Turkey's Current Position in the Way of Multiculturalism: Legacy of Past and Today's Dead-End

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Abstract

This research aims to examine Turkey's historical background and current situation in terms of multicultural development. As multiculturalism is an approach which depends on the principles of "equal citizenship" and "active protection of differences" as its two pillars, Turkey's historical experience presents separate examples for both sides of the coin. Ottoman Empire fulfilled one dimension of multiculturalism, that is the protection of differences but lacks the principle of nondiscrimination, while Turkey adhered to the understanding of equal citizenship to a large extent, however clearly lacks the protection of differences with its strong commitment to create an upper Turkish identity. In the 1990s, strict nation-state structure of Turkey would begin to be more intensely challenged and eventually multiculturalist principles of the new age would be reflected in Turkey in some degree. But now, apart from pure minority issues, Turkey currently experiences crucial problems regarding general freedoms and democratic principles. From this point of view, success of general democratic struggle should be the crux of current multiculturalism debate in Turkey and has to be regarded as the key factor to determine the consistency and stability of minority rights within the country.

Keywords: Turkey, multiculturalism, Ottoman Empire, minorities, democracy, Kurdish Question

I) Introduction

Multiculturalism is one of the most popular concepts in the relevant academic literature and in the political realm within the last quarter century. As a notion which is partially a product of globalization process, multiculturalism draws intense attention since the beginning of the 90s, leads to continuous debate with its theoretical and philosophical base and makes noteworthy impact on the internal formation of different states. Turkey is among those countries which were seriously influenced by aforesaid discussions. Indeed, Turkey's highly heterogeneous geography in terms of ethnicity and culture, and its long-running interest in the religious and national minority issues, indicate this country as a model that needs to be deeply analyzed in the context of multiculturalism.

Within this perspective, main goal of this study is to make a general account of Turkey's long journey and indicate its current status in the way of multiculturalism. In accordance with this purpose, the article has been divided into three parts. The first part is theoretical section. In this part, the concept of multiculturalism is going to be defined in a way to construct a theoretical base for the next sections. In the second part, minority policy of the Ottoman Empire in its classical period and then its alteration in the course of time will be examined. And in the final part, basic principles of the founder ideology of the Republic of Turkey against the minority groups will be elaborated and transformation of this paradigm in the era of multiculturalism will be made clear. Thereby current situation and points of debate regarding the minority rights in Turkey are going to be evaluated within the same part.

II) Two Pillars of Multiculturalism: Equal Citizenship and Protection of Differences

As it is widely argued, the nineteenth century was an exact "age of nationalism" as almost whole century witnessed minorities' efforts to achieve independence and build their own nation-states. Even the World War I itself would break out partly as a result of minority issues and following the war, some crucial attempts were made in an effort to protect cultural minorities and regulate potential conflicts which may have arisen from minority questions. These issues were firstly dealt with regarding the rights of fellow nationals in other countries as it is seen in the Germany-Poland example. Solution of existing problems was previously sought in bilateral treaties between these two countries, then this system of treaties was

extended and given a multilateral character under the League of Nations.[1] In this sense, there was a widespread interest in the minority questions and these issues had a crucial place in the interstate relations during the interwar period, just like the nineteenth century.

After the World War II, however, this general concern on the minority rights disappeared to a large extent due to two main reasons. Firstly, international treaties which had been designed to promote minority rights had clearly failed to neutralize interethnic conflicts, and secondly, harsh ideological confrontation erupting after the war was now overshadowing the ethnic problems. Hence, in the postwar period no specific project for the rights of minority groups had been developed and question of minority rights was tried to be solved under the umbrella of general human rights. It was expected that minority issues would be settled through the improvement of democracy (here it was understood in a general meaning as liberty and security of person, the right to own property, the right to vote and stand for election, etc.) and achievement of economic welfare in the society. According to this way of understanding, if human rights were carried out in an appropriate manner, there would not be need for separate national or ethnic-based rights. This mentality was also central to the Universal Declaration of Human Rights proclaimed by the United Nations (UN) General Assembly in 1948. In the document, the principle of nondiscrimination and equal citizenship had been accepted as the basis of all these rights.[2]

Nevertheless, through the long ages in which minorities were expected to be assimilated into the majority groups in return for equal rights, it was seen that minority peoples generally denied giving up their ethnic identities and all measures to achieve that aim only made the situation worse. Indeed, there were only a few examples among the national minorities to be voluntarily assimilated into the majority nations.[3] National identities and minority nationalisms which were thought to decline, contrarily gained momentum following the end of the Cold War and struggle for ethnocultural recognition became the most common source of political violence all over the world. And this process has inevitably triggered the criticism of postwar human rights regime and nation-state paradigm, and on the other hand, brought the rise of multiculturalist way of thinking. That is to say, traditional human rights theory was thought to be backed by a minority rights theory and this belief would lead to the development of multiculturalism. This tendency would be revealed in numerous international conventions signed in the 90s like the UN's "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" in 1992, Commission on Security and Cooperation in Europe's "Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE" in 1990 and Council of Europe's "European Charter for Regional or Minority Languages" in 1992 and "Framework Convention for the Protection of Minorities" in 1995.

In the new age, basic shift on the obligations given to states regarding the minority issues is the transition from mere nondiscrimination to the active protection of diversities with the aim of making cultural pluralism really possible. Thus, now states are supposed not only to perform negative duties such as granting equal civil rights to all their citizens, but also to assume positive duties so as to secure political representation, fair employment and cultural improvement of the disadvantageous groups. For this reason, multiculturalism should be thought as an approach which reserves the aim of equal citizenship, but simultaneously intends to achieve this goal without making different groups culturally homogeneous. This approach underlines that unity of people can be ensured without uniformity between them and naturally necessitates states to take over certain obligations to protect cultural differences.

Steady coexistence of negative and positive duties obviously manifests itself within the studies of outstanding theorists of multiculturalism. For instance, Charles Taylor's principle of equal respect is closely related to this acceptance, since Taylor explains this principle with making a distinction between traditional concept of honor which is enjoyed by only some people and modern notion of dignity that everyone shares. According to him multiculturalism is surely based on the latter.[4] In Taylor's point of view, in order to ensure equality in society, cultural prejudices which pave the way for discrimination have to be destroyed and thus fight for equality just as the struggle for freedom requires the revision of negative images in the minds. What should be done is to allow for all cultures to preserve their existence, and at the same time to accept their equally respectable character and apply equal worth to their customs and creations.[5] Similarly, according to Bhikhu Parekh

[1] Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (New York: Oxford University Press, 1995), 2.

[2] See Articles 1-7 of "The Universal Declaration of Human Rights" (1948), http://www.un.org/en/universal-declaration-human-rights/ (accessed 31 December 2016).

[3] Kymlicka, *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship* (New York: Oxford University Press, 2001), 242.

[4] Charles Taylor, "The Politics of Recognition", in Amy Gutmann, ed., *Multiculturalism: Examining the Politics of Recognition* (New Jersey: Princeton University Press, 1994), 26-27.

[5] Ibid., 64-68.

prevention of discrimination is a quite valuable idea, but seeking this aim should not cause to ignore or suppress differences of people, as the theory of equality cannot be grounded in human uniformity. Human beings have to be granted equality at the level of their shared human nature, but in the meanwhile this equality should be denied at the cultural level, otherwise the idea of equality only becomes an ideological device to mould humankind in a certain direction.[1] This emphasis lays the foundation also for Tariq Modood's view on the need for appliance of equality for groups as well as individuals.[2] Because expression of differences may lead to strengthening of former examples of injustice and inequality again unless human beings are recognized at equal worth and nondiscrimination is secured.

Iris Marion Young looks for the correction of traditional egalitarianism with a more compatible approach with the politics of difference. She crucially argues that the principle of equal treatment as a mechanical interpretation of fairness, may also suppress differences. The politics of difference or multiculturalism does not mean mere equal treatment, it also necessitates group differences to be acknowledged in public policy.[3] And of course, Will Kymlicka implies the same point by making following statement regarding multiculturalism policies (MCPs): "This term covers a wide range of policies, but what they have in common is that they go beyond the protection of the basic civil and political rights guaranteed to all individuals in a liberal-democratic state to also extend some level of public recognition and support for minorities to express their distinct identities and practices. The rise of MCPs therefore goes beyond the broader politics of civil rights and nondiscrimination".[4] Thus, according to Kymlicka, multiculturalism reaches significance at not only implementation of anti-discrimination laws, but at the same time transformation of these laws so as to enable them to respond the needs and demands of minorities.

Undoubtedly, many other examples can be given to indicate this tendency. But in brief, in the idea of multiculturalism it is aimed to exceed nation-state paradigm and transform states' structures toward a more democratic form. In their new institutional structure, states are supposed to unconditionally acknowledge the equality of their citizens, avoid to suppress any kind of difference and actualize cultural pluralism to the full extent. Even if multiculturalist approaches were occasionally understood in some different forms in diverse regions, primary and general formulation of multiculturalism appears as the presence of aforementioned two principles. And not surprisingly, these two values keep the most essential places in the agendas of political movements which fight for the principles of multiculturalism.

III) Ottoman Empire: From *Millet* System to the Centralized State

In spite of its highly heterogeneous national and religious composition, Ottoman Empire had managed to maintain its social stability for long centuries and from this aspect it has inspired modern multiculturalist theses which emphasize peaceful coexistence of differences. These contemporary studies generally focus on "tolerant" state philosophy and legal structure of the Ottomans, and naturally concentrate on the idea of *Millet* (confessional community) and social order depending on this concept. Indeed, a proper analysis of the *Millet* System seems essential to comprehend how multinational-multireligious structure had worked within the Ottoman Empire.

In the most general sense, Ottoman *Millet* System implies organizing of social and administrative life within the empire on basis of religions and sects. In the Ottoman legal structure, peoples were divided into two groups as Muslims and non-Muslims, and if non-Muslims living under Islamic dominion were *ehli kitap* (Peoples of Book), they were being treated as self-governing groups. These communities that were named as *dhimmi*s, had been given not only exact religious freedom, but also the right or even duty of governing themselves through their religious institutions. As the basis of Ottoman legal system, namely *sharia*, was the Muslim religious law, it was not applicable to all problems of the non-Muslims. Therefore, each *millet* subjected to its own laws, established and maintained its own institutions to care education, religion, justice and security affairs and built schools, hospitals and hospices for its members.[5] Ottoman *Millet* System was aiming not to eliminate, but to subjugate the non-Muslims. Thus, as long as they paid their special taxes and did not threaten security or social order, non-Muslims were enjoying a broad autonomy in which they were able to fully maintain their different identities. *Devşirme* method which was applied between fourteenth and seventeenth centuries was the only exception of this general

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[1] Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (New York: Palgrave Macmillan, 2006), 240.

[2] Tariq Modood, Multiculturalism: A Civic Idea (Cambridge: Polity Press, 2007), 51.

[3] Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), 4.

[4] Kymlicka, "Neoliberal Multiculturalism", in Peter A. Hall and Michéle Lamont, eds., *Social Resilience in the Neoliberal Era* (New York: Cambridge University Press, 2013), 101.

[5] Stanford J. Shaw, *History of the Ottoman Empire and Modern Turkey* (New York: Cambridge University Press, 1977), 151; Alexander L. Macfie, *The End of the Ottoman Empire 1908-1923* (London: Longman, 1998), 7.

mechanism. In this system, sons of Christian subjects were taken and converted to Islam to be used in military or civil service.[1] *Devşirme* was an exclusive case for the violation of religious freedom and apart from this method, *Millet* System provided full rights for minorities to preserve their separate cultural identities.

Even if it originated from the basic principles of Muslim religious law and administrative techniques of early Islamic states, *Millet* System gained its popularity mainly from its use in the Ottoman era. In addition, while they were establishing their own system, the Ottomans benefited from not only the Islamic precedents, but also Byzantine and old Turkish customs, and in this way set up a synthesis of these three traditions.[2] It is important to note that, in the Ottoman Empire execution of this system was depending on practical needs as well as theological rules. Because since the beginning years of the Ottoman Empire, Muslims and non-Muslims had lived together, but legal relations between state and non-Muslims had not been made clear in real terms. Against this background, after the conquest of Istanbul, Mehmet II appointed an Orthodox Patriarch to the town, declared firstly Greeks, and then Armenians and Jews as autonomous communities, and accorded specific rights and freedoms for these groups to enable them to execute self-government. This moment was the official starting point of the *Millet* System. Thereby, all *ehli kitap* non-Muslims living in the Ottoman country had now become members of certain *millet*s whose administrative centers were located in Istanbul. In this respect, members of the same *millet*s living in diverse parts of the empire had become subject to common laws together with their religious fellows in accordance with a nonterritorial system of citizenship. Within such an order, communal leaders had enjoyed great authority in their community not only because of their mere religious respectability or closer relations with higher Ottoman authorities, but also due to their wealth and their responsibility to collect taxes and supervise the distribution of state lands.[3]

On the other hand, a direct and nonstriking result of this social structure appeared as the underdevelopment of relations among different *millet*s as all of them kept to live in terms of separate rules and institutions. Far from sharing a common identity, Muslims and non-Muslims which inhabited in diverse compartments of society even failed to consistently get in contact with each other. Furthermore, such a social order was totally incompatible with the understanding of modern equal civil rights. Because in the Ottoman Empire, division of Muslims and non-Muslims which constituted the basis of the *Millet* System was actually indicating the distinction between master and subject. According to this distinction, one should have been Muslim in order to be a member of central administrative body and non-Muslims had been systematically deprived of this opportunity. In this sense, while *Devşirme* persons who were forcibly converted to Islam could take positions within the state and even move up to the top, the vast majority of Ottoman non-Muslims had never enjoyed such a chance. Therefore, despite the presence of some exceptions, in the Ottoman Empire only Muslims were utilizing full civil rights and the rest had so narrow political rights in spite of their broad cultural freedoms.[4]

From this point of view, it might be deduced from what mentioned above that Ottoman *Millet* System lacked principle of nondiscrimination that is one of two basic components of multiculturalism. Of course, this reality is not surprising when it is kept in mind that multiculturalism is a contemporary political philosophy and thus seeking it within a pre-modern structure like the Ottoman Empire is really a sheer anachronism. Multiculturalism primarily represents a project of citizenship as it aims to create new forms of it, so it cannot be sought in a society that was frankly based on inequality.[5] As Erik Jan Zürcher points out, an exact equality before the law may be regarded as an ideal in even modern nation-states, but it was not even an ideal for the Ottoman Empire. Inhabitants of towns were being treated differently from the rural population, men differently from women, nomads differently from settlers and surely non-Muslims differently from Muslims, and in this way old established privileges within the society were being jealously preserved.[6]

In sum, Ottoman *Millet* System made a sharp distinction between the subjects of the empire, treated the non-Muslims as second-class citizens and even if it had some great virtues regarding religious and cultural tolerance, it blocked the growth

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[1] Andrew Wheatcroft, *The Ottomans: Dissolving Images* (London: Penguin Books, 1995), 32; Daniel Goffman, *The Ottoman Empire and Early Modern Europe* (Cambridge: Cambridge University Press, 2002), 67-68.

[2] Benjamin Braude and Bernard Lewis, "Introduction", in Benjamin Braude and Bernard Lewis, eds., *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (New York: Holmes & Meier, 1982), 10.

[3] Kemal Karpat, "Millets and Nationality: The Roots of Incongruity of Nation and State in the Post-Ottoman Era", in Benjamin Braude and Bernard Lewis, eds., *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (New York: Holmes & Meier, 1982), 142.

[4] Parekh, *Rethinking Multiculturalism*, 7.

[5] Bernard Lewis, *The Middle East* (London: Weidenfeld and Nicholson, 1995), 321.

[6] Erik J. Zürcher, *Turkey: A Modern History* (New York: I. B. Tauris, 2007), 14.

of common bonds among peoples and did not give response to demands for democracy or equal citizenship.[1] In addition, it is also important to note that non-Muslims were facing some derogating treatments also in their daily lives just as they were debarred from the rights of legal equality. For instance, they were subject to different dress and colour codes and liable to certain restrictions which impress upon their inferiority and dependence on Muslim sufferance. They were prohibited to ride horses or bear arms, and their homes or churches could not exceed the height of local mosques and Muslim dwellings. In predominantly Christian regions, Muslims were generally living in walled sections from which Christians were required to leave before the gates were closed.[2]

But in the nineteenth century, *millet*s who had been recognized as subordinates in the politics and society, were transformed into minorities in modern sense through certain structural reforms within the empire.[3] In the Ottoman Empire, nineteenth century reforms partly resulted from disapproval of the Great Powers of Europe to the secondary status of the non-Muslim Ottoman subjects. But more importantly, these reforms originated from practical domestic needs; from the goal of preventing the break-up of the empire and securing its integrity. In the nineteenth century, destructive effects of the French Revolution were strongly being felt within the Ottoman territory and governing elite of the empire would attempt to integrate all subjects of the country in the scope of "Ottoman nationality" and build a sense of belonging toward the state in the minds of non-Muslim subjects. Against the threat of disintegration of the empire into nationalities, their aim was to eliminate certain tenets within the traditional law creating inequality among the subjects and thus to unite diverse peoples living in the Ottoman territory under the Ottoman identity. Therefore, milestone of Turkish modernization, the *Tanzimat* (Reorganization) Charter of 1839 had definitely been prepared along these lines. Both, *Tanzimat* and its supplementary document, *Islahat* (Reform) Edict of 1856 were mainly directed to ensure the equality and fraternity of Muslim and non-Muslim subjects.[4] In this respect, *Tanzimat*'s acceptance of all Ottoman subjects' equality before the law regardless of their religious identity meant an actual separation toward secularism from the traditional Islamic doctrine depending on inequality. As Bülent Tanör incisively indicates, this preference was a clear step to build Ottoman Nation instead of Ottoman nationalities.[5]

Steps toward the elimination of inequality among citizens would also reflect on *Kanun-i Esasi* of 1876 that was the first constitutional document of the Ottoman Empire. In this text, equality of the Ottoman citizens was exactly recognized and all of them were defined under the Ottoman upper identity through the following statement: "All the subjects of the Empire are without distinction called Ottomans no matter what religion they profess".[6] Accordingly, in the *Meclis-i Mebusan*, the first parliament of the Ottoman Empire, number of non-Muslim deputies was so high that their proportion in the parliament was clearly exceeding non-Muslim proportion in the total population. 48 of 115 deputies of the first parliament were non-Muslim and at the capital, Istanbul, Muslim and non-Muslim deputies were at the same number.[7] And beginning from this point, Muslims and non-Muslims were tried to be equalized for duties as well as for rights and freedoms. For instance, non-Muslims' exemption from military service as one of the most crucial symbols of inequality in terms of duties, would be abolished in the following process. In July 1909, military service was made compulsory for all Ottoman subjects and during the First World War especially in the labour battalions a large number of non-Muslims was employed.[8]

However, reform process which Ottoman governing elite had initiated with big hopes did not give the expected results. On the one side Great Powers' attempts to use these reforms as an opportunity to intervene the Ottoman politics and on the other side internal discussions and general weakness of the empire to execute reforms in a stable manner have been influential on this ending. Additionally, while the Ottomans were trying to create a common nationality or citizen identity, they had not considered in detail about whether this effort would satisfactorily respond to the growing national

[1] Parekh, *Rethinking Multiculturalism*, 205-206.

[2] Nicholas Doumanis, *Before the Nation: Muslim-Christian Coexistence and Its Destruction in Late Ottoman Anatolia* (Oxford: Oxford University Press, 2013), 23.

[3] Elie Kedourie, "Ethnicity, Majority and Minority in the Middle East", in Milton J. Esman and Itamar Rabinovich, eds., *Ethnicity, Pluralism and the State in the Middle East* (New York: Cornell University Press, 1988), 27.

[4] Niyazi Berkes, *The Development of Secularism in Turkey* (London: Hurst & Company, 1998), 309.

[5] Bülent Tanör, *Osmanlı-Türk Anayasal Gelişmeleri* (İstanbul: Yapı Kredi Yayınları, 2015), 447.

[6] "The Ottoman Constitution, Promulgated the 7th Zilbridje, 1293 (11/23 December, 1876)", *The American Journal of International Law* 2(4): 367-387 (1908).

[7] Enver Ziya Karal, "Non-Muslim Representatives in the First Constitutional Assembly", in Benjamin Braude and Bernard Lewis, eds., *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (New York: Holmes & Meier, 1982), 394.

[8] Zürcher, "The Ottoman Conscription System in Theory and Practice, 1844-1918", in Erik J. Zürcher, ed., *Arming the State: Military Conscription in the Middle East and Central Asia 1775-1925* (London: I. B. Tauris, 1999), 89-90.

consciousness of ethnic groups or their national, religious and regional aspirations.[1] But as minorities mentally split from the Ottoman Empire and began to uncompromisingly struggle for their independence, the nineteenth century reforms failed to bring supposed unity and integrity. Nevertheless, these reforms represent a historical process in which structure of communities began to fall and simultaneously there existed a transition from traditional to the modern type of state and even to the first phases of secularism even if it was unnamed. Foundations laid in this era would evidently take effect in the following period.

IV) The Republic of Turkey: From A Strict Nation-State to the Multiculturalism?

Failure of the efforts spent to secure the territorial integrity of the Ottoman Empire and loyalty of its subjects became exactly apparent after the Balkan Wars and then the World War I, and following the latter Ottoman Empire eventually went out of existence. Treaty of Sévres which was signed with the Allied Powers at the end of the war was one of turning points of the empire's ending process. Severe provisions of Sévres would trigger the growth of nationalist movement in Anatolia and this treaty would be replaced by Treaty of Lausanne following two years of an armed struggle.[2] Treaty of Lausanne was signed in July 1923, that is to say three months before the proclamation of the Republic of Turkey on the ruins of the Ottoman Empire and in this context, it was a founding document for the new Turkish state. Consequently, just as numerous other issues, Turkey's definition of citizenship and its minority regime were also firstly determined by the Lausanne and then reflected on the first constitution of the Republic of Turkey.

Treaty of Lausanne had been signed in the interwar period when minority rights were given primary importance all over the world. This sensibility to minority issues may be easily seen in the peace treaties which were signed with losing parties of the war and with certain Central and Eastern European countries in the same era. Accordingly, related provisions of Treaty of Sévres were also strongly supporting the minority rights. But as Turkey had concluded the Lausanne following its successful war of national independence, it had found a chance to reject and be exempt from the principles of dominant minority law of the age. Indeed, Lausanne's provisions on minorities were quite different from those of Sévres and other peace treaties of the interwar era.

First of all, only non-Muslims were recognized as minorities in the Lausanne as a result of Turkey's hard insistence. In the treaty, use of "racial, linguistic or religious minorities" seen in other treaties of the same period was replaced by "non-Muslims" at every turn and other minority groups were excluded from this context. In other words, even if they were different in ethnic and linguistic sense, Muslim Turkish citizens were not given the status of minority in the Lausanne. Thus, according to the provisions of treaty only those rights which were accorded for non-Muslims had been settled under the guarantee of the League of Nations and bringing international responsibility for Turkey. On the other hand, positive rights like establishing any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein[3] were only given to non-Muslim Turkish citizens whose population was largely diminished after the war as a matter of fact. In this regard, Treaty of Lausanne has laid the basis for reconstruction of Turkey in the form of nation-state in the postwar era. Because of this reason, since the establishment of republican government Turkey has always made reservation and interpretative declaration to all international conventions and proclaimed it would not have applied any convention in defiance of the provisions and spirit of Treaty of Lausanne. In this way Turkey has consistently demonstrated its acceptance of this treaty as a founding document.[4]

1924 Constitution that was the second key document of the Republic, represents the last stage in the attempts pursued since the nineteenth century to create an upper identity, as Article 88 of this document was pointing out: "The name 'Turk' shall be understood to include all citizens of the Turkish Republic, without distinction of, or reference to race and religion".[5] But differently from the previous era, now Turkish identity was being imposed on the whole population of Turkey while they

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[1] Karpat, "Millets and Nationality", 144.

[2] Feroz Ahmad, *The Making of Modern Turkey* (London: Routledge, 1996), 48; Michael S. Neiberg, *Warfare and Society in Europe: 1898 to the Present* (London: Routledge, 2004), 72-73.

[3] See Article 40 of "Lausanne Peace Treaty" (1923), http://www.mfa.gov.tr/lausanne-peace-treaty.en.mfa (accessed 31 December 2016).

[4] *Turkish Official Gazette, January 27, 1995 (1995)* http://www.resmigazete.gov.tr/arsiv/22184.pdf (accessed 31 December 2016); *Turkish Official Gazette, July 21, 2003 (2003),* http://www.resmigazete.gov.tr/eskiler/2003/07/20030721.htm#2 (accessed 31 December 2016).

[5] Edward Mead Earle, "The New Constitution of Turkey", *Political Science Quarterly* 40(1): 98 (1925).

had been firstly called to unite under the Ottoman identity. Moreover, within this period, non-Muslim population in the country had been lowered in a vast scale, thus minority rights given to them were no longer posing any danger for the integrity of Turkey. In this sense, elimination of non-Muslims may be regarded as the first step for Turkey to form a nation-state structure. And the second step was aiming at the assimilation of non-Turkish Muslim peoples of Turkey. In line with this purpose, Muslim groups such as the Kurds, Arabs, Laz people, Circassians, Bosnians and Albanians were officially recognized as the components of majority Turkish nation and deprived of any minority rights throughout the republican history. As Atatürk's formulation, "The people of Turkey that have established the Republic of Turkey are called Turkish nation" has indicated, non-Turkish Muslim groups were seen as the sub-segments of Turkish Nation and tried to be directly integrated into the Turkish culture. In this use, Turkishness was not an ethnic but an inclusive political identity and whole legal and educational system of country would be accorded with this acceptance.[1] 1982 Constitution of Turkey which is still in force, emphasizes the indivisible integrity of not only territory, but also nation through Article 3 and its Article 66 which makes definition of citizenship strongly emphasizes the Turkish primary identity again by confirming everyone bound to the Turkish State through the bond of citizenship is a Turk.[2]

But, even if minority regime of Turkey depended upon Treaty of Lausanne in general terms, Turkey would actually make some additional restrictions on the system envisaged by the Lausanne. Firstly, Turkey has applied the minority rights given to all non-Muslims by the Lausanne only for three historical minority groups, Greeks, Armenians and Jews, and not recognized the same rights for other non-Muslim peoples like Assyrians, Chaldean Christians or Nestorians in practice. Secondly, Treaty of Lausanne had regarded only non-Muslims as minority, but it was bringing some group rights also for Turkish nationals of non-Turkish speech. For instance, Article 39 of the Lausanne had stated that no restrictions would be imposed on the free use of any language by any Turkish national in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings. This Article was also legitimating these groups to use their own language before the courts.[3] However, Turkey has accepted some of aforesaid rights after a long time while still refusing to acknowledge the rest of them.

Within this scope, it can be said that minority regime of Turkey was completely in contrast to the approach of the Ottoman Empire applied in the framework of the *Millet* System. Indeed, on the contrary to the principles of the *Millet* System, Turkey followed a strict nation-state policy and tried to secure the assimilation of all ethnic, linguistic, religious or denominational minorities under a common and primary Turkish identity. As William L. Cleveland puts forward, in Turkey's attempts to form a uniform Turkish national identity, there had been left no room for cultural pluralism and in this direction, even institutions of republicanism would be strained.[4] Presence of other minority groups was severely denied and serious penal sanctions were regulated for those who claimed the opposite. In addition, decline of international minority law and refreshment of advocacy for nation-state mentality following the World War II would enable Turkey to more comfortably maintain such a policy.

But from another perspective, dissimilarly to the Ottoman classical age again, Turkey did not set up an official hierarchy among its citizens on condition that they accepted Turkish upper identity (apart from some sorts of discrimination made especially against non-Muslim minorities), and thus adhered to the understanding of equal citizenship to a large extent. Therefore, republican age minority regime of Turkey substantially carried the value of equal civil rights into effect and in this way even if it was not perfect, it generally fulfilled other vital dimension of multiculturalism. Yet Turkey, on the other hand, obviously failed to pave the way for minority groups to preserve and develop their cultural identities and so did not act in accordance with the principle of protection of differences which is the second main component of multiculturalism.

In fact, Turkey's policy towards minorities gave the expected results for an extended period of time and managed to provide the loyalty of minorities with the exception of some Kurdish uprisings in the early years of the republic.[5] But as mentioned

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[1] Efe Can Gürcan, "The Evolution of Turkish Nationalism: An Unconventional Approach Based on a Comparative and International Perspective", in Joan Burbick and William R. Glass, eds., *Beyond Imagined Uniqueness: Nationalisms in Contemporary Perspectives* (Newcastle: Cambridge Scholars Publishing, 2010), 148; Neophytos G. Loizides, "State Ideology and the Kurds in Turkey", *Middle Eastern Studies* 46(4): 518 (2010).

[2] Umut Özkırımlı, "Vigilance and Apprehension: Multiculturalism, Democracy, and the 'Kurdish Question' in Turkey", *Middle East Critique* 22(1): 32-33 (2013).

[3] See Article 39 of "Lausanne Peace Treaty".

[4] William L. Cleveland, *A History of the Modern Middle East* (Boulder: Westview Press, 1994), 170.

[5] Michael M. Gunter, *The Kurds and the Future of Turkey* (New York: St. Martin's Press, 1997), 5-6.

above, identity politics began to rise and provoke sub-identities and local cultural groups all over the world since the 1980s and it became dominant paradigm especially in the 90s. This process would inevitably make its reflections also in Turkey. Kurdish nationalism which had been refrigerated for several decades, would come to gain momentum in the post-1980 era and with the establishment of Kurdistan Workers' Party (*Partiya Karkeren Kurdistan* [PKK]) as a secessionist terrorist group, period of violence would be initiated. From this reason, it can be argued that post-1980 years introduced the weakening of nation-state structure in Turkey similar to the examples in other states. In this age, minorities' demands for recognition increased in a vast scale and they began to pressure for multicultural state formations which would enable them to enjoy cultural freedoms and certain rights of political representation.

Despite challenges and ongoing discussions, the 90s witnessed Turkey's uncompromising commitment to nation-state ideology and its struggle with opposing demands. But even if Turkey refused to take a step on direction of multiculturalism for several years, in the course of time pressure of internal dynamics would considerably escalate and Turkish officials would eventually come to conclusion that military precautions should be supplemented by other kinds of measures.[1] More importantly, Turkey assumed candidate status for the European Union (EU) at the Helsinki Summit of 1999 and along with the needs of this process it would be obliged to make some legal regulations in the way of democratization. In December 2000, agreement of Accession Partnership was signed between EU and Turkey, and in response to this paper, in March 2001 Turkey prepared its National Program which was its route map to perform the expectations of EU. Following this document, Turkey would make some constitutional reforms and soften its firm nation-state ideology in some degree. Furthermore, beginning from 2002, Turkey would pass and begin to implement a series of harmonization packages and certain principles among these general reforms would form the legal basis needed for the appliance of minority rights in a greater scale. Indeed, within the process of EU reforms, rights of non-Muslim foundations to buy real estate were increased, conditions for the closure of political parties were narrowed, freedom to set up association was strengthened, critical changes were made in Anti-Terror Law and most importantly, broadcasting in and education of Kurdish language were allowed.[2] With this last acceptance, Turkey has moved to make actual one of its responsibilities arranged by Treaty of Lausanne.

In the course of time, however, there would be a precise evolution in ruling party's approach to the minority issues. Justice and Development Party (*Adalet ve Kalkınma Partisi* [AKP]) which came into power in 2002 was following liberal policies in its first term and would take the reform process started by previous government further. Within this period, AKP was seeking international legitimacy as it was being widely suspected of radicalism and thus taking steps toward the aim of EU membership could help them. At the same time transformation of strict nation-state structure was also compatible with the moderate Islamist agenda of AKP. But, as AKP consolidated its power by the middle of the 2000s, it gradually came to a more nationalist point of view and began to retreat on the issue of minority rights.[3] Additionally, in the same process, AKP directed its foreign policy interest from EU to the former Ottoman lands especially to the Middle East and because of this reason influence of external dynamics to continue reforms was also diminished.[4] And as a natural consequence of ongoing contradiction between Turkish state and Kurdish nationalists, armed conflicts of two sides which were stopped at the beginning of reform process, would make a new start since the mid-2000s. At the moment, these conflicts still drastically continue following a short cease-fire between the years of 2013 and 2015.

Today, the principal cause of disagreement and debate between Turkish state and nationalist Kurdish movement is the concept of "democratic autonomy" and certain demands related to it. Hence unsurprisingly, "Political Solution Declaration" of Democratic Society Congress that is the umbrella organization of Kurdish movement, was completely based on this notion. This document which was published in December 2015, projects the formation of democratic autonomous regions in terms of cultural, economic and geographic familiarities. In the paper, it is demanded from the state to leave education at all stages to self-governments, recognize the use of mother tongues in the public schools and accept local languages as

[1] Metin Heper, *The State and Kurds in Turkey* (London: Palgrave Macmillan, 2007), 180.

[2] Kerim Yildiz*, The Kurds in Turkey: EU Accession and Human Rights* (London: Pluto Press, 2005), 66-70; Demet Yalcin Mousseau, "Is Turkey Democratizing with EU Reforms?: An Assessment of Human Rights, Corruption and Socio-Economic Conditions", *Southeast European and Black Sea Studies* 12(1): 70-71 (2012).

[3] Gözde Yılmaz ve Diğdem Soyaltın, "Zooming into the 'Domestic' in Europeanization: Promotion of Fight against Corruption and Minority Rights in Turkey", *Journal of Balkan and Near Eastern Studies* 16(1): 15 (2014).

[4] Svante E. Cornell, "What Drives Turkish Foreign Policy?", *Middle Eastern Quarterly* 19(1): 13-24 (2012); Mustafa Türkeş, "Decomposing Neo-Ottoman Hegemony", *Journal of Balkan and Near Eastern Studies* 18(3): 191-216 (2016).

official alongside Turkish. Declaration also points out the need for terminating all sorts of tutelage of central administration upon the elected in democratic autonomous regions and granting self-government the authority to run and inspect soil, water and energy sources in their own regions. And according to the document, in order to perform aforementioned services, budgeting in local has to be transferred to self-government, some taxes should also be collected by it and official local security units have to be formed to maintain order in local under the governance of self-governing body.[1]

In fact, self-governance was being interpreted as a legitimate right in the context of multiculturalist approaches at the beginning of the 90s. Such that, formation of self-governing units for minorities had been definitely acknowledged at the 1990 "Copenhagen Document of the Conference for Security and Co-operation in Europe"[2] and the "Recommendation 1201 of Parliamentary Assembly of the Council of Europe"[3] passed in 1993. But following the fierce ethnic problems experienced in the Eastern Europe, especially after the case of Bosnian War, this tendency would be considerably weakened. As the Serbian autonomous entity created in Bosnia and Herzegovina struggled to separate from the central government in cooperation with its kin-state Yugoslavia and in this way triggered so bloody conflicts in the country, self-governance began to be no longer thought as a realistic way of solution. As a result, minorities' right to have autonomous administrations was not given a place at the Framework Convention for the Protection of Minorities which was accepted by the Council of Europe in 1995 as one of the basic texts of the new age. It can be claimed that tendency not to give self-governance rights for minorities gained dominance in international minority law following this document. In this respect, apart from the tasks of strengthening local administrations in some degree and maintaining positive duties for minorities' cultural development, it is difficult to create an external pressure on Turkey to recognize some kind of self-governance along the lines of Kurdish expectations.

Other than the issue of self-government, another matter of debate is regarding the definition of citizenship in the new constitution whose preparation has been discussed for several years beginning from the mid-2000s.[4] Proponents of change put forward two alternatives on this question; firstly, they propose the term *Türkiyeli* (one who is from Turkey) instead of Turk and thus tend to remove ethnic content from citizenship by expressing it with a political/geographical term. And the second alternative as some Kurdish groups defend, is the coexistence of the terms Turk and Kurd in the constitution as the state's founding peoples. To begin from the latter, such an alternative represents an inclination not to abolish, but to transform the current status. If the definition of citizenship in force is unfair, this alternative projects to be partner of this injustice and so appears incompatible with the principles of multiculturalism. The other alternative, the term *Türkiyeli* is quite appropriate with regard to multiculturalist way of understanding in general lines, as it appeals to all peoples of Turkey. Furthermore, even if it is sometimes perceived as a new term, the background of this concept can be traced to the preparatory works of the 1924 Constitution.[5] Nevertheless it should not be hoped to solve the problem alone. This term strongly resonates the argument on the duality of a primary (state) and a secondary (ethno-religious) identity in the context of Ottomanism.[6] And, just as expectation to secure the integrity of the Ottoman Empire by use of a political term, Ottoman, had been falsified in the precedent era, it is also not clear that use of the term *Türkiyeli* will guarantee multicultural and actually democratic state structure. Rather than considering Kurdish question on the ground of these terms, this issue should be evaluated from a broader perspective and with a more holistic view. Surely, it is not possible to protect and improve minority rights without actually institutionalizing democracy itself. Therefore, both, solution of Kurdish question in an ideal way and development of a multuculturalist formulation for all peoples of Turkey can only be achieved by a fully democratic and emancipatory spirit which would dominate the constitution and its proper appliance.

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[1] "DTK'dan Özerk Bölge Çağrısı" (2015), http://www.bbc.com/turkce/haberler/2015/12/151228_dtk_deklarasyon (accessed 31 December 2016).

[2] See Article 35 of "Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE" (1990), http://www.osce.org/odihr/elections/14304/ (accessed 31 December 2016).

[3] See Article 11 of "Recommendation 1201: Additional Protocol on the Rights of Minorities to the Convention on Human Rights" (1993), http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15235&lang=en (accessed 31 December 2016).

[4] Ergun Özbudun and Ömer Faruk Gençkaya, *Democratization and the Politics of Constitution-Making in Turkey* (Budapest: Central European University Press, 2009); Burak Bilgehan Özpek, "Constitution-Making in Turkey after the 2011 Elections", *Turkish Studies* 13(2): 153-167 (2012).

[5] Şeref Gözübüyük and Zekai Sezgin, *1924 Anayasası Hakkındaki Meclis Görüşmeleri* (Ankara: AÜSBF, 1957), 436-439.

[6] Ioannis N. Grigoriadis, "Türk or Türkiyeli? The Reform of Turkey's Minority Legislation and the Rediscovery of Ottomanism", *Middle Eastern Studies* 43(3): 435 (2007).

This need, in fact, indicates a more central question that is Turkey's general problem of democracy and freedoms since its strong ruling party is becoming an increasingly authoritarian government. Due to this specific condition, question of individual rights has an exact urgency in Turkey, like the minority issues as well. Undoubtedly, development of minority rights primarily necessitates the improvement of civil rights and prevention of state from posing a threat for the individual freedom. Traditional principles of democracy such as freedom of expression, separation of powers, protection of quantitative minority from the pressure of majority, popular access to the political decision-making process (and etc.) constitute pre-condition for the appliance of identity politics. Therefore, as the level of respect for these values in contemporary Turkey and course of recent events are observed, it is quite natural to worry not only about the minority rights, but also for the future condition of basic rights and freedoms in Turkey. And because of this reason, it has to be understood as the first duty for all democratic and liberal sides of the country to struggle in order to overcome the general problem of democracy in Turkey and thus, find an urgent exit way from this dead-end.

V) Conclusion

In the light of all what mentioned above, it may certainly be said that Ottoman Empire and the Republic of Turkey preferred so diverse ways regarding the minority issues within their classical periods. However, as it is indicated again, these states did not follow the same practices from beginning to the end. Ottoman Empire had a more decentralized character in terms of both territory and identity for a long time, but by the mid-nineteenth century with the effects of internal and external dynamics, it attempted to form a centralized state and unite all its subjects under the Ottoman primary identity. In other words, Ottoman example represents a historical process directed to change such a social and political order in which minority groups enjoyed cultural autonomy, but they were debarred from equal civil rights. The Republic of Turkey, on the other hand, stands entirely contrary to this model. Efforts to build an upper identity in the last stages of the Ottoman Empire, would be deepened in the republican era, but now would be based on Turkish instead of Ottoman identity. From its establishment roughly to the neo-liberal globalization process, Turkey presented a convenient example for the classical nation-state ideology which recognizes equal citizenship rights, but does not allow for the autonomy of different cultural identities. However, with the 1990s, this structure of Turkish state would begin to be more intensely challenged and eventually multiculturalist principles of the new age would be reflected also on Turkey in some degree. Today, Turkey surely has certain problems with regard to multicultural development and apart from pure minority issues, this underdevelopment is actually a result of Turkey's huge deficiencies regarding general freedoms and democratic principles. From this point of view, success of general democratic struggle should be the crux of current multiculturalism debate in Turkey and has to be regarded as the key factor to determine the consistency and stability of minority rights within the country.

Acknowledgement

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