

HOW DOES TURKEY'S CONSTITUTION AFFECT THE STATUS OF ETHNIC
GROUPS WITHIN THE COUNTRY?

A study submitted in partial fulfilment
of the requirements for the degree of
Master of Arts in Global Politics and Law



at

THE UNIVERSITY OF SHEFFIELD

by

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September 2010

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Introduction

Since the middle of the 1990s until recently, Turkey has launched many reforms to recover the status of different ethnic identities. Most of the reforms were directed by the EU as a part of the conditions for full membership process. These reforms have remained and still continue to be superficial and inadequate due to the rooted exclusionary tradition of ethnic differences in Turkey. Following the establishment of republic, the modern state have employed the French conception of civic nationalism and constantly attempted to assimilate ethnically, culturally and religiously different groups. The civic concept which aims to unify all the different elements under the banner of Turkishness has turned into transforming all different identities into one established identity as Turkishness. In Turkish case, this process has been carried out through various nationalist projects in private and public spheres. In this context, constitutions played a crucial role by defining citizenship and regulating other issues related to ethnic group rights. Each Turkish constitution (1924, 1961 and 1982) has equated Turkishness and citizenship. Although, politically and territorially, Turkishness is defined by Turkish citizenship, ethnic emphases can be seen attached to the definitions of citizenship. This attitude can be observed in the nationalistic practices that contradict with the civic definitions in the constitution as well.

The purpose of this dissertation is to show these contradictions between civic definitions in constitutions and ethnic policies employed by state. In this way, civic and ethnic nationalism will be explained along with the concepts of assimilation and integration. Moreover, nation-building periods are especially important in constitutional context, various constitutional examples in the newly established Eastern Europe states will be reviewed to as they contain various ethnic-nationalist emphases within constitutional texts.

In the second part, to clarify the roots of nationalist strategies and attitudes of the state, Turkish nation-building process will be analysed. Westernisation projects, attempts to reinvent the nation and the role of nationalism in this period will be explained. Afterwards, the last constitution of Ottomans will be analysed as a constitution of the transition period before detailing, contradictory definitions, citizenship and language policies, in 1924, 1961 and 1982 constitutions. Along with the analysis of constitutions, various nationalist practices that suppressed the ethnic identities will be given from the educational and linguistic issues. Here, also, the status of official minorities and the other ‘unofficial’ ethnic groups will be argued with the frame of cultural rights, specifically on speaking mother tongue.

In the last part, the changing attitude of state to minority rights from the middle of the 1990s until recently will be elucidated with the arguments of constitutional citizenship, reforms and developments in the language issue related with education and broadcasting. At the same time, the role of Harmonisation Packages in the way to the EU will be indicated in this section. Consequently, conclusion will contain final remarks and general suggestions about recent developments, constitution-making and rights issues.



Civic and Ethnic Conceptions of Nationalism

As most of the nationalism theories indicated, modern societies require linguistic and cultural homogeneity as an operational necessity. For modern political societies, this homogeneity becomes a condition of economic, political and social citizenship. Thus, as Gellner stated, a nationalist condition emerged through requiring the ‘marriage’ of nation and the state (Gellner, 1997). During the age of nationalism, considering the linguistic and ethno-cultural diversity in the territories of many countries, states had to achieve the linguistic and cultural homogeneity. States needed to fulfil the space between the ideal of cultural homogeneity and the actual circumstances through strategies of including and excluding. Some states, which define nations ethnically, maintained an exclusionist strategy like Germany. However many states pursued an inclusive strategy such as France and Turkey. They have tried to build a nation through creating a common culture and language; and spread that culture among the different ethnic and cultural groups existing in their territory (Tok, 2003:225). In this sense, while the French conception of nationhood progressed in an ‘assimilationist’ way, the German understanding of nationhood remained ‘differentialist’ (Brubaker, 1992:5). As a political reality, the concept of civic nation mostly emerged where the state developed prior to or coincided with the age of nationalism. It has such an administrative and institutional framework that supports the modern state, through equating nation and state. By contrast, ethnic nationhood based on the claim to a ‘shared culture, including a common religion, language, genealogical descent and shared history’ (Zimmer, 2003:176).

In this respect, nations are reinvented through different ways. In case of civic model, state provides its legitimacy through laws and bureaucratic structures. Civic nations are, in this sense, accepted as artificial and individualist entities that rest on the political will of belonging without considering gender, ethnicity or class. As in terms of Ernest Renan’s famous metaphor, civic nations can be seen as a kind of “daily plebiscite” (Renan, 1882). Thus civic nations are regarded artificial because they are the product of rational procedures among individuals (Winter, 2007:495). Thus in the understanding of civic nationhood, nationalism is presented as a common culture independent from ethnicity. According to the integrationist dimension of this theory, the differences are attempted to be reduced through enabling the members of different ethnic identities to have the same education and socialise in the same language and environment to prevent the discrimination and ethnic segregation (McGarry and O’Leary, 1993:17). Thus, the official national culture and identity includes everybody regardless of their differences in terms of religion, ethnicity, language and culture. While

officially created identities are determinant in the public and political sphere; religious and ethno-cultural identities are enfranchised to act free in the private sphere. In other words, while states support the national identity and culture, it remains neutral about citizens' religious and ethno-cultural identities.

However, as Kymlicka indicated, states cannot be entirely neutral to ethnic or cultural groups. Especially decisions about the language can be a good indicator of this problem. According to Kymlicka,

‘When the government decides the language of public schooling, it is providing what is probably the most important form of support needed by societal cultures, since it guarantees the passing on of the language and its associated traditions and conventions to the next generation. Refusing to provide public schooling in a minority language, by contrast, is almost inevitably condemning that language to ever-increasing marginalisation’ (Kymlicka, 1995:11).’

When civic state become assimilationist rather than integrationist, it attempts to transform ethnic identities into a previously established identity as in the French case or into a totally new identity as in the Soviet case through various policies (McGarry and O’Leary, 1993:17). These policies are generally about to determine the ethnic culture which covers other ethnic identities, while state is pretending to be neutral. The process involves the assimilation of other ethnic identities to a particular dominant national culture. In this sense, this nation building policy assimilates the ethno-cultural groups through imposing a part of dominant culture as the national identity.

Although it seems impossible to achieve the state neutrality, state structures can be more inclusive for different identities. It may focus to “thin out” the majority’s national identity in favour of minority cultures. Therefore, a national identity should avoid excessive holism to provide a welcoming environment to different cultures. However in civic nationalism, state identity should be thick to support unity and to make people feel them as a part of the particular community, whilst trying to be inclusive. At first sight, civic identities can be seen in a favour of immigrants and national minorities, but most significant oppositions against assimilationist policies are coming from civic nation countries like France, United States and Turkey (Tierney, 2008:7). As McGarry and O’Leary show,

‘In Canada, immigrant communities have acquired a Canadian civic identity on top of their original ethnic identity. The United States has proved a ‘melting pot’ in which some ethnic assimilation has taken place, although it would be better to say that white Protestants have assimilated (Swedes, Norwegians and Germans), and that white Catholics (Irish, Italians and Poles) have gradually assimilated. After 1945, both Canada and the USA have had some success in integrating Asian immigrants’ (McGarry and O’Leary, 1993:18).

In civic nationalism model, state structures are regulated to provide coherence among the citizens through various nation-building strategies. In this regard, constitutions became the major tools to provide the inclusive civic principles of nationhood. In this conception of constitutionalism, people are treated in legal terms independent from particular social indicators such as language, gender, ethnicity, religion and so on. These values are strongly oriented by the rule of law and generally regarded as egalitarian and democratic. These principles are accepted as the foundation for common membership and which unites citizens within a state (Lawson, 2004:521).

The Impact of Civic Nationalism in Constitutions

Since the French and American revolutions, constitutional states hold a particular identity as a ‘nation’, an imaginary community to which people belong and in which they have equal dignity as citizens. Thus, nation produces a sense of allegiance and belonging through public symbols, nation’s individual name and national historical narrative. According to Tully, ‘By naming the constitutional association and giving it a historical narrative, the nation and its citizens, who take on its name when they become members, possess a corporate identity or personality’ (Tully, 1995:68). Especially in divided societies due to a history of conflicts or an absence of shared experiences, constitutions stand as a vehicle for establishing a common political identity to make the constitutional regime work (Choudhry, 2008:6).

Hobsbawm’s famous expression, ‘nations do not make states but the other way round’ (Hobsbawm, 1990:10) can be comprehensive for understanding the role of constitutions in the nation building process. In this sense, as the definition of the state, constitutions can make the connection between nation and the state clearly by the conception of the constitutional nationalism.

As it is well known, constitutionalism is a liberal concept, established to protect the civil rights and liberties of citizens from states by limiting its excessive powers. This liberal foundation of constitutions may cause a tension with nationalism (Batory, 2010:33). However, republican and civic nationalists benefit of liberal institutions such as constitutions to provide equality among different ethnic, cultural or religious groups through establishing ethnicity-blind institutions which consider everyone equal irrespective of their differences. Therefore they oppose to special minority rights (Somer, 2005:14). Consequently, although nationalism and constitutionalism seem to be contrasting concepts, nationalist components are still common in modern constitutions around the world.

The Western notion of constitutionalism gives rise to a problem of identities. This problem is especially apparent in the constitutions of nation states. In this system, a dominant national group is seen as the owner of the state and this group use the state to reinforce its identity, culture, language, religion, symbols and so on. They also define state as the representative of their ethnic group. Although, dominant groups constitute the majority in most cases; minorities may constitute dominance as happened in South Africa during the apartheid regime. As a result, anyone who does not belong to the dominant group might be subject to exclusion or assimilation (Kymlicka, 2003:149).

This constitutional model represents the national ideals and shared views of political unity through explicit expressions emphasised in the preamble and in the other parts of the constitutions. Thus, nation state constitutions represent a 'thick' national identity of assumed homogenous people which is essential for constitutional legitimacy. In this way, constitutions stand as a very useful vehicle for homogenisation process. According to Lerner,

'a nation state constitution attempts to reflect unique cultural, national, religious and linguistic characteristics through symbolic features and other particularistic practices and institutions. Such homogenising foundational elements include, for example: the French constitutional establishment of a national language (Article 2); the Danish, Icelandic and Norwegian constitutional provisions, which establish the Evangelical Lutheran Church as the official state religion, based on the strong Lutheran majorities; and Germany's privileged immigration laws for ethnic Germans (until 1999)' (Lerner, 2010:71).

Exclusivity can be an indicator of ethno-nationalism in constitutions as well. It is explicit when the ideal of the nation state is interpreted as one state for every different ethnic group. In this rationale, the state is accepted as it is owned by a particular nation and the existence of

members of other ethnic or cultural group is assumed as an anomaly inherited from the history. Even if the drafters of the constitutions promise to tolerate diversities to a greater or lesser extent, exclusion may remain, as the state is described as a state of a particular nation in the constitution (Dimitrijević, 1993:50). This process is defined as constitutional nationalism, which means, ‘a constitutional and legal structure that privileges the members of one ethnically defined nation over other residents in a particular state’ (Hayden, 1992:655). In the newborn states established according to the national self-determination right, a particular ethnic group have been privileged in many cases. Other identities are obliged to live as second class citizens in these ethno-centric states. Thus their political, civil and social rights are mutilated by the dominant nationalist arguments (Verdery, 1998:294).

Such an emphasis on nationalism in constitutions is mostly coincided with the age of nationalism. Older constitutions which have been developed before the wave of nationalism characterised by a political ideology and did not define citizenship and territory in national terms. However, constitutions, which was born in the rise of nation states, pointed such issues evidently (Kissane and Sitter, 2010:49). As Kissane and Sitter explain, the foundational components may differ from constitution to constitution (Kissane and Sitter 2010). Generally, foundational constitutions’ provisions refer to the connection between state and religion; the fundamental rights of all citizens; the definition of those belong to “the people” and the state’s symbols (Lerner, 2010:68).

Kissane and Sitter indicate four zones to explain the rise of nation state. In the first zone, after 1789 revolution, constitutions were the product of liberal demands for a limited government. In this zone, as the constitutions did not establish a new state, drafter did not pay too much attention to national identity. In the second zone, in the mid 1800’s, states were constituted through unifying territories with shared political histories and high cultures. In this period, although national identity was ‘thicker’ than the first zone, liberal approach was still dominant. In the third zone, following the First World War, constitutional politics more evidently reflected nationalist state building policies. In this period, nearly all states in this period were new states. State building policies were both national and democratic and the major tension was between the liberal democratic principles and national imperatives. States attempt to deal with ethnic identity issues through the civic notion of political community, but this approach did not meet expectations at all. In zone four, most of the new democracies experienced political contests between membership of supranational organisations such as the EU and the demands for self determination. Here, national identity became a contested issue

in the competition between liberals and conservative nationalists (Kissane and Sitter, 2010:51).

Constitutional Nationalism Cases from Europe

Most of the constitution that established in third zone as mentioned above has a nationalist character particularly within its preamble, on the definition of citizenship and scope of the cultural rights mainly on language and religion. Especially, in the Eastern Europe states, when they removed their old imperial constitutions, peoples who demanded political recognition redefined their cultures as 'nations' (Tully, 1995:8). Most of East European states use the nationality in the same meaning with citizenship or define the state with a particular nation in their constitutions; additionally, the historical ties of the dominant ethnicity are emphasised to reinforce the national identity. Several constitutions clarify this conception with particular articles. According to the preamble of the 1990 Croatian constitution, 'The Republic of Croatia is established as the national state of the Croat nation and a state of members of other nations and minorities, who are its citizens: Serbs, Muslims, Slovenes, Czechs, Slovaks, Italians, Hungarians, Jews and others' Here, 'Croatian nation' has been defined ethnically rather than politically and thus excludes those who are not ethnically Croat (Hayden, 1992:657). Also in the preamble of the 1991 constitution of Macedonia describe state as owned by Macedonian people: 'national State of the Macedonian people, which guarantees ... permanent coexistence of the Macedonian people with Albanians, Turks, Wallachians, Roma and other nationalities living in the Republic of Macedonia'. Similarly in the 1990 constitution of the Serbia, state is defined as 'a democratic state of the Serbian people' (Dimitrijević, 1993:51). Some constitutions make a distinction between nation and citizens such as the constitution of Slovenia. According to 1989 amendments of Slovenian constitution, Slovenia is 'the state of the sovereign Slovenian nation and citizens' and cultural rights granted only to Italian and Hungarian minorities, which have a small proportion among other minorities (Hayden, 1992:658). In many constitutions, drafters use various methods to emphasise the nationality in different senses. Kissane and Sitter indicate a good summary of these methods. According to their study,

"The Polish preamble uses the phrase 'We the Polish Nation' and pays homage to their ancestors' struggle for independence, while trying to synthesise Catholic and secular values. The Baltic states' preambles claim continuity with the pre-war states, one using

the phrase the 'reborn state of Lithuania'. In the Balkans, the 1992 Yugoslav preamble mentioned the 'nation-building traditions' and the strong historical ties between Serbia and Montenegro, while the Croat 1990 constitution speaks of the 'millennial' identity of the Croat nation and the continuity of its statehood. The Bosnia-Herzegovina preamble of 1995 invoked only international principles of justice, and the Hungarian made no mention of the past" (Kissane and Sitter, 2010:59).

While some constitutions attempt to synthesise constitutional nationalism with European notion of democracy; some maintain the civic conception of nationalism. Also, in the constitutions of many nation states, the effort for connecting the nation with its ancient past is salient especially in the preambles. It can be both the result of the rights to self-determination or for the purpose of reinforcing the national identity through blessing it. As stated in the constitution of Macedonia: 'national state of the Macedonian nation [narod] founded on the sovereignty of the nation.' According to Hayden, 'he statement included other references to the sovereign rights of the Macedonian nation but also defined Macedonia as a democratic state of citizens, thus setting up the inherent conflict of constitutional nationalism with current European views of democracy' (Hayden, 1992:659). This constitution also mentions about the cultural, historical and statehood heritage of Macedonians and refers to their long struggle for national freedom. On the other hand, Romania had the civic nationalism of the nation-state conception in its constitution, as in the first and second paragraphs of the Article 4: '(1) The State is based on the unity of the Romanian people. (2) Romania is the common and indivisible country of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion and political allegiance, wealth or social background.' Likewise in the constitution of Lithuania, persons of other nationalities and persons that acquired citizenship according to the laws are considered as Lithuanian people as well as Lithuanian people, regardless of their ethnic origin. In the preamble of the draft constitution of the Ukraine, the inalienable self-determination rights of the Ukrainian people have been indicated by citing 'the thousand-year history of Ukrainian statehood going back to the Kievan State of Volodymyr the Great', referring the 'countless victims and enormous sufferings of the times of loss of statehood and struggle for its restoration' previously mentioning to name of the state "the Blessed Ukraine" (Dimitrijević, 1993:51). As a notable example, the 1989 Hungarian Constitution includes both civic and ethnic conceptions of nationalism. It is civic when defining political community, in protection of minorities and creating rights and obligations between state and citizens. On the other hand, it

is ethnic when defining nationhood in ethnic or cultural terms. The constitution grants excessive power to people (article 2), and evidently recognise that the state is multicultural in political and legal sense: 'National and ethnic minorities living in the Republic of Hungary participate in the sovereign power of the People: they represent a constituent part of the State' (Article 68). Also, the constitution asserts a responsibility for the Hungarian living outside the borders of Hungary in such an ethnic sense: 'The Republic of Hungary bears a sense of responsibility for the fate of Hungarians living outside of its borders and shall promote and foster their relations with Hungary' (Article 6) (Batory, 2010:37).

Interestingly, 1990 Serbian Constitutions do not define the Republic of Serbia in national or ethnic terms as 'the democratic state of all citizens living within it' (art. 1) in which 'sovereignty belongs to all citizens of the republic' (art. 2) and which recognizes the 'national' and 'cultural' rights of man and citizen (art. 3). By contrast with these articles, it attempts to mention 'the centuries'-long struggle of the Serbian people' and to their right to 'create a democratic State of the Serbian people.' In this way, the Serbian constitution, as a republican one, differs from other constitutions because of its covert form of constitutional nationalism (Hayden, 1992:660).

Beside the East Europe, Spain is having dilemmas in constitutional issues as well. Although it is claimed that Spanish constitutional nationalism is based on purely civic notion of nationalism, Spanish patriotic arguments include a reference to culture, history and even language, which are supposed to be foundational components of the Spanish nation, but legitimised through recognising of internal cultural plurality (Núñez, 2001:744). The efforts for recognition of historic nations such as Galicia, Catalonia and Basque country produce a great tension for the unity of Spain mentioned in the 1979 Constitution of Spain. Especially article two represents this challenge: 'The Constitution is founded upon the indissoluble unity of the Spanish nation, the common and indivisible *patria* of all Spaniards, and recognizes and guarantees the right to autonomy of the nationalities and regions integrated in it and the solidarity among them.' Even if full autonomy is achieved by all regions, the constitution does not make a distinction among the communities. Instead of this, it equalises these nationalities with a strong sense of identity which rests on a common past, culture and language with artificially and recently created communities (Guibernau, 1997:93).

Modern Turkish State and the Nation-Building Process

As a newly established state, Turkey's emphasis on nationalism through citizenship policies and institutions had been critical since the time it was founded until now. The modern Turkey was established on the ruins of an empire with its multi-ethnic and multi-religious elements. At this point, new republican state embraced nationalism to ensure the 'marriage' between state and the nation. Despite state's apparent civic character, Turkish elites regard nationalism as a vehicle for connecting different ethnic groups under the banner of Turkishness. In many cases, cultural and political rights of the ethnic identities have been ignored through the nation-building policies. Thus, inspiring the name of the founder father of modern Turkey, 'Kemalism' became a form of nationalism to build a national culture in such a multi-ethnic sphere, in order to provide legitimacy of the modern political order (Köker, 2010a:54). The state-building nationalism was generally inspired from French Civic republican model. As the leading biographer of Mustafa Kemal Atatürk, Andrew Mango argued that the French revolution was the 'the supreme point of reference' for Atatürk throughout his period. He aimed to build atop almost hundred years of Westernisation reforms (Tanzimat), an Ottoman civic model that ensures a flexible accommodation of the 'millet' system for different ethnic identities. In order to accommodate the new conditions, he designed a fixed identity and space for the building of the modern nation-state (Smith, 2005:441). Since the ideas of Atatürk are influenced by the French model, republicanism can explain the dominant policies and values of Turkish nationalism. This model was suitable for the Turkish case both for its conception of nationalism and the western motifs. As Somer argued,

'It was aimed at building a nation from a multiethnic population within the remaining territory of an ex-empire that collapsed in the midst of competing ethnonationalisms and imperialist interventions of rival great powers. Turkish nationalists were largely the late, revolutionary generation of Ottoman elites building on a grand state tradition that prioritized state survival over any other goal. Therefore, one may explain, Turkish nationalism developed diversity-phobic and authoritarian-assimilationist values suppressing the ethnic-linguistic differences in society' (Somer, 2005:19).

Atatürk and his followers promote Turkishness as a distinctive identity about Turkey instead of a religious identity. This conception of a unitary state supported by civic allegiance has been a significant success. Westernisation process ensured a western legal system, a modern bureaucracy, a systemic national education, the emancipation of women in order to make them to enjoy civil rights and many more vital changes in social and political life that framed

the modern Turkey (Smith, 2005:437). These changes, such as abolition of the sultanate, caliphate and religious law, are made in order to remove the connections between Ottoman heritage and history. At this point, a new invented history was required for the new secular, modern, republican state and its society (Tok, 2003:241). The nation-state building process has been carried out with attempts of homogenising and neglecting the cultural diversity of Anatolia. This project is influenced by various factors such as the nationalist ideas spread from French Revolution, the fear of losing territories left from Ottoman Empire and the common anxiety for the alien one (Kaya, 2006:56).

The idea of nationalism and Turkish unity in Kemalism came with an intolerant attitude for linguistic, ethnic and religious identities including non-Muslims, Kurds and Alevis. In this sense, newly established state intended to create a purely homogenized Turkish land and regard itself as responsible for civilizing Turkish nation and employed this vision to legitimate its provision of civilisation and education to other nations either by force or voluntarily (Mellon, 2006:11). The newly established republic and its elites were totally blind about the almost fifty different ethnic identities in the Anatolian territory. Likewise, Atatürk called the citizens as misnomers who have been open to an ethnic propaganda about Kurdish, Caucasian and even Bosnian and Laz nations since the individuals of these nations are accepted as members of the unified Turkish nation (Smith, 2005:447). The republican citizenship model enabled masses enjoying their political rights, however give precedence to duties over rights, to national interests over individual freedoms and state sovereignty over individual autonomy. In this way, elites transformed masses into the citizens, yet precluded the words of rights in the procedure of constructing new secular national identity. According to the elites of this process, citizenship was not shaped by the jargon of rights in the liberal sense, but mentions to a 'morally-loaded' sphere aimed at creating a national identity compatible with the project of westernisation. Therefore republican model of citizenship functions as a link between society and state on the essence principle of national unity. Also this model serves to connect people with different ethnic, religious and cultural origins under the name of modernisation and functions as a useful ideological tool for spreading elites' will towards modernisation (Keyman and İcduygu, 2005:7). Republican elite, in this way, aimed to build a completely secular state and also create a secular socio-cultural structure through eliminating the hegemony of traditional values and structures over the state institutions and society. For this reason, the Turkish republican reforms, encouraged by the nationalism, were a kind of cultural revolution. 'The Republican state projected a particular form of a vision of socio-

cultural life, a good life which each Turkish citizen should adopt. This new life would represent a common good and national interest, but not a particular and an individualistic one that was dangerous for national unity' (İçduygu, Çolak and Soyarık, 1999:194).

The Kemalist revolution reconstructed the Turkey's identity. To this end, the official nationalism rejected Islamism and Ottomanism, however, when needed, made several references to the Turkish pre-Islamic and Islamic past in the ethnic sense to provide a historical bases for its claims (Mellon, 2006:4). Besides, radical nationalism and Islam are considered dangerous for the sake of the Kemalist regime. Because, both ideologies have maintained more robust foundations of national identity, political unity and social cohesion than newly constructed national identity. The general notion among the state elites was that 'Islam that stood in the way of change' and it is considered as the major factor that led to collapse of the Ottoman Empire. For this reason they endeavoured to educate the modern Turkish generation in order to make them think logically through the secular education system. 'The republican state elites thus opted for rational democracy; for them, democracy meant enlightened debate to find out what was best for the country' (Heper and Çınar, 1996:487). Also radical nationalist critics of civic citizenship model have been considered as racist and attempted to be eliminated (Smith, 2005:441). These ideologies were also rejecting the Western model of modernisation which is defended by the elites. While radical nationalism was advocating Westernisation through Turkification, Islamism suggested an Islamisation process. Both concepts have considered westernisation as the adoption of Western science and technology; and they have also shared the common notion of liberal democracies' anti-communism. Moreover, the territorial character of Kemalist nationalism was conflicting with the radical nationalism because it only aimed to create national consciousness within the boundaries of the Turkish nation-state. According to Cizre-Sakallıoğlu,

'the concern of Kemalist nationalism was a territorial one, restricted to creating national consciousness only for the Turks living within the boundaries of the Turkish nation-state. While for the Islamists the focus of identity of the Muslims is supra-national, for the hyper-nationalists it is 'pan-Turkism' which aims at bringing all the Turks living in the neighbouring countries and in the ancestral lands of Central Asia under the leadership of the Turkish state. Another more ambitious ideal of the hyper-nationalists is 'Turanism' which means uniting all the Turkic origin groups scattered around the world. It is true that at the initial stages of nation-building.' (Cizre-Sakallıoğlu, 1994:256).

In fact, Islam was an influential element during the Turkish National struggle, The ‘Millet system’, means ‘religious community’ was widely used to emancipate sultanate and caliphate from foreign occupiers to gain the support of masses for the national struggle (Köker, 2010a:54). After the success of National Struggle, Islam and radical nationalism are regarded as obstacles to national unity because the state elites programmed to homogenise and unify a multiethnic and traditional society and ensured legitimacy for the state and its westernisation project, achieving economic and social integration through standardizing language and other vehicles of cooperation and communication (Somer, 2005:6). According to state elites the distinctive character of Turkey was its Turkisness not Islam. While Atatürk did not interrupt the individual loyalty to Islam, he was aware of its influence on politics, economics, education and social life as a potential obstacle against westernisation (Mellon, 2006:7). Hence nationalism has been a major element of Turkish mainstream political and social beliefs, took it foundations from state elites’ unifying policy in society

With the fall of Ottomans, the new regime established by Atatürk attempted to replace old regime with a new secular pro-Western nation-state that reunite the distinctive elements such as Kurds in the East, non- Muslim across the country and Muslim refugees from the Balkans under the banner of Turkish nationalism (Mellon, 2006:5). In fact, creating a Turkish identity resulted with cultural problems. Civic structures have folklorised and homogenised minority cultures. Naturalisation, immigration, resettlement, language, education and cultural policies have been supported through the ethno-religious character of Turkish identity. Cultural expressions of minority groups have been discouraged and religion has been nationalised. Civic nationalism serves to mask ethnic chauvinism in times of crises. Solely the minorities which were stated in the 1923 Lausanne Treaty (Armenians, Greeks and Jews) have their rights. Other Muslim minorities such as Kurds, Arabs and Alevis cannot enjoy cultural rights explicitly. (Smith, 2005:436).

Civic Definitions in Constitutions and Ethnic Approaches in Practice

The civic conception policy of unification can be derived from Turkish Constitutions. Departing from constitutional texts, despite its ethnic implies, Turkishness is seems like a political category in the meaning of citizenship. In this sense, Turkish citizenship follows the French model. Hence, Turkishness is considered to be a legal-political status devoted to Turkish citizens, regardless of their ethnic origins. In other words, Turkishness determined by Turkish citizenship with no relevance to an assumed or real ethnic descent. Indeed, it is

considered that Turkish citizenship is inclusive and expansionist instead of differentialist and exclusivist. In this context, Turkish citizenship entails a passive citizenship rather than active; a republican citizenship, instead of a liberal one. It is apparent that the constitutions describe a civic concept of citizenship; however, one might acknowledge the evidence of both ethnic and political emphasis (Yeğen, 2004:6). Constitutionally, Turkishness is described in terms of political and geographical dimensions. As Atatürk stated in the early days of the republic, 'The people of Turkey who promulgated the Turkish Republic are called the Turkish Nation.' In other words 'the core of nationality is not race, but political loyalty' (Soyarık Şentürk, 2005:127). Here, the emphasis on 'the people of Turkey' instead of 'Turkish people' is crucial because of the meaning embedded to the expression. One can interpret this as the recognition of cultural diversity by assuming 'Turkish nation' as a 'supra-identity'. However, as Andrew Mango argued there was an ambiguity with speeches of Atatürk as he sometimes mentioned about the 'race'. In the opening of the Grand National Assembly on 1 March 1922, he said, 'The people of Turkey is a social entity united in race, religion and culture, imbued with mutual respect and a sense of sacrifice and sharing the same destiny and interests' (Mango, 1999:12). Probably, this expression reflects the intentions of creating a nation-state through using 'the people of Turkey' and the 'race' in the same sentence.

According to Yeğen, Turkish citizenship is identified by 'undecidability' between a political and an ethnic definition is evident and this vagueness is usually originated from the division between the theory and practice of Turkish citizenship policies (Yeğen, 2004:7). Therefore, it will be useful to look at constitutions as well as related legislation and the reflections of nationalistic policies that conflict with the civic definition of citizenship.

The first constitution of Ottoman Empire has impressed the modern Turkish constitutionalism through several dimensions. Thus, 1876 constitution (Kanun-i Esasi) of Ottoman Empire would be a good brief start to analyse. Kanun-i Esasi was prepared by a council (including Muslim and non-Muslim members) which elected by the sultan not citizens and was not limiting the power of Sultan and the caliphate. This constitution introduced monarchy, adopted Turkish as official language and Islam as the state's religion. In this respect, it seems like an undemocratic regulation. However, it also introduced independent courts, bicameral parliament and more importantly regulate the rights and freedoms of all citizens either Muslim and non-Muslim (Hür, 2007:1). The first constitution of Ottoman Empire was built on this principle of Ottomanism. At this point, 'Ottomanism' was a strategy employed by the state elites to gain the capitalist Europe's dynamism through softening its nationalist sides.

However, Ottomanism was not very similar with the Western nationalism; it was a vague, strange perception of loyalty founded up on territory rather than religion. This conception of nationalism was also lack of cultural and emotional components as embodied in the European concept of nationality (White, 1999:79). However, there was an emphasis on nationalism about the official language issue. In this sense, despite the multi-lingual structure of the society, Turkish was accepted as the official language of the empire and the main condition to be a state employee (Article 18). The purpose of this regulation was to prevent the development of minority languages from and promoting the Turkish language as the medium of instruction. Also it is notable that using the term ‘Turkish’ instead of ‘Ottoman Turkish’ in the progress of Turkish nationalism. At the same time, article 8 indicate the Ottoman integrationist strategy in a sort of civic sense: ‘Whatever religion or sect they are from all individuals subject to the Ottoman State, without exception, would be called Ottomans’ (Sadoğlu, 2003:98).

The failure of Ottomanism on unifying diversities led to a wave of Turkism throughout the country as a solution to protect the remaining territories of the Empire. From the last days of Ottomans, this wave continued along with the nation-building process of modern Turkey. In the 1924 constitution, traces of ethnic nationalism can be seen evidently yet sometimes hidden. For instance, in the Article 88, the definition of citizenship is as follows: ‘The people of Turkey regardless of their religion and race would, in terms of citizenship, be called Turkish.’ At first glance, this article would confirm the civic character of the Turkish citizenship defined in political terms. Here, the definition of Turkish citizenship not only addresses those from Turkish origin but also to those who do not belong to a Turkish descent, but resident in the boundaries of Turkey. However, a detailed reading of the 1876 constitution can be comprehensive in order to figure out the different conceptions of these two constitutions. As Yeğen stressed,

‘The difference between the two constitutions, or what is ‘more’ in the 1924 Constitution, is evident: the ‘in terms of citizenship’ condition of the 1924 Constitution does not exist in the 1876 Constitution. While all individuals subject to the Ottoman State were defined as Ottomans in the 1876 Constitution, in the Turkish Republic, individuals subject to the Turkish State are defined as Turks, [but] in terms of citizenship’ (Yeğen, 2004:11).

The expression ‘in terms of citizenship’ has been added to satisfy the objections of the deputies. For instance, a deputy, Hamdullah Suphi Tanrıöver, objected to the provision

proposed as ‘the people of Turkey regardless of their religion and race would be called Turkish’ and claimed that there are ‘non-Muslim’ minorities in society and it was inappropriate to call them all Turkish. According to him, it should be found a way to define Turkish citizenship without including non-Muslim minorities (Köker, 2010a:56). Also, Celal Nuri İleri came up with an idea which accepts the Turkish-speaking, Hanafi Muslims as the “real” Turkish citizens and caused a big debate in the Parliament. That meant to exclude the mostly Shafi’i, Kurdish-speakers from the scope of citizenship (Hür, 2007:1). Once again, another deputy, Ahmet Hamdi Bey defined the condition of ‘Turkishness’ as the inhabitant of Turkey who adopted the Turkish culture. After many discussions, the term “from Turkey” was proposed instead of “Turk” in order to create a bond between different identities. Consequently this proposal has been rejected and the Article 88 has been ratified with its hidden emphasis (Yumul, 2006:117). Besides, Islam was accepted as an official religion of the state. Afterwards in 1928 this article has been removed due to the secular character of the regime (Özbudun, 2004:33). The ethnic spirit in constitution was conflicting with some articles. For instance, although, ‘Sovereignty belongs without restriction to the nation’ in the Article 3, the ethnic definition of citizenship mutilate the enjoying of this principle by all citizens. The condition of being eligible to be deputy is also regulated through ethnic terms. According to Article 12, ‘persons who cannot read and write the Turkish language’ are ineligible for become a state deputy. Together with this regulation *de facto* right of representation is granted to the members of Turkish nation (Şahin, 2006:124). The issue of official language is problematic in the 1924 Constitution as well. The official language status of Turkish language also assures the policy of ‘official monolingualism’ through the constitution. The article is also ensures all the relations between state and individuals running in Turkish language. That means from education to justice, business and politics in all areas the Turkish language will be the sole vehicle of communication. The drafters of the 1924 constitution were quite aware of the multi-lingual structure of the society. However, a constitution which refers such ethnic definitions, similarly rejected a language-based minority status and made impossible the usage of the languages in question (Sadoğlu, 2003:276). Thus, these provisions have reinforced the status of Turkish over other languages in Anatolia.

The only exception that limiting the official status of Turkish language was the provisions in the Treaty of Lausanne concluded in July 1923. This treaty regulated the cultural rights of non-Muslim minorities, mostly related to language. Notably, these rights were regulated for only non-Muslim minorities such as Jews, Armenians and Greeks. In this way, exclude the

Muslim minorities such as Kurds, Circassians or another non-Muslim minorities such as Syriacs of the Southeast. These provisions not only regulate the instruction language in schools but also enable them to be used in the commerce, religion or press:

‘The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion (Article 38.1). No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings (Article 39.4). Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the courts (Article 39.5). As regards public instruction, the Turkish government will Grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish government from making the teaching of the Turkish language obligatory in the said schools (Article 41.1)’

These provisions enabled Armenian and Greek schools to continue teaching in İstanbul which now constitute a very small (around 2%) part of the population (Smith Kocamahhul, 2001:45). Through these provisions and the ‘civic’ character of the definition, the new constructed Turkish culture was opened to non-Turkish and non-Muslim identities. They were welcomed as members of the Turkish nation as long as they were eager to integrate linguistically or culturally in to the Turkish culture.

Kemalism was based upon the territorial nationalism. This conception was different from racial, ethnic and religious models nationalism and more close to the Ottoman nationalism due to its territorial approach. At this point, Republican model was the updated concept of Ottoman nationalism which gave rise to the exclusion of the non-Muslim elements in the territory now defined as Turkey (White, 1999:80). This was an assimilationist project and this character of state can be observed through the accepted migration profile. Muslim immigrants such as Bosnians, Macedonians and Albanians from the Balkans and the Caucasus were accepted although they cannot speak Turkish at all, because they were thought, it was easy to naturalise them. However, the migrations from the Turkish speaking Gagavuz Turks were

hardly accepted because of their Christian origin (İçduygu, Çolak, Soyarık, 1999:196). Likewise, when the Greece and Turkish Government signed the population exchange agreement after independence war, the Turkish-speaking Orthodox Christians were selected to leave Turkey whilst non-Turkish speaking Muslims living in the Balkans were accepted to live in Turkey. It appears that, Islam is regarded as the main condition of achieving 'Turkishness'. This case also demonstrates the 'inconsistency' between religiosity in the definition of Turkishness and the secularist policies pursued in the initial years of the Republic (Yeğen, 2004:10). Similarly, with reference to the discussions on the provisions of 1924 constitution, non-Muslim identities such as Greeks, Jews and Armenians were called 'Turk' only in the sense of citizenship but not in nationality. In this respect, they have accepted as outsiders for they were not Muslim. The immigration case is the explicit indicator of religion based citizenship conception along with ethnicity.

The modernisation of a society may sometimes require the rebuilding or even a re-invention of its language through particular reforms. This case is even more explicit in the transformation of the Turkish society. Compatible with this situation, Ottoman Turkish, which is a mix of Persian and Arab languages, has been replaced with the modern pure Turkish through cleansing the influences of those languages. These changes in language received opposition from the conservative front. On the other hand, in Turkish case, transformation of society was requiring the changing of language (Tok, 2003:242). Following the establishment of republic, various policies designed to reinforce the unified identity. Sun Language Theory and Turkish Historical Thesis were the most debated phenomena by the mid-1930s. Both of them were developed in the historiographical institutions by various researcher and state officials. The main argument of Turkish Historical Thesis was that:

'...from ancient times, droughts and economic seasons forced migrations from Central Asia to the East, West and South. These migrants were Turkish speaking [...] people. They brought to the regions they settled developed civilizations. It was they, who founded civilizations in Mesopotamia, Egypt, Anatolia, China, Crete, India, the Aegean regions and Rome. They were Turks. These Turkish speaking people had the major role in founding and developing civilizations and in spreading them to the world' (Hirschler, 2001:146).

Similarly, Sun Language Theory was reflecting an ideology in which 'the Turks, of whom Hittites and Phoenicians in the Mediterranean were said to be a branch, had spread civilisation

from Central Asia to the world, from China to Brazil; and as the drivers of universal history, spoke a language that was the origin of all other tongues, which were derived from the Sun-Language of the first Turks' (Anderson, 2008:18). It is apparent that both theories are the product of a mentality which attempt to construct a national consciousness among the diverted identities and proving the antiquity of Turkish culture. In Hobsbawm's words, they are 'invented traditions'. Because according to him, traditions which claim to be old are generally invented or recent. Besides, these traditions are employed to imply continuity with 'a suitable historic past' (Hobsbawm, 1992:1). Atatürk's perception of unified nationalistic citizenship has equated the 'Turkishness' and Turkish nation state. In this respect, history, even the Ottoman history, has been written in order to create an ancient Turkish 'greatness'. Various slogans have been adopted to create a sense of belonging such as, 'The only friends of Turks are Turks' (Türk'ün Türk'ten başka dostu yoktur) and 'One Turk is worth all the world' (Bir Türk dünyaya bedeldir) (White, 1999:82). Also, more realistic attempts were made in order to consolidate the status of Turkish history and language. In 1932, the Turkish Language Association has been founded through the directives of Atatürk, in order to create a 'pure' Turkish. The main target of this institution is to reach an authentic Turkish by cleaning the influences of the Persian and Arab languages. Also the Turkish Historical Society has been founded to support the perception official history. This institution became the centre of the ethnic nationalist Turkish 'hearth' (Ocak) movement. The Turkish Historical Society still exist today embodying state archivists and republican historians following to promote nationalist historiography (Smith, 2005:442).

Language and education policies were also serving the homogenisation procedures of diversities. As in the French case, Turkey used the language in order to realize the assimilation process. At the time of the French revolution, the proportion of French speaking people in France was very small. However, republican regime promoted Parisian French as the sole language of education and language (Esman, 1992:384). According to Kemalist nationalism, a national identity cannot be disseminated as long as the sub-identities continue to stay alive. For this reason, adoption of a common language was an effective way of creating a national identity among the citizens. If the language is the vital condition for a culture's continuity, then the effacing all the languages but Turkish should be the main condition of building a Turkish nation. In this sense, bilingualism or multilingualism is considered to be a problem with the frame of 'civic' nation project as it happened in the French case before (Sadoğlu, 2003:294). Homogenisation projects were specifically focusing

on language and education issues. In this way, nation consciousness is gained from the childhood through the national education system. These policies later continued to be effective in different forms through the regulations in social life. In discussions on the language unity, civic nationalism is as sensitive as ethnic nationalism. As mentioned above, according to the Treaty of Lausanne, the language rights of the particular minorities have been regulated and the use of vernaculars have been set free in education and private life (Earle, 1925:82). On the other hand, some regulations have restricted enjoying these rights in practice. One of the significant example of these policies on language was the ‘Citizen; Speak Turkish’ campaign. This campaign has been organised to intensify the prevalence of Turkish by national press and non-governmental organisations in 1928. Following the support of university students, this campaign has spread all over the country with posters on the walls and the public transportations carrying that motto: “People should speak only Turkish in the land of Turks” (Sadoğlu, 2003:284). These officially supported public pressures on language were not merely affecting the non-Muslim minorities but also affecting Muslim minorities such as Circassians, Kurds and Bosnians. Along with the campaign, those citizens were forced to speak Turkish in the public sphere. In a secret circular that issued in 1930 by the Ministry of Home Affairs; it has been stated that: ‘in order to integrate the Turks who speak vernacular languages speaking Turks, their mother tongue should be rendered as Turkish’ (Şahin, 2006:125). National education was also an influential vehicle for creating a bond between diverted identities.

Beyond the religious, traditional, moral and social norms, national education, under the control of nation-state, was the basic mechanism that civilized and socialized people in order to make them the citizens of the republic. Along with the frame of this conception, national education was a vehicle to define and disseminate the national identity without applying the coercive methods and attempt to solve the confliction between the collective supra-identity (national identity) and the sub-identity (ethnic, religious and cultural identities). In other words, national education system is the central institution in which citizens define themselves and the catalyst in the production of the sense of common belonging that spread all over the country. Indeed the main reason of the compulsory basic education is rooted in its mechanism producing the citizenship (Caymaz, 2007:5).

National education not only functions for reinforcing national identity but also attempts to assimilate the identities other than the dominant identity. The boarding schools are the significant examples of assimilation carried out by the state. As Yeğen showed,

‘A number of boarding schools were established in the Kurdish region with the aim of educating Kurdish boys and girls in a physical environment that could separate them from their families and cultural habitat. Assimilation of Kurds through boarding schools continues today. Figures provided by the Ministry of National Education today show that, of 299 boarding schools in Turkey, 155 (52 per cent) are in the Kurdish populated provinces of Eastern and Southeastern Anatolia. Similarly, of 142.788 students total, 84,442 (59 per cent) are enrolled in a boarding school in such provinces’ (Mesut Yeğen, 2010:3).

Kurds did not enjoy the same rights as non-Muslim minorities, mentioned in the Treaty of Lausanne, did. Therefore, following the establishment of republic, Kurdish schools have been the subject of centralisation the education system. According to this process, all the Kurdish schools, institutions and religious lodges have been dissolved. Although the main target was to homogenise the country’s population through education; the number of schools that have built in the areas where settled mostly by Kurds were very few. This reality can be interpreted as an attempt to prevent the development of Kurdish national consciousness by creating a Kurdish middle class through the educational investments built in these areas (Şahin, 2006:125). This policy was the result of the ‘The Law of Unity in Education’ (Tevhidi Tedrisad Kanunu) which unites and transforms the different sorts of educational institutions under the banner of national education system. This law was prohibiting schools which belong to different cultural and ethnic groups except the non-Muslim minority schools mentioned in the Treaty of Lausanne.

Another educational policy was the establishment of ‘Schools of Nation’ (Millet Mektepleri). These institutions were established in order to teach the masses literacy. Also, the civics information was one of the crucial courses of these schools. In the eyes of state elites, civics information course was a key element in order to save the masses from the darkness of ignorance and transform them into a nation. Here, the masses would adopt the national culture and become ‘good citizens’. The content of this course was generally about the citizenship rights and duties. On the other hand, serious nation information was given in this system as well. Syllabus was containing the very long history of Turkish nation, other Turkish States from the history, the establishment of modern Turkish state, results of the despotism of Sultans, The First World War, Turkish Flag, Turks, the invasion of Turkey by enemies, fight

for independence, the services of Mustafa Kemal and finally the articles of First constitution of modern Turkey (Caymaz, 2007:15). The same nationalist approach can be realised from the civic education textbooks that authored by Ataturk in 1930s. These secondary school textbooks define the 'nation' in sense of 'unity' in 'political existence, language, origin and race, history and morality'. (Köker, 2010a:53). These contents and definitions show the real ideal of the courses was not only teach the 'citizenship' consciousness but also enable the adoption of a 'national' consciousness. This mentality was equating citizenship to nationality.

The new republic was explicitly attempting to create a 'nation' consisted from the 'dominant nation'. In this sense, nation project was accepting everyone who is tied to the Turkish state through citizenship ties as 'Turks'. However, in the longer term, project was aiming to transform this community into an 'indivisible unity'. At this point, the state's ignorance of the mother tongues of the Muslim citizens was meaningful. Kemalist nationalism did not based on language nationalism, yet was regarding language as the most effective vehicle for unification process. Turkish language was accepted as a necessity on Turkification of different language groups (Sadoğlu, 2003:278). Since they constitute the largest Muslim minority group, Kurds have been the major group that suffer from these policies most.

Language has been the distinctive marker of the Kurdishness since they belong to Islam like most of the Turk in Turkey. As Mutlu stated,

'The Kurdish language has almost always been a rallying point and an inseparable part of the emic definition of Kurdishness for the leaders of the Kurdish movements in the 20th century as well as for ordinary Kurds. As most Kurds are Muslims like their neighbors, language has also been the principal etic marker. The emic and etic views largely coincide, and the Kurds in the first instance are those who speak Kurdish as their mother tongue' (Mutlu, 1996:518).

The exclusion of Kurdish identity was indeed the result of the project of transforming a disintegrated, a-national and de-central economic and administrative space into an integrated, national and central one (Yeğen, 1996:226). The Kurdish identity was ignored by the state elites and institutions or was being attempted to relate it to Turkish identity. By the late 1920s, parallel to the Turkish Historical Thesis, social scientists and the state historians claimed that the Kurds had descended from Turkmen tribes and hence they were actually Turks, living on the mountains, albeit 'Mountain Turks' (Smith, 2005:464). Thus, Kurds came to be regarded

citizens with a possibility to be Turkish through many ways of assimilation. Somewhat, they have been considered as ‘prospective-Turks’ and indeed they have been oriented to Turkishness. Actually, since the establishment of the modern Turkey, state elites did want to perceive the Kurds as an ethnic group without any cultural rights. According to this perspective, Kurds, just like the other Muslim citizens of the republic, became Turks. Thus it was unnecessary to grant them separate cultural rights. Various methods have been employed in order to achieve this ambition. For instance, The Law on Settlement was a useful vehicle in the Turkification process. In this case, basic rights of freedom of movement have been violated in order to assimilate the non-Turkish elements. The non-Turkish population was spread all over the country in order to be absorbed by the Turkish culture. Thus, The Law on Settlement was the explicit reflection of the republican motto: ‘one language, one language, one ideal’ (Soyarık Şentürk , 2005:129).

Besides the mutilation of enjoying cultural rights, compulsory settlement and displacement have been the other instruments in the assimilation of Kurds. Nevertheless, the methods that prevent the development of minority cultures were preferred more. For instance, following the establishment of the republic, traditional schools, which have a vital role in reproducing Kurdish cultural practices, were abolished and the publication in Kurdish language was prohibited. Along with these practices, it appears that, in the eyes of state, there was no more Kurdish identity but solely Turkish citizens. In fact, a vast number of citizens with Kurdish origin have been assimilated into mainstream Turkish society since the establishment of the republic. While Kurds have been subject to cultural assimilation, non-Muslim minorities have often been subject to discrimination through various state regulations (Yeğen, 2010:2). Some practices of the nation-state were explicitly discriminating non-Muslims in social and economic life. As a significant example of these policies, the Capital Tax (Varlık Vergisi), influenced most of the non-Muslim minorities that active in the commercial life. The Capital Tax was imposed in between 1942 and 1944 on ‘every citizen’ of state but mostly on non-Muslim businesspeople. It was apparent that, non-Muslim businesspeople were charged as much as ten times of Muslim rate. Most of the Armenian, Jewish, Greek and Dönme (Jews that became Muslim afterwards, converted) firms have been bankrupted. Some business owners who could not able to pay the taxes have been taken away to working camps in Aşkale near Erzurum in the East of Turkey. This policy is justified as a necessity in order to gather the war funds or regulate inflation yet by all means it served to erase all the non-Muslim motifs from the business life. Beyond the commercial life, it was attempted to prevent non-

Muslim minorities from owning journals and magazines by the Press Law in 1931. Also, some professions such as law and medicine were closed to non-Turks (Smith, 2005:447). The most significant of these practices is the conditions necessary to become a state employee. The Law enacted in 1926 has indicated these conditions in ethnic terms. It specified Turkishness, instead of Turkish citizenship for becoming a state servant. The fourth paragraph of the article 788 declared that being Turkish is a preliminary condition to become a state servant. This law, determining Turkishness as condition for being a state employee, was functioning until 1965. Fortunately, Article 657, which is currently functioning, emphasise Turkish citizenship instead of Turkishness as the precondition of becoming a state servant. It appears that the legal definitions and articles that ensure equality between different ethnic groups are not always compatible with real life practices. These practices are also not compatible with the political definition of the Turkish citizenship. Differentialist character of these regulations indicates that what is understood by Turkishness does not always accord with Turkish citizenship. They implicitly show that in some circumstances what the republican state understands by Turkish citizenship is less than Turkishness (Yeğen, 2004:8). In the early republican period following the establishment of the new state, the legal definition of citizenship contained both *jus sanguine* and *jus soli*. In this respect, along with the constitutional expression, Turkish citizenship was close to the model of French citizenship which is based on territory rather than ethnicity ‘Everyone who is tied to the Turkish State through citizenship ties is Turkish.’ On the other hand, this mentality has later shifted to an attitude towards minorities. The intense pressures on the adoption of Turkish culture shows that the French conception of citizenship has shifted to German model of citizenship which is based on the unity of culture and descent more than political unity (Soyarık Şentürk , 2005:129). Nationalist practices since the early days of Republic can be pointed as the responsible of the exclusion of different ethnic groups neglecting cultural diversity and the dominant mainstream nationalism. In the first period of the Republic, opposition was not able to be effective due to the lack of multi-party system. As Köker argued,

‘Kemalism understood populism as the denial of the existence of class and other cleavages in Turkish society, which, on the basis of this understanding, did not allow for a multi-party pluralist democracy. Having connections with a homogeneous cultural definition of the nation with explicit ethnic references and economic and cultural statism Kemalism established a single-party rule which has been unable to open up for genuine democratic politics’ (Köker, 2010b:12).

Thus, in such an undemocratic sphere, ethnic, cultural and religious minorities have been suppressed through the various methods employed by the state. On the other hand, even after transition to multi-party system in 1946, new state-elites have not attempted to recover the conditions of the minorities.

During the multi-party system period until the military coup in 1960, there were no changes in the cultural and citizenship rights of the minorities and along with the military coup, the emphasis on Turkishness increased. Ethnic identities were still being neglected explicitly by the elites. For instance, Turkish president Cemal Gürsel in the 1960s praised a book that claims the Turkish origins of the Kurds and quoted the phrase ‘spit in the face of him who calls you a Kurd’. Thus, he insulted Kurdishness as if it was a curse. In this period, even peaceful democratic movements to protest such regulations were punished by imprisonment or worse (Gunter, 2003:853). Following the first military coup of Turkish Republic in 1960, a new constitution has been designed in 1961 through the collaboration of military, non-governmental organisations such as trade unions, political parties and the universities. Therefore, the most democratic constitution of the Turkish history was prepared. This constitution had a strong emphasis on welfare state and secularism. On the other hand, there were not any amendments on the cultural rights issue of minorities.

The drafters of the 1961 constitution defined the nation- state identity in stronger terms with a more explicit emphasis on “Turkishness”. The 1961 constitution defined citizenship in the Article 54 as, ‘Anyone who is attached to the Turkish State with bonds of citizenship is Turkish’ (Köker, 2010a:58). Here, it is evident that there is an important difference between Article 54 of the 1961 Constitution and the Article 88 of the 1924 Constitution. If the expression ‘Turkish State’ is neglected momentarily, it appears that the Article 54 of the 1961 Constitution is conditioned by a more ‘authentic’ conception of political citizenship. In other words it defines Turkishness with the Turkish citizenship (Yeğen, 2004:12). At this point, it seems that state’s perception of citizenship shifted from pseudo-political in 1924 constitution to authentic political definition of citizenship in 1961 constitution.

One fundamental difference between 1924 and 1961 Constitution is the Nationalism Principle in the Characteristics of the Republic section. Although the 1924 Constitution, drafters have used the term ‘Nationalism’ as one of the characteristics of the Republic; the authors of the 1961 Constitution have used the term nation-state’. In the parliament discussions of this constitution, defenders of the ‘nation- state’ expression claimed that the ambiguous meaning

of the 'nationalism' expression may be related to National Socialist and Fascist regimes that established in Germany and Italy. Consequently a detailed definition of Turkish nationalism has been added to the preamble and the term 'nation-state' was accepted in order to prevent the misunderstandings about nationalism principle (Özbudun, 2004:74). As it is seen, even in the most democratic constitution of Turkey, there is not any reference or change about the cultural rights of different identities. This new constitution was unresponsive to the democratic demands of ethnic identities as well.

The main reason underlying this unresponsiveness is the authorities' mentality which ignores the real circumstances of identities other than the Turkish majority. According to state authorities, citizens of Kurdish ethnic origin, which consist the approximately 20% of the total population in Turkey, fully enjoy their citizenship rights as every citizen of Turkey. Also, according to this mentality, there is not a Kurdish problem but a terrorism problem. However, beginning from the mid-1970s, progressively important rates of Kurdish citizens have demanded linguistic, cultural and political rights actively. On the other hand, the state has always attempted to suppress these demands by the fear that a compromise on ethnic rights would damage the indivisible character of Turkey (Gunter, 2000:849). Kurds have realized their sense of exclusion as a result of their economic, educational and geographical mobility during the urbanisation, industrialisation and politicisation as a result of state's assimilation policies through educational and linguistic regulations (Somer, 2005:30). These oppressive practices of State have become even heavier with the new military coup in 1980. In order to regulate the chaotic political and social environment of the 1970s, military seized the control of the state and governed the country for two years till they have prepared the new constitution of 1982.

The 1982 Constitution was adopting the same definition of citizenship as the 1961 Constitution. Additionally it was strongly being emphasised the importance of nationalism, national culture, unity and indivisibility of nation and state especially within its preamble:

"In line with the concept of nationalism and the reforms and principles introduced by the founder of the Republic of Turkey, Atatürk, the immortal leader and the unrivalled hero, this Constitution, which affirms the eternal existence of the Turkish nation and motherland and the indivisible unity of the Turkish state, embodies... The recognition that no protection shall be accorded to an activity contrary to Turkish national interests, the principle of the indivisibility of the existence of Turkey with its state and territory,

Turkish historical and moral values or the nationalism, principles, reforms and modernism of Atatürk and that, as required by the principle of secularism, there shall be no interference whatsoever by sacred religious feelings in state affairs and politics; the acknowledgment that it is the birthright of every Turkish citizen to lead an honourable life and to develop his or her material and spiritual assets under the aegis of national culture, civilization and the rule of law, through the exercise of the fundamental rights and freedoms set forth in this Constitution in conformity with the requirements of equality and social justice; The recognition that all Turkish citizens are united in national honour and pride, in national joy and grief, in their rights and duties regarding national existence, in blessings and in burdens, and in every manifestation of national life...”

These expressions are compatible with Atatürk’s nation definition which assumed Turkish nation as the sole human community of Turkey. Also, it was emphasised that the state is bounded with nationalism that outlined by Atatürk in order to distinguish it from racist models of nationalism. Before the 1982 Constitution, the expressions in preamble were not binding for the decisions of Constitutional Court. However along with this constitution, ambiguous expressions in the preamble such as ‘national culture’, ‘history and the value of Turkishness’ and ‘Turkish national interests’ have been regarded as legally binding expressions in the related cases (Özbudun, 2004:71). Turkish ethnic nationalism is also embodied in paragraph 3 of Article 26 and the paragraph 2 of the Article 28 of 1982 Constitution, which enables to adopt laws that proscribe the use of certain languages by the legislature power. These articles find their concrete reflections in the several provisions relating the National Security Council (Milli Güvenlik Konseyi) and the scope of its powers and in the provisions which limited basic human rights and in the content of the provisions of the emergency law against the Kurdish insurgency (White, 1999:81). In this respect, the 1982 Constitution limited the individual rights through expanding the authority of the National Security Council, which virtually influence the every step of the public policies. Also, the State Security Courts (Devlet Güvenlik Mahkemeleri), which embodied both civilian and military judges in its structure, have judged many defendants, most of them Kurds. Consequently these courts have been dismantled as they influenced the judicial independence in June 2004 (Smith, 2005:452). As the definition of citizenship, 1982 Constitution adopted a similar definition with the 1961 Constitution: ‘Everyone bound to the Turkish state through the bond of citizenship is a Turk’. To some, the citizenship definition of 1924 Constitution was more moderate than the definitions adopted in 1961 and 1982 Constitutions. Accordingly, while 1924 Constitution using the expression: The people of Turkey regardless of their

religion... 'would... be' called Turkish, the 1961 and 1982 Constitutions used the expression: Everyone bound to the Turkish state... 'is' a Turk. In this sense, 1924 Constitution accepted the existing of different ethnic and cultural groups through using a moderate expression as 'would be called Turkish'. However, 1961 and 1982 Constitutions have used an absolute expression as 'is a Turk' (Ekinci, 2004:49). At this point, a conflict can be observed in the usage of the words Turkish and Turk. Also there is a difficulty in translation. For instance, in English there seems to be a difference between Turk and Turkish and in this case this distinction is important because the word Turkish such as Spanish, Italian, French, etc., makes reference to the land and its inhabitants without an ethnic connotation whilst the word Turk mentions the same territorial meaning yet along with an extra emphasis on membership in a linguistic and ethnic community. This is especially explicit in the 1924 Constitution with its vague reference to ethnicity which was made quite visible in the 1961 and 1982 Constitutions (Köker, 2010a:61). Generally, Turkish constitutions have a inconsistency in use of these terms of Turkish or Turk and there is a gap between Turkishness and citizenship. Yeğen shows this inconsistency with various examples from both 1961 and 1982 Constitutions:

'While the first article of the 1961 Constitution defined the state as the State of *Turkey* and the Republic of *Turkey*, most of the remaining articles used the term *Turkish State*. Likewise, while many of the articles explaining the rights and duties of citizens used the term 'everyone' or 'citizens', articles defining the rights and duties regarding public services (Articles 58 and 60) and conditions required to become a deputy (Article 68) suddenly began to use the term 'every Turk' instead of 'everyone' or 'citizens'. The 1982 Constitution is also marked by a similar inconsistent terminology. While most articles use the term 'everyone' when the 'subjects' of the Turkish state are mentioned, there are also articles using the term 'citizens' (Articles 67 and 68), 'Turkish citizens' (Articles 59 and 62), and 'every Turk' (Articles 70 and 72)' (Yeğen, 2004:15).

All these examples show that the inconsistency in the definitions of citizenship become a characteristics of all Turkish Constitutions through various different usage of Turkishness, citizenship and even the descriptive adjectives of state. In order to terminate this confusion, one suitable term 'Türkiyelilik' (means from Turkey) can be used by state institutions through transforming all other terms into this ethnicity neutral expression.

As the products of military coups, 1961 and 1982 constitutions have increased the dominance of state authority over ethnic identities. These two periods also show stable characteristics of

Turkish Constitutionalism. These identifications can be juxtaposed as follows: The state attempted to precede the constitution through various regulations discriminating the different ethnic and religious identities; nation- state is accepted as the only form of the state; military and civilian bureaucracy have considered themselves as the real guardians of the Republic; 1961 and 1982 Constitutions were made by these guardians to protect the Republic against the threats coming from civil society; although constitution making requires democratic procedures and institutions, these constitutions were made under the influence of military rule and justified by reference to the 'Turkish Nation' in the preambles. Finally as Köker indicated, 'the 1961 and 1982 Constitutions represent a transition from an openly bureaucratic rule which can only be meaningful under a descriptive notion of constituent power to a nationalistic form of bureaucratic guardianship in which the constituent power of the nation has been given to the hands of the civilian-and-military bureaucratic apparatus' (Köker, 2010b:10). The 1982 constitution coincided with a Kurdish insurgency in the form of PKK (Partiya Karkeran Kurdistan), Kurdistan Workers Party, a radicalised, armed Kurdish movement.

State's Attitude about Identity Rights and Changing Perspectives

Economical and social basis of this insurgency was actually created through the state policies practiced in the areas where Kurds living intensively. In these areas agriculture was processing in almost feudal basis and the per capita incomes are the lowest with respect to other areas. While Aegean and the Mediterranean cost benefiting economic growth, especially southeast remained undeveloped. Only poor villagers who could migrate to the west of country gain access to such prosperity. Related with the low rates of per capita, unemployment is a prominent problem of the area which leads the higher rates of immigration from east to the big cities. Social development is also limited. Provinces of east and southeast have the lowest rates of literacy. Most of the children cannot even begin the secondary school (Robins, 1993:663). Besides economical suppression, Kurds had having difficulties using their mother tongue. In 1983, broadcasting and publication in Kurdish language was prohibited by law. After, in 1991, this law was cancelled, however, it has served to undermine the Kurdish culture. Even today, according to the Article 42 of the 1982 Constitution, it is forbidden to instruct through a language other than Turkish as the mother tongue of all Turkish citizens (Smith-Kocamahhul, 2001:145). In the course of time, when peaceful

democratic demands have been suppressed by the state, Kurdish population have been radicalised and these peaceful demands transformed into a more violent ethnic movement.

The attitude of the army against the peaceful solutions for the conflict is crucial in Kurdish problem. The armed struggle against PKK has been going on since the 1983 for the past 27 years intermittently. Efforts to establish a dialogue or advocate a peaceful political solution would hinder the armed struggle and cannot justify the casualties and victims sacrificed during this period. Army considered any constitutional right, such as using mother tongue in education, compromised to Kurds as the first concession on the way to separation. According to this mentality, granting any official right is the first step to secession and constitutional rights would lead first to demands for autonomy, later to claims for federation and consequently secession. On the other hand, top level soldiers claim that, their mission is limited with the military dimension of the issue. They believe that it is the fundamental job of the civil authority to deal with the other issues of conflict besides military jobs, such as the improving social conditions in the provinces mostly inhabited by Kurds. In fact, the main reason underlying this conflict is the perception of democracy. The measures which have been taken to control the problem are preventing the development of democracy. Torture, missing persons and internal displacements are the most related actions in the Kurdish issue. These points are also frequently mentioned in the human rights reports of international and Turkish nongovernmental human rights organisations (Beriker-Atiyas, 1997:442). Various nongovernmental organisations requested compensation for the internal displacements from the Turkish state on the name of the villagers affected by the village evacuations. Individuals who brought cases in Turkish courts to get compensations from the state have failed to get any money. As a result, cases have been brought to the European Commission of Human Rights. Related to the breach of various articles of the European Convention on Human Rights, there have been thousand of applications to the European Court of Human Rights (Çelik, 2005:985).

It appears that, unifying ideologies such as Kemalist nationalism and secularism have become to lose its influence after the end of Cold War. For a long time, these ideologies have unified different ethnic groups against the common enemies such as imperialism, communism and radical Islamism respectively. However, today it is not quite possible anymore to keep ethnic, cultural and religious groups united through producing historical evidence. At this point, constitutional citizenship can be a suitable proposal in Turkish case (Kaya and Tarhanlı,

2006:27). Briefly, the conception of constitutional citizenship, constitutional identity or constitutional patriotism claims that,

‘democratic citizenship in our modern states does not need to be rooted in the national identity of a people. However, it does require that citizens, without divorcing themselves from their diversity of different cultural forms of life, should be socialized into a common political culture. If a constitution can be thought of as an historical project that each generation of citizens continues to pursue. Then the concept of constitutional citizenship can be seen as a driving force for the dynamic project of creating a new common identity’ (İçduygu, Çolak, Soyarı, 1999:192).

Jürgen Habermas uses this term in order to identify the new criteria of the new European citizenship in the way to European Union. At this point, he suggests a new solution to the conflicts between democracy and republican values. According to him, a new conception of social cohesion is needed and he asserts that the sense of ‘community’ should be based on the adoption of a constitutionally established norms. He claims that, the constitutional process including the rational set of rules will lead to the exclusion of nationalism from the political arena (Breda, 2004:247). Thus, this ‘republican’ model will differ from assimilationist and nationalist French Republican model and enable diversities to live together with respect to each other.

Constitutional citizenship has been mentioned in the Turkish political agenda several times especially when the violent attacks of PKK became intensified. In 1991, Süleyman Demirel, former prime minister, acknowledged the ‘Kurdish reality’ in Turkey in one of his speeches. By contrast, in 1993, he claimed that extending cultural rights to the Kurds would lead to a concession to terrorism. Unless terrorism of PKK comes to an end, extending cultural rights cannot be discussed. However, when he became president in 1994, for the first time, he declared the idea of ‘Constitutional Citizenship’. At the same time he mention about the conception of transforming Turkey from nation-state into a human-rights state (Beriker-Atiyas, 1997:443). Likewise, former Prime Minister Tansu Çiller in 1994, supported the idea of constitutional citizenship with her statement 'what a happiness to the one who says I am a citizen of Turkey' which was actually the famous expression of Atatürk, 'what a happiness to the one who says I am a Turk. (İçduygu, Çolak, Soyarı, 1999:201).

The changing rhetoric of the prime ministers followed by some amendments in legislation and policies. Here, the role of the European Parliament is important in its attempts to solve the Kurdish problem. In this sense, the European Parliament asked Turkey to make progress towards a solution in the Kurdish problem, related with other issues such as changing 1982 Constitution and the Article 8 of the Anti-Terror Law which was prohibiting the written and oral propaganda, meeting, demonstration and marching protests that aiming to harm the indivisibility of Turkish Republic with its nation and state. The ratification procedure was almost rejected by the European Parliament, because Turkey did not make any progress in reforming laws on issues related to human rights and the Kurdish problem. On the other hand, in October 1995, some Articles of Constitution that enable to extent the political participation have modified and the Article 8 of Anti Terror Law has been removed from the text (Çelik, 2005:990). Other changes relating the use of mother tongue have been made in 2001. In this context, Article 26 which was titled 'Freedom of Expression and Dissemination of Thought' was changed to enable to use the other languages besides Turkish. Previously, this article was prohibiting any other language except Turkish in related actions. Also, in Article 28 regulating the 'Freedom of Press' has been amended by removing the expression, 'Publications shall not be made in any language prohibited by law' and enable to use Kurdish in various publications (Özbudun and Gençkaya, 2010:61). Another major change has been the progress made by granting minorities to broadcast in mother tongue besides the softening of law limiting the freedom of speech and association. These changes provided a significant development in the cultural rights of minorities which were subject to various restrictions (Öniş, 2007:7).

Harmonisation packages for EU membership of Turkey also played a crucial role in extending cultural rights. In 2002 with the amendments of 'The Law on Radio and Television Supreme Council' as a part of the third harmonisation package, broadcasting in different languages of Turkish citizens has been permitted as long as there are not against the indivisibility of state with its nation and the fundamental characteristics of the Republic outlined in the Constitution. Also along with the same package, the provisions of 'Law on Foreign Language Education and Learning of Different Languages and Dialects by Turkish Citizens' have been amended in order to make possible to open private courses to learn different languages used by Turkish citizens, again, provided that not to be against the indivisibility of state with its nation. This amendment, later in 2003, has been extended to broadcast both through private and state corporations in sixth harmonisation package (TGNA Documents). Following these

amendments, in June 2004, the state-owned television channel start to broadcast in five of the non-Turkish languages spoken by Turkish citizens in Turkey including two dialect of Kurdish language. Further, in 2009, Turkish Radio and Television established a channel broadcasting only in Kurdish language called TRT Şeş (şeş means five in Kurdish) as it is the fifth channel of TRT. It was almost impossible to imagine these amendments and legislative reforms twenty years ago. However these rights are far from being fully adopted by the majority of the population and there are also difficulties to implement them. A significant example in this sense is stated by Tezcur:

" Abdullah Demirbaş after he was elected mayor of Sur municipality of the major city of Diyarbakır in southeast Turkey. After coming to office, and with the support of the municipal council, he initiated a project that involves providing municipal services in four languages apart from Turkish itself: Kurdish, Arabic, Armenian and Syriac (an overwhelming majority of Sur residents speak Kurdish as their mother language, though speakers of all other languages are represented in the area). In response, the council of state removed the mayor and all members of the municipal council from their posts. A prosecutor also accused the mayor of violating the constitution. The mayor responded (in a private conversation, which is communicated with his permission): ‘The Didim municipality [in western Turkey] issues water bills in English as many of its residents are from Britain. The council of state does not dismiss the Didim mayor. Turkish Airlines serves its passengers in English. The goal is to make customers happy. If what we do is a crime then Turkish Airlines should be also closed. This is doublestandard’" (Tezcür, 2007:3).

Also, language courses faced difficulties in maintenance. These courses face various bureaucratic handicaps and frequently they have been shutdown even for fire code violations (Smith, 2005:469). It can be derived from these examples that, the legal reforms and other recoveries in the status of ethnic groups remain just in texts and are not realised completely. A loose multicultural system came with the Treaty of Lausanne, however, in implementation, different ethnic identities have been subject to the assimilationist practices of civic citizenship and exclusionist practices of ethnic citizenship.

Conclusion and Suggestions

Building a nation-state and a national culture inevitably requires a process of homogenising diversities. Nominal civic inclusivist character of the Republic makes the institutions of state as the medium of the majority in order to maintain its dominance on minorities. In this context, economics and politics and cultural policies have all been the vehicles of assimilation process. That means, this process has operated in the same manner in Turkish experience. Ethnic and religious projects have been the main elements of building a national identity. Along with the ethno-religious policies in education, business and social life, state frequently attempted to level diversities. Therefore, the ideal of modern civic state has been transformed into a coercive one. The characteristics of Turkish modernisation have been authoritarian, illiberal, diversity-phobic, state-centric and sometimes ethnic-exclusive and sometimes civic-inclusive but always ethnicity-blind. The notion of citizenship in Turkey is always considered as a unique identity or culture which constituted the crucial basic element of nation-building process. For this reason, it is always implied that the sense of belonging to the national unity founded upon loyalty to the state. From the start of the Republic, citizenship was defined by using the reinvented symbols like language and history. Thus, citizenship became a cultural conception rather than a political or social conception. This notion was very explicit especially throughout the single party period, in which speaking, dressing and even manners in private and public sphere were regulated through various projects. More importantly, constitutions became the voice of dominant ethnic group through various articles that reinforce the status of majority. When nation is defined in ethnic terms in constitutions, the discrimination against some citizens is inevitable. Even though Turkish constitutions employed a civic definition of nation and citizenship, some implicit expressions and citizenship practices showed the opposite. The varied definitions in 1924, 1961 and 1982 constitutions have implied that there is another Turkishness in the eyes of the state besides the Turkishness in terms of citizenship. Put another way, as if there is a more authentic Turkishness other than a political one. Since constitutions contain ethnic definitions which affect the status of ethnic groups, the solution of problems related to ethnic identity requires constitutional reforms. In order to eliminate the ethnicity-blind character of constitution, the definition of citizenship can be abolished completely or transformed into a more inclusive and responsive to different ethnic identities. In this context, being a citizen of Turkey should not be considered the same as being a Turk. Also, as an indicator signature of ethnic identities, the

existence of other mother tongues other than Turkish can be accepted and let them to be learned in schools. In this way, the expression of 'language of the state is Turkish' can be transformed to 'official language is Turkish'. Thus, the recognition and protection of minorities' language rights will be improved. In Turkey, a common expression declares that, the cultural mosaic is our heritage and richness, however, language rights, as the most important cultural element is being mutilated constantly to maintain the order of nation-state: One nation, one language, one state. Related to this expression, the principle of 'indivisibility of state' is reasonable for every citizen that belongs to different identities. However, the principle of 'indivisibility of nation' is against to the modern notion of pluralist society since it considers any cultural right as a step towards secession. In this way, citizens from other ethnic groups cannot enjoy the same cultural rights as majority group does and become alienated. This causes to inequality, lack of democracy and weakens the rule of law. If the existing perception of citizenship in Turkey is transformed into a multicultural and democratic notion, then it can be reshaped through adopting multicultural constitutional citizenship model that enables more inclusive and equal citizenship among the different ethnic identities. This model will be more responsive to the demands of ethnic identities and connect them to the state through a voluntary loyalty. Recently efforts have been made to respond to demands of Kurds under the name of 'democratic opening'. This Kurdish opening was briefly containing provisions about recognising Kurdish identity in education, history and culture. However, these provisions remained superficial and ambiguous. Moreover, it did not satisfy the Kurdish citizens at all. Also, ruling party stepped back when they received opposition from the conservative nationalist grassroots of their movement. Nowadays, the debate on the new constitution is the main issue on the agenda in Turkey. This constitutional amendment package aims to erase the authoritarian provisions of the military intervention from the constitution. Although, the ruling party claims the new constitutional reforms as a milestone for Kurdish identity, package does not contain any of the rights that Kurds struggling for many years. Indeed, the only pro-Kurdish party BDP declared that they will boycott the referendum for the constitutional amendments.

Also, in the process of developing minority rights, European Union membership procedures have been an influential factor through the Copenhagen Criteria. Many reforms have been carried out in the scope of Harmonisation Packages. Probably, this influence will shape the extent of minority rights until Turkey become a full member of the EU in 2014 as expected. However, it seems that superficial constitutional reforms, openings or external influences will

remain inadequate for minority identities, unless the state and the individuals adopt the true sense of democracy and equality completely.



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