power-divisions of the state. Traditionally, the Ottoman Sultans refrained from acting as theocrats even though they presided over the seat of the Islamic leadership, the Caliphate, since they needed to assure the autonomy of various religious minorities, called ‘millet.’ Only personal status-law of Muslims and their transactions were subject to Islamic Law, the Sheriat. The empire was run by a body of public law, called ‘Mecelle,’ that was not derived from the Islamic Law.21 The religious scholars, the ‘ulema,’ functioned as state servants, even though in theory, they had the right to invalidate any Decree of the Sultan if they found it in conflict with Islamic jurisprudence.21 ‘Sheik al-Islam,’ the religious dignitary of the Empire, approved the regulations promulgated by the Ottoman Sultan. In March 2008, the Turkish Prime Minister criticized the opposition party leader Deniz Baykal for making comments about the relatively recent and socially tumultuous headscarf movement in Turkey, on the basis that this was an issue that could be commented on only by the ‘ulema’. Such interpretations fall hard on the ears of the secular segments of the Turkish population, who have not heard any politician making a public statement about ‘ulema’s function in the affairs of the state for well over a century.
There is increasing use of the word “democracy” among all segments of the society, even among the socially excluded, fundamentally religious or uneducated/illiterate people; it has become an everyday common terminological reference among otherwise ideologically diverse groups. However, political activism and participation in civic organizations have always attracted a limited number of people in Turkey, due to political culture and social values that equate organized activity with ‘self-promoting’ challenges to the state authority. Even the high percentage of unemployment (about 11 percent) does not lead the jobless ones to civil rights work. Only among the internally displaced people in Turkey, mostly from Southeast Anatolia who had been subject to the ‘emergency administration’ since the mid-1980s, there is some awareness of outlets including the nongovernmental initiatives. These people realize the role of such organizations in facilitating an improvement in their life conditions, as well as the importance of the European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR).

The ECHR is becoming a higher law and the Court is effectively acting like a supreme court. “The Court has taken a key role in reforming Turkey’s legal system,” especially by prompting reforms in pre-trial detention, trial procedures, freedom of expression, and freedom of assembly and association. Compliance with ECtHR rulings has been a material condition for Turkey’s EU membership; besides, almost all people in Turkey look up to the Court very favorably and depend on the Court as efficient, effective and reliable last resort.

The developments in the freedom of the press and broadcasting have played a significant role in diverse areas of democratisation in Turkey. In the early 1990s, there was a mushrooming of private satellite radio and TV channels, without a legal basis. This was an era of uncontrolled freedom of expression allowing for discussion of very controversial subjects such as the violation of the principle of secularism, Islamic fundamentalism, or the Kurdish problem and the PKK. Even though prosecutions followed for the producers of some programs that were critical of state institutions or the military, different view points had a chance of public hearing and even created a certain taste and demand in the society which continues today and has contributed greatly to the development of democracy.

The mixture of liberal and conservative policies of the Motherland Party (ANAP) allowed for such a practice until the official abolition of the state monopoly in broadcasting came with an amendment to Article 133 of the 1982 Turkish Constitution. The amendment defined the Turkish Radio and Television Broadcasting Organisation (TRT) as an “autonomous” corporation. This was translated into Law No. 2954. A new organization, the Radio and Television Supreme Board (RTÜK) was established on 13 April 1994 with Law No. 3984. This Board had extensive powers to exert control over the broadcasting media, and the right to close down TV or radio stations for certain periods of time or punish them in other ways. The existence of the Board indirectly led the way to greater democratisation, since criticisms coming from different quarters of the society made it inevitable that some of its powers be curbed, with an amendment on 7 June 2001. Law No. 4756 also allows the RTÜK to monitor Web sites with right to fine ‘false news’ that defame individuals or state institutions. This Law was in turn cleared of its provisions that were harmful to the freedom of expression, within a year. Thus, with every step taken at (re)structuring of the modern Turkish state, the dialectical action and reaction of institutions, agencies and individuals work in favour of greater democratisation.

With respect to the freedom of expression, a number of constitutional amendments were placed in a package of democratic improvements on 17 October 2001. The Preamble of the 1982 Constitution now affirms ‘activity’ (instead of ‘thoughts or opinions’ earlier) that is “contrary to the Turkish national interests, the principle of the indivisibility of the existence of Turkey, with its state and territory.” Articles 13 and 14 now stipulate that fundamental rights and freedoms may be restricted only by law without infringing upon their essence, and restrictions are not to be in conflict with the requirements of the democratic order of the society and the secular Republic and the principle of proportionality. An earlier reference to the use of “language prohibited by law” in Articles 26 and 28 was promptly eliminated.
Eleven reform packages followed these constitutional amendments. The ban on publishing in a language prohibited by law was repealed from the new law. Articles 159 and 312 of the Penal Code were revised; Articles 7 and 8 of the Antiterrorism Law were curbed. A second reform package came into effect on 26 March 2002, while a third reform package was approved on 3 August 2002. The latter amended Article 159 of the Penal Code so that no penalty would accrue for written, oral or visual expressions of opinion that did not carry any intention to insult public institutions. Broadcasting in Kurdish and other languages was allowed by means of an Article introduced into Law No. 3984, permitting broadcasting in “different languages and dialects used traditionally by Kurdish citizens in their daily lives.” Some Articles of the Press Law were amended to replace prison sentences with fines.

The AKP government brought the fourth reform package, which was also called ‘Copenhagen Package,’ on 2 January 2003. This package included an important amendment to Article 15 of the Press Law, allowing editors and journalists not to be forced to disclose their sources. With the fifth package on 4 February 2003, re-trials are allowed for cases finalised at the time the reform package entered into force, as well as for the applications submitted afterwards (amendment to the Code of Legal Procedures). The sixth Reform Package of 19 June 2003 amended the definition on the crime of terror in the Antiterrorism Law and incorporated the use of force or violence into the crime. The application submission period, allowing non-Muslim Foundations to acquire real-estate, is prolonged. It should be easier to construct new places of worship for people of different religions and faiths. There are no more restrictions imposed on parents in choosing names for their children, including names with Kurdish letters. Administrative law cases are to be re-tried in the light of new European Court of Human Rights rulings. On 9 October 2003 came the Law No. 4982 on the Right to Obtain Information, easing citizens’ need to obtain documents or responses to their questions from state institutions, even though the on-line application that is provided in the Internet Web Page of the Ministry of Internal Affairs is criticised for lack of total efficiency.24 May 2004 was the time to bring forward the Second Constitutional Amendment Package, which added a paragraph to Article 90/5, bringing a positive change to minority rights: “Should the international treaties on the fundamental rights and freedoms that are duly put into effect and national laws contain contradictory stipulations on the same subject, the provisions of international law would prevail.”

Further expansion of the freedom of thought and expression came with the repealing of Article 8 of Antiterrorism Law, while the seventh reform package brought amendments to Article 7 of the same Law, and amendments to Articles 159, 169, 426 and 427 of the Penal Code which had been originally adopted from the Italian Criminal Code in 1926. A new Penal Code was enacted on 26 September 2004. Thirty-seven Turkish Journalists’ Associations protested the new Penal Code, claiming that its provisions would undermine the liberating effects of the recent legal reforms and turn Turkey into the world’s biggest journalists’ prison. Provisions on defamation and insult were so strong that they would have “a paralyzing effect on the media profession as a whole.” Such protests, voiced by a wide circle of professionals forced the government to postpone the implementation of the new Penal Code until June 2005.

The minimum penalty for those who openly insult and deride Turkishness is now reduced. The crime of assisting and abetting a terrorist organisation is further limited. The cases related to accusations of torture and maltreatment are to be handled without delay. The National Council Secretariat no longer has a seat in the Video, Music, and Works of Arts Supervisory Board and works of arts and science are excluded from the scope of “immoral publications.”

People’s expectations of a shift from ‘state security’ to the protection of the individual’s rights and freedoms are not truly satisfied. Law suits have started one after another, challenging the freedom of expression of intellectuals, journalists, and writers. The new Articles 216 and 301, nearly correspond fully to repealed Articles 312 and 159, respectively. Besides, there is now a new Article 288 which allows one to charge anyone who comments on an on-going Court case. The new Law emboldens a great number of ‘ultra-Nationalists’ to alert prosecutors about speeches made publicly by persons or publications that ‘denigrate Turkishness.’
The democratic reforms over the Civil Code started in 1981, when the first draft was prepared by a Commission appointed by the Ministry of Justice. The Civil Code, originally adopted from Switzerland in 1926, had objectionable provisions especially at the expense of women. Various women’s organisations have been working very hard to have a new Code, which finally arrived on 22 November 2001 and went into effect on 1 January 2002. The new Civil Code assured women’s rights and equality between women and men in marriage. Turkey became a party to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985. Legislation in favour of women soon followed the ratification of the Convention. A number of state agencies were created to promote women’s rights. In the late 1990s, women’s movement had grown stronger and KA-DER was established in 1997, urging the state to adopt a policy that would encourage women to participate in political life and take measures to guarantee increases in women’s representation in the Turkish Grand National Assembly. The Turkish government was forced to withdraw all its reservations and to submit periodically an official report to CEDAW. In parallel to the privately created shelters for battered women, the Directorate General for Social Work and Social Services created ‘guest houses’ for women subjected to violence. Community Centers that are run by the Directorate started teaching women about their rights. Several municipalities established consultancy services for women. The Parliament enacted a new Labour Law in 2003, which includes provisions prohibiting discrimination on the basis of gender, and eliminates discriminatory practices against women.

Law No. 4320, on the Protection of the Family, which was ratified in 1998, had also been the fruit of the 20 years of intense civil activity by the women’s movement. The family in Turkey has basically been a major unit for the socialisation of the individual. Highly-structured, traditional extended families lead to dense pattern of kin relationships. The family determines the individual’s educational, occupational, marital attainment, and restricts opportunities, creativity, and ways of expressing individuality. Thus, the family is the primary source of support for the individual but also her/his major oppressor in terms of exercising individual democratic rights and freedoms.

With respect to minority rights, some problems emerge due to the fact that Turkey interprets ‘minority protection’ in accordance with the terms of the Treaty of Lausanne of 1923, which applies minority status only to the three non-Muslim groups in Turkey. One such problem emerges in relation to the UN Convention on the Rights of the Child (1989) which Turkey has ratified recently but with reservations placed on three separate provisions relating to language rights (Articles 17, 29 and 30) referring to the linguistic needs of minority children. While the Convention requires respect for the child’s cultural identity and language, the reservations remove such protection for children in Turkey whose mother tongue is a language other than Turkish.

Non-Sunni Muslim ‘minorities’, Alevi, are also subject to discrimination since they are not officially recognised as a religious community. They are subject to compulsory Sunni religious instruction in schools and encounter difficulties in opening their own places of worship, and unlike the Sunnis, Alevi cannot qualify for financial entitlements from the budget of the Directorate of Religious Affairs. A case started by the parents of an Alevi child wishing to be exempted from compulsory course on religion has been favourably concluded by the European Court of Human Rights.

Turkey needs to promote social dialogue among employers, workers and government representatives. The Turkish Republic ratified the International Covenant on Economic, Social and Cultural Rights as recently as the beginning of 2003 and some steps have been taken concerning the social protection of the unemployed. However, Turkey still lags behind in adopting the EU norms in terms of social and economic rights. Turkey ratified the European Social Charter in 1989, but with major reservations and is in non-compliance with a great number of provisions of the Charter. Freedom of association rights and inadequate measures for the protection of worker rights need improvements. Trade union rights should be established and they should include the elimination of restrictive thresholds for forming a trade union branch and requirement of ten percent threshold for a trade union to be eligible
for collective bargaining at company level. Public servants are restricted in their rights of association.

The majority of people are not covered by medical insurance schemes, nor are they covered by any pension schemes, since health care and pension programmes depend on having a job in the formal sector. There is shortage of jobs, lack of on-the-job training, gender discrimination, reliance on illegal migrants, and recruitment of child labour. The AKP government made an effort to include in the new draft social security law, a measure to reduce the amount of earlier fines for the recruitment of child labor. Approximately, 7.5 percent of the total labour force consists of children between the ages of 6-17.28

Turkey has had a long tradition of receiving and accommodating asylum seekers, and was an original participant in the drafting and a signatory of the 1951 Geneva Convention Relating to the Status of Refugees. However, it is one of the few countries that continue to maintain a “geographical limitation” to the applicability of the Convention. The EU has pressured Turkey to lift the limitation, but Turkey has tried to postpone the lifting until it joins the EU. Some important steps have been taken to improve the vulnerable position of the asylum seekers, such as the opening of administrative decisions on refusal of asylum to judicial review. There is closer cooperation between Turkey and the UN High Commissioner of Refugees.

According to Human Development Index estimates, Turkey ranks 84th (in “Medium Development”) among the 177 countries, and exhibits a high level of economic inequality.29

In Turkey, 35% of the population live in villages and gain its livelihood from agriculture. Access to resources such as fertile and/or irrigated land and a well-established rural credit system are not adequate. Rural households are either small landowners whose produce is well below minimum subsistence level, or they are agricultural wage workers employed under inadequate and unhygienic conditions, often in places that are far from their homes. The agrarian people cannot become an effective pressure group, due to limited communications and lack of information. Most of the villagers have made use of their democratic right to migrate to big city centers or have been forced to leave their villages due to ‘forced migration’ as a result of PKK terror, however only to face total disappointment in most cases.

III. From a Variety of Critical Perspectives: 1923 – 2008 Turkey

Turkish democracy, as observed from the larger European framework, may appear at a point of potentially catastrophic turmoil; however the developments in connection with the Community’s further unification in the last two decades have triggered, through negative or positive means, the advances into democratic and liberalised ways and venues in Turkey. Before the completion of the single market with the Single European Act in 1986, issues related with democracy were not on the agenda in connection with the Community’s more tangible and urgent concerns. It was after the Maastricht Treaty, in 1993, when Union citizenship was created and later with the drafting of the Fundamental Rights Charter of the European Union that the need for a democratic political framework has emerged, and the Copenhagen Criteria was turned on for democratic transformation in Turkey.

The political and cultural dimensions of European democracy lie in shared though varied and limited traditions such as the Roman Law, exercises in all phases of political democracy, and Judaeo-Christian ethics. European democracy has drawn inspiration also from common European heritage such as shared historical experiences and influences of the Renaissance, the Reform, and the Enlightenment. These broad cultural and political sources of European democracy have been expected to be incorporated into Turkish life and politics since the 1920s and even earlier in the Ottoman Empire and all these may not necessarily conflict with Muslim values. But it is a fact that the Turkish population that is said to be over 90% Muslims, had been devoid of any idea concerning the participatory democratic values and experiences shared by the Europeans until quite recently. It is only through the processes
following Turkey’s shift into the position of a candidate country in 1999, that a gradual awareness started to get settled in Turkish people’s minds about the basic values of the European Union. Earlier, the EU had an existence in their minds merely as an economic entity.

Turkey is now a country in its negotiations phase and on the route of membership to the EU, urgently in need of further democratic reforms. In Turkey, there are frequent conceptual exchanges over the requirements of democracy but the population needs to be convinced over democratic reforms by resorting to new methods such as creating strong civil and social spaces for discussion and for trusting that top political leaders show parallel efforts on their own; for generating strategic plans over greater democracy; and eliminating their irrational fears over the ‘Sheriat’ on the one hand, and the Kurdish separatist movement on the other hand, generating feelings of great insecurity. Concerning the latter, there has been an official acknowledgement of the existence of Kurds as an ethnic and linguistic group, and the state’s consent to address their cultural claims. The largest storm rages over the subject of Turkish secularism and its inhibitory effect on democratisation with respect to the right of freedom in exercising one’s religious belief in daily public life. The ruling party tries to prove that ‘more Islam’ can coexist with ‘more democracy’ in Turkey.

The ruling Justice and Development Party (AKP) is a political party of Islamist origins that is backed strongly in all regions of Turkey. Eighty-four percent of Turkey’s 42.5 million voters cast ballots in the latest elections on 22 July 2007, with the first-time application of digitised system of counting the votes. The AKP won the Parliamentary elections in a landslide (46.7%) and it was widely interpreted in the Turkish press as a final showdown between “secularists” and “Islamicists”. The AKP increased its share of the national vote from 34.5% in 2002 when it first came to power to 46.7%, leading the balloting in all but a few coastal provinces in the west of the country. The AKP more than doubled its vote in the predominantly Kurdish southeast from roughly 26% in 2002 to 53%. This is shocking for secularists since Turkey has been taking pride since Mustafa Kemal Atatürk founded the Republic in 1923 that it is a secular country, not allowing any individual or group to harness the religious beliefs of the people for political aims. “It is now the only party that has a legitimate claim to represent both Turks and Kurds, a substantial proportion of the non-Sunni Alevi community, and virtually all social classes.”

Around half of the voters in the lower- and middle-income groups, 35% of upper-middle and of upper-income groups voted for the AKP.

The four successful parties in the Parliament now account for well over 80% of all the votes cast. The July 2007 elections also witnessed the relatively higher election of women from all parts of the country, especially for the AKP. While historically the highest representation of women in parliament was reached in 1935 with only 4.5% and in 2002, 4.4%, the representation of women is now a little less than 10% (49 members). Nine of the women from the Kurdish nationalist movement who ran as independents and were elected from the predominantly Kurdish southeastern part of Turkey entered the pro-Kurdish party which was later formed as a group in the Parliament (“Democratic Turkey Party” – DTP).

One year ago, there was trouble over the election of the new President. Under the political system of Turkey, the Turkish Grand National Assembly (Parliament) elects the President. However the Constitutional Court annulled the vote since the parliament lacked the necessary quorum to hold the presidential election. Only 361 of the parliament’s 550 members were present when the vote was taken, due to a boycott led by the opposition party PRP. A great deal of controversy came up over the constitutional provisions about the necessary quorum. To help resolve the issue, the Prime Minister Recep T. Erdogan called for early parliamentary elections, which took place in July. Sean McCormack (the US State Department Press Spokesman) said Turkey’s election was a matter for the Turkish people to decide in accordance with the law. He added that Turkey has a tradition of democracy and the US encourages all Turkish citizens “to participate in Turkey’s democracy according to their constitution and laws.”

Early in the summer of 2007, hundreds of thousands of young and old women and men, people from various social groups, carrying the red/white Turkish flags marched in major
cities, including Istanbul and Ankara where they visited Ataturk’s Moseleum, in support of the secular state and democracy. Demonstrators chanted “No Sharia, No Coup,” reflecting their commitment to secularism and liberalism. Such reflections of strong feeling turned out to be the beginnings of a series of demonstrations every week or so to rally the ranks of secularists defending their ideology with the fervour of faith.

AKP’s allegedly ‘hidden’ anti-secularist agenda is the cause of great insecurity among some segments of the population. From the external perspective, this sounds like a paranoia. An editorial dated 21 March 2008, “Turkey’s Democracy on Trial,” says that “Turkey’s Parliament should repeal the undemocratic law under which the charges were brought.”

The law the writer of the editorial refers here protects the principle of secularism and is one of the ‘untouchable’ “Principal Reform Laws” in the Constitution, enacted under Ataturk’s leadership. Secularism has been the vital component of the official policy of the Turkish Republic and on certain issues contradicts the Islamicist ‘rights language’ that has emerged since the 1980s in Turkish society. This Islamicist discourse and practice which has been rising in the last two decades is an exclusively Sunni (Hanefi) phenomenon, and contributes to the reasons for outlawing a political party. There is a corresponding law in the Turkish Penal Code that provides implementation for the constitutional provision concerning the violation of secularism.

Since it was founded in 1923, this republic of 74 million has been the most avowedly secular and modern of Muslim countries. Even today, at least publicly, no party questions those principles decreed by Ataturk in the devastating aftermath of World War I -- neither secularists from across the spectrum nor the religiously rooted Justice and Development Party (AKP) of Prime Minister Recep Tayyip Erdogan, which captured a majority in parliament in 2002 and even a higher percentage of the votes in 2007. Rather, the debate is often propelled by suspicions and fears, talk of hidden religious agendas, complaints of reflexive secular intolerance and questions that boil down to "what if," namely what if Erdogan’s party fully controls a state whose institutions -- the military, courts and civil service -- deeply distrust his intentions?

The secularist ‘Kemalist’ elites are not seen in any favorable light either. Timothy Garton Ash has created the term “Enlightenment Fundamentalism” to designate the patrician view that ‘the people,’ as distinguished from full citizens, are a backward mass, incapable of knowing what is best for themselves, and at constant risk of being led further into the darkness of religious fundamentalist agitators. The PRP of the 1920s had the slogan, “For the People, Despite the People,” which corresponds to the position of the ‘Kemalists’ in present day Turkey also. In the 1920s and the 1930s, modernisation reforms of Ataturk as well as those of the succeeding Inonu government were imposed upon the population from above. Is it possible to treat the contemporary Turkish population, which is diverse in belief and culture, more aware of their rights and liberties, and is more informed about democracy in a similar way?

The confrontations between secularists and Islamicists have been going on explicitly in Turkish politics for well over half a century now. The predecessors of Erdogan’s party were closed down through court decisions in 1998 and again in 2001, and the closures were approved by the European Court of Human Rights. Turkey’s political and economic stability is being threatened by recent disputes over the Islamicist challenges that have been surfacing since 1980s. Many trace the rise of those parties to the 1980s, when they contend that Turkey’s late president, Turgut Ozal, created a more permissive environment, allowing Muslim foundations and charities to flourish and making possible Islamic access to broadcasting. In particular, he saw in “moderate Islamism” -- a mix of capitalist norms with religious mores and culture -- a way to appeal beyond Turkey’s borders, particularly to Central Asian states emerging from the collapse of the Soviet Union.

Turkey is wrestling with a social transformation brought to the fore by the crisis over the ruling party's choice and support for a more religious, conservative, family-oriented and
often rural class seeking a place in Turkey's hierarchy. Birtek and Toprak refer to a "religiously based moral authoritarianism" that aims at political stability which is believed to be elicited only by engaging the Islamic loyalties of the population. This is a characteristic of the Ottoman/Turkish state's official and continuous policy.\textsuperscript{36} The secular groups, on the other hand, claim the legacy of Turkey's founder, Mustafa Kemal Atatürk, and are afraid that the AKP will keep promoting political Islam and chip away at secular freedoms and obstruct individualistic liberal life-worlds.\textsuperscript{37} A great number of people view the party's ascent as inevitable, since it uses the tools of clientalist democracy very effectively.

As Islamic tendencies are increasing, the secularist side is getting more entrenched. The Turkish military is on the side of the secularists, but the secularists don't constitute a homogeneous group. There are those who wish to see the military more active in politics, as opposed to those who believe the military should keep its distance, or those who want greater civilian liberalism in the country, but all wish to protect Turkey's secularism. Their common concern is that the AKP ultimately intends to undermine the secularist state. Heinz Kramer, a Turkey expert at the German Institute for International and Security Affairs told UPI that "Turkey's economic, legal and constitutional basis is much closer to the EU than it was four and a half years ago; the AKP is by no means an Islamicist Party. The main hurdle to Turkey's membership lies in Brussels and in several European capitals."

A lawsuit was filed by Turkey's Court of Appeals Chief Prosecutor Abdurrahman Yalcinkaya on 14 March 2008 to shut down the governing Justice and Development Party due to anti-secularist policies that have made the party the core of public unrest and turmoil. It accused the governing Justice and Development Party of "anti-secular activities", and also asked the court to ban 71 of the party's members from politics for five years, including the prime minister, Recep Tayyip Erdogan, and the president, Abdullah Gul.\textsuperscript{38} The verdict of the Constitutional Court that came on 30 July refrained from closing the party for the time being, yet opened up a new era that is bound to create its own dialectic developments rather than place a full-stop to all the bickering between the various segments of two opposing sides, the Islamists and secularists.

The responses from European opinion leaders as well as officials to the lawsuit had been in a similar line defending the democratically based election victory of the AKP. Almost all critics expressed their deep concern at judicial attempts to close down the AK Party. EU Commissioner Olli Rhein made a reference even to the possibility of reevaluating Turkey's negotiation period for membership. After an emergency meeting of senior party leaders on 15 March, chaired by Prime Minister Erdogan, the AK Party had issued a statement describing the prosecutor's move as "a great embarrassment": "A part of the judiciary should not turn the law into the vehicle of a power struggle. If it does, it is the judiciary itself and the supremacy of the law that will suffer the greatest damage", as read out by senior party lawmaker Dengir Mir Mehmet Fırat.\textsuperscript{39}

Some secular-minded people in Turkey had thought that the AKP deserved to be closed down immediately; whereas others had voiced that its politicians should stand trial but the party should not be closed down. Some people had said that closing down political parties was not democratic and they had said that the image of Turkey in Europe would be damaged; but others had added that some parties were banned in Europe too, such as the Nazi party and Communist parties. There had also been views that the prosecutor's file was even too late and that the AKP should have been closed down earlier.\textsuperscript{40} Among such a confusion of viewpoints, the Court's decision not to outlaw the ruling party came as a relief to all, since it came with a "serious warning" to the AKP to "take the necessary lessons from this" in the words of Court Chairman Hasım Kilış. The Court, as a sanction, halved state funding of the party for one year; but the greater sanction is the fact that the Court, by 10 out of 11 members, found credible evidence that party leaders had undermined Turkey's constitutionally mandated secularism. Moreover, six of the Court's 11 judges had voted to outlaw the party, falling one vote short of the seven needed in this case. The underlying internal political tensions remain, while vital international issues are on the agenda, demanding clear-minded and intelligent foreign policy: the EU, Cyprus, Northern Iraq, Armenian and Kurdish issues, Iran and the USA, Syria and Israel, among others.
An investigation, called “Ergenekon,” was started in court against a coalition of anti-liberal, anti-European Union, pro-Republican and extreme-right solidaristic groups and members of some civil society organisations. The police investigation began with the seizure of 27 hand grenades of the same make that the military uses, in a shanty house in Istanbul. Several noncommissioned and retired military officers were arrested and placed before the court in January, among them retired Brig. General Veli Küçük, whose name has been associated with many political scandals; nationalist lawyer Kemal Kerinçsiz; Güler Kömürçü, a columnist at Akşam daily; Fikri Karadag, president of the nationalist “Kuvayi Milliye” (National Forces) Association; Ali Yasak and Sami Hoştan, two alleged “mafia” leaders; and Fuat Turgut, lawyer of Yasin Hayal, the alleged instigator of the murder of journalist Hrant Dink. The case was broadened to include a number of public figures including daily Cumhuriyet’s lead columnist İlhan Selçuk, Workers’ Party (IP) leader Doğu Perinçek and former Istanbul University Rector Professor Kemal Alemdaroğlu.

The investigation began with claims that the gang was considering assassinating senior Kurdish politicians and Nobel Prize winner Orhan Pamuk, but the police also arrested figures questioned in the murder of Dink, the assassination and wounding of the Council of State judges and a series of bombings near daily Cumhuriyet’s Istanbul offices. The Ergenekon case surfaces the rampant irrational fear that the recognition of diversity, the granting of rights and freedoms to greater segments of the society, in short greater democratisation, would result in the collapse of the Republic, the disintegration of the state, and the partitioning of the country. Thus, “implementation of reforms face institutional and cultural resistance...The authoritarian past is still haunting the country.” The attempt of the chief prosecutor to close down the ruling party had been interpreted by some as an act in parallel with frantic responses of the supporters of ultra-nationalists and secularists in top administrative positions to the Ergenekon investigation. The Economist, on 17 July, used the term “judicial coup” against the AKP; however, any intervention of a non-political actor or institution against the political party in power would be a futile effort in a country which claims to be democratic and is intent on consolidating its democracy towards greater deliberation. Even if the Court decision brings strong sanctions, who can possibly be the guardian or executor of such sanctions, other than the electorate?

The AKP has been hesitant in bringing democratisation and some liberal policies, especially concerning women’s issues, such as quotas in favour of gender equality in political representation and on the job market. The AKP has been active in bringing greater democracy only in issues that favour the demands of the religiously oriented groups. The Party tried to lift the ban on the headscarf in the universities, that had been applied in accordance with the Constitutional Court’s decision and the decisions of the European Court of Human Rights. The lifting of the ban on the headscarf in higher educational institutions, though hailed by most European Union citizens as a step towards democratisation, has remained ineffective in solving the problem. Constitutional law is a framework apparatus that needs implementation laws in order to serve any purpose. The implementation can only be possible with an amendment in a provision of the Law of Higher Education Organization (YOK), which has not been on the agenda of parliament as yet.

There is a problem lived at the universities, where the headscarf is proscribed as a symbol of Islamic militancy. The issue has divided the population sharply over prohibiting the covering of the head or not. The problem involves philosophical, ideological and technical aspects, not only in receiving education as a public service but also in offering public services in the case of medical schools and educational faculties where there is practice in public/private hospitals and practice teaching in public/private schools, respectively. More and more young Turkish women are preferring to have their faces framed by colorful scarves, and to be clad in long robes, again of various colors and designs, down to their ankles. Shoes show a great variety: from sneakers to high heeled pumps. The specific way the scarves are wrapped around the head signifies its utility as an uniform, or a symbol of Islamicism. Yet the women who choose to adopt this headgear are not a homogeneous group. Each one has different reasons for hiding behind this ‘covered’ attire: devoutness, parental pressures, neighborhood pressures, girl or boy friend’s conviction, material benefit, etc. The great variety seen in the
design of the skirts is almost shocking: long skirts with deep slits, in the latest fashionable cut, or frizzily decorated full skirts, or even tight jeans. The ‘covered’ way does not prevent a number of the women from putting on make-up. There are fashion shows organised for the ‘covered’ women and wedding outfits prepared accordingly. Some beauty parlours advertise that they cater for women with the “tesettür başı” (the new terminology in Turkish for the headscarf). A great number of boutiques have emerged providing for the clothing demands of ‘covered’ women, including special bathing suits. Such evidence shows how a great number of women have succeeded in gaining some independence to participate in social life by means of the ‘covered’ way. To those who are ‘uncovered,’ it seems only as a matter of time when they shall be accused of being “immoral” women in the society only because they have no scruples in showing their hair to men.

III. a. Civil Society Action

The importance of civil society for democracy and democratisation has been widely acknowledged in political and academic discourse. It has made its way into the democracy promotion policies of all major Western states and organisations. Democratic reforms need to receive the support of a broad cross-section of the society, through a variety of autonomous civil society organisations, independent from the state, political parties or international agencies. Such national non-governmental organisations (NGO) have emerged in Turkey and they are better tolerated by state officials and departments; in fact, there are collaborations between some Ministries and NGOs on common projects. There are powerful business groups, such as the Turkish Industrialists and Businessmen’s Association (TUSIAD), which actively makes public pronouncements in approval or disapproval of government measures. Even though the Association’s leadership has been reprimanded by the Prime Minister Erdogan “to mind their own business,” TUSIAD is determined to continue with its participatory position and continues to put pressure on all state agencies to adopt greater democratic reforms.

Historically, due to tradition and culture, people in Turkey are not accustomed to defending their interests and taking active part in public life. The relative weakness of civil society in the democratising country however does not mean that people conditioned so cannot play a major role in breaking down authoritarian tradition and work at establishing democracy. A platform on the internet for civil society and non-governmental organizations has been set up in Turkey in order to provide them with fast and easy access and interactive communications among them, domestic and international, with the financial support of the British Embassy, the Turkish Department of Associations, USIDER (Foundation for the support of international civil society), Turkish Informatics Foundation, Third Sector Foundation (TÜSEV). The platform began activity on 20 March 2008.

III b. Adaptability to International Human Rights Norms

Turkey has incorporated basic universal human rights norms in constitutional law and has ratified the human rights instruments of the United Nations and the Council of Europe from the very beginning in mid-twentieth century. Has this been enough in yielding a human rights-respecting system? Not really, since none of the Turkish governments has shown a major commitment to revise fully either the constitutional or domestic laws and priorities in implementation accordingly. Nevertheless, “it is striking to note the sweeping legal reforms associated with human rights that have been enacted in the last several years.” Some progress has taken place in most human rights areas, especially in the form of legal reforms, after Turkey’s efforts to join the EU turned into a challenging commitment in 1987 with the (re)application for membership, next to the ongoing process of the 1964 Association Agreement (Ankara Agreement and the Protocol). Since the 1990s, EU membership has been understood as the reward for adopting human rights reforms and, as part of the Copenhagen
Criteria, especially respect for the rights of minorities. A 2002 study by the Turkish Economic and Social Studies Foundation (TESEV) indicated that 64% of Turkish citizens would have voted for EU membership, even though that percentage is much lower today due to greater awareness of the negative responses reaching the Turkish public from a number of EU member countries.

IV. In Conclusion: Is Consolidation of Democracy to be Fulfilled?

In Turkish politics, the role of the state has always been of utmost importance. In order to grasp where we are heading, it would be helpful to look at where we have come from. The Turkish Republic was formed after Mustafa Kemal Atatürk led the people of Anatolia to fight a War of Independence against the European powers which were in an effort in agreement with the Sultan to partition the remaining lands of the Ottoman Empire. Atatürk and his supporters fought successfully against the invading powers which was followed by a war of liberation against the Ottoman regime. Afterwards the elites had fears of not being able to hold together the constituent diverse ethnic and religious elements of the population of the former empire. Therefore, efforts at integrating and homogenising the peoples of the land through the principles of nationalism, populism, secularism, republicanism and etatism, as well as continuous reformism was vital. Thus, secularism as one of the six principles of the state allowed for recognition of the rights of the three religious minorities, the Jews, Armenians, and Greeks; and took under strong state control the practice of Islam, trying not to give any opportunity for politicians to take account of religion. People with religious inclinations have been disturbed by this approach from the beginning, criticising the Turkish state for constructing and propagating an ‘official Islam’ in line with its political imperatives under the guidance of the Directorate of Religious Affairs (“Diyanet”) connected to the Office of the Prime Ministry. The Directorate was expected to fit Sunni Islam into a secularist-republican agenda. Diyanet appoints imams to Turkey’s 77,000 mosques and presides over the subject matter and contents of their sermons. This gives an idea about the brand of secularism in Turkey, which subordinates religion to the state.

The military had been part of all these developments and involved in the establishment of the Republic, since Atatürk himself and the supporting elite around him during the War of Independence had been top military staff who after their participation in the Grand National Assembly turned into civilians. This is the reason why the military has watched over the political parties in Turkey as if the politicians would easily be tempted to sacrifice the basic values of the Turkish state for the ballot. Thus, the military has always viewed itself as above the state, as guardian of the secular and unitary nation, and as the glue of its solidarity.

There is believed to be a pervasive political effort today to shift that glue of solidarity away from the militaristic nationalism and secularism, towards religion. The question is whether this effort is veered towards supporting individualism in religious belief and democratic rights for the pure exercise of human rights, or for trying to homogenise the population again under a different guise, that of Islamicism. Kalaycioglu refers to the the possibility of the “main and ‘hidden’ objective” of the reform packages of the AKP government as “to liberate the forces of the Islamist movement in Turkish politics and society.” Whatever the intentions of politicians may be, the conclusions of this study with the help of the theory of Social Constructivism is that once basic social and political issues are openly discussed with an impact that shakes up all segments of the society, threatens the public order in the country, gets even the top level of judiciary involved, and gives a chance of full expression to contending views including voices from the institutions and leaders of the European Union, then the way for the consolidation of democracy can be paved more easily. It is no more possible to suppress the demands of individuals for greater democratisation and their urge to come together to voice their own demands through civil society organisations.
The political environment created by the AKP government has shaken the invisible yet formidable stronghold of ultimate state authority which had in recent decades established some red lines that the elected “visible” governments did not dare to cross previously. These red lines are no more “inscribed in granite;” yet the AKP with its rise to prominence in the last six years and with its “distinctly Islamic flavor,” is not free to act unscrupulously either. By pressures from the entirety of the Turkish population and the recent “warning” decision of the Constitutional Court on the one hand, plus the supportive and encouraging didacticism towards greater democracy coming from the EU on the other hand, the AKP is forced for the “endorsement and acceptance of the unconditionally secular character of the Turkish state” and be respectful of the rights and values of people who do not practice Islam or who are members of the non-Muslim minorities. Patterns of behaviour in all segments of the society and in all neighborhoods in Turkey should be convinced to adhere to such liberal norms and guided to learn to adapt to the new more enlightened legal and practical measures in different life-worlds. All in all, Turkey is on its way out through a period of heated debate and reconciliation; in short, democratic development and consolidation of participatory and deliberative democracy.
Notes


2 Lim, T.C., “Can Turkey Consolidate Democracy?”, http://www.instructional1.calstatela.edu/tclim/F03_Courses/550model1.pdf


6 Accession Criteria (Copenhagen criteria) Any country seeking membership of the European Union (EU) must conform to the conditions set out by Article 49 and the principles laid down in Article 6(1) of the Treaty on European Union. Relevant criteria were established by the Copenhagen European Council in 1993 and strengthened by the Madrid European Council in 1995. To join the EU, a new Member State must meet three criteria:

- political: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- economic: existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union;
- acceptance of the Community acquis: ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union;

http://europa.eu/scadplus/glossary/accession_criteria_copenhague_en.htm


13 Rosamond, B., Theories of European Integration, New York: Palgrave, 2000, 172.


18 Ibid., 169.


35 Ibid.
39 Selcuk Gokoluk, “Prosecutor asks Turkish court to close ruling party,” http://www.reuters.com/article/worldNews/idUSL1478286320080314
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