

Abstract

Turkey is a mosaic of different identities including religious, ethnic and linguistic. Therefore, many such multicultural dilemmas have indeed risen on the public political agenda of Turkey such as the opposition between anti-religious versus and more religion friendly secularism, Kurdish minority group.

The question that needs to be addressed, then, is: how feasible is the concept of political liberalism? Or, to be more specific, does the concept of political liberalism offer a feasible solution to the problem of political stability in contemporary liberal democracies such as Turkey? Though the viability of the concept of political liberalism has been the subject of a great deal of this dissertation, the preponderance of analyses has focused almost exclusively on Rawls' conception of political liberalism. It inspired to think how his principles might actually enlighten political issues arising in modern day Turkey.

By assessing concepts such as Rawls' political liberalism, the 'liberalism of fear' and the 'modus vivendi liberalism' in this academic endeavour, it has been argued that the most relevant approach is the position of John Rawls which might be to address the roots of the problem of different identities and cultural diversity in the contemporary Turkish society.

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Introduction

A contemporary philosopher John Rawls (1921-2002) developed a conception of justice as fairness in his widely regarded work 'A Theory of Justice' which is a ground-breaking book of political philosophy and ethics. The target Rawls has set himself to is that of establishing what moral principles should govern the basic structure of a just society. In contemporary democracies, societies diverge radically about what ought to be done politically. 'Rawls comes to place much greater emphasis on the need to secure practical agreement among competing religious and moral views, and to see this rather than the pursuit of truth as the task of political philosophy' (Kukathas & Pettit 1990, 151).

People operate from different worldviews; from what Rawls introduces his 'comprehensive doctrines'; they do not share common 'conceptions of the good'. Thus, a primary concern in modern liberal theory is to determine how a society can remain stable and well-organised while permitting a plurality of different conceptions of the good in contemporary countries such as Turkey. Issues appear when groups in Turkey with divergent conceptions of the good find that they disagree on the rules of political dimension because certain beliefs held as true by some groups contradict beliefs that are held as true by others.

According to Kymlica,

'Societal cultures (societal culture, the full range of human activities, encompassing both public and private life. These societal cultures are typically associated with national groups) within a modern liberal democracy are inevitably pluralistic, containing Muslims, Jews, and atheists as well as Christians; gays as well as heterosexuals; rural farmers as well as urban professionals; socialists as well as conservatives. Such diversity is the inevitable results of the rights and freedoms guaranteed to citizens in a liberal democracy- including freedom of conscience, association, speech, and political dissent, and rights to privacy- particularly when combined with an ethnically diverse population' (1998, 27).

As Kymlica (1998) points out, cultural, moral and ideological pluralism is a fact of our lives. The society of Turkey is not an exception to this phenomenon. Turkey is marked by ethnic, religious, ideological, moral and sexual diversity. In Turkish culture some people are religious and look to what they take to be God's direction on issues pertaining to abortion and same-sex marriage; others are non-believers and want no part of alleged divine revelations. Moreover, some people think the government should mold people's characters to promote virtue; others say this is not the government's concern. Faced with conflicts as such, considering what should be done within Turkey's political stage presumably Rawls' theories could be the most appropriate way to reach a consensus rather than live in a society which beset by anarchy and clashes.

The main concern of this dissertation is regarding the solution of Rawls to political liberalism and how it can be applied to the Turkish society. Because Rawls focuses on the limitations of pluralism and is imagined principally in terms of the political reconciliation of opposed religious views of the world, seeking a publicly recognised 'overlapping consensus' of common principles that would enable a workable framework of political decision making.

As Newey (2009) rightly argues, Rawls engages with *toleration* during his career and the segment on toleration plays a crucial part in '*A Theory of Justice*'. Rawls' theory of toleration purposes to 'tame disagreement within the circle of reasonable people, rather than to referee its members' disputes with intolerant outsiders' (Newey 2009, 150). Likewise, not having human rights would render toleration in democratic society lacking, therefore, Rawls sees human rights as being constructed by reasonable people living together in a society. Rawls presents a more compassionate view of human rights, one with the greatest degree of individual liberty and equality while maintaining these rights for everyone. The state should distribute everything including benefits equally, unless an unequal distribution would benefit

the poorer classes. Thus Rawls' target could be feasible in the current Turkish government as it will be depicted subsequently.

This academic endeavour is dedicated to comprehending the feasibility of John Rawls' idea of an *overlapping consensus* as developed by his theory of political liberalism, which has been a desirable theory for the modern political era; and to testify whether this theory is possible to find any common grounds between different identities in modern day Turkey where concerns such as ethnicity, religion, ideology, morality, sexuality, and diversity magnify. Having mentioned diversity, of necessity is to state that Turkey harbours a host of different groups namely, Turks, Kurds, Laz, Circassians, Sunnis, Alevis, Jews, Christians, and atheists.

This diversity notwithstanding, it is not a welcomed perception within the society in Turkey. When an individual or a group(s) is not liked by others, there sprouts an attempt to eradicate those differences by not offering them cultural or legal leverage in the society, it is significant to end such conflicts in the midst of the modern society. Alas, Turkey is not immune from, or an exception to, the phenomenon of social conflict that is caused by diversity either. Thus it is argued that one of the most serious political challenges of our day that threatens public peace and social unity is the 'problem' of dissensus that is particularly apparent in many liberal societies with respect to moral, cultural, and religious pluralism highlighted by a marked increase in social violence and antagonisms.

Consequently, Rawls' theories, such as overlapping consensus and reasonable comprehensive doctrine, could be sparking in societies like Turkey in terms of reaching a consensus between different groups. Because Rawls became increasingly preoccupied with the problem of pluralism: the question of how individuals of different moral beliefs could be persuaded to believe in and affirm the basic principles of justice in a constitutional regime. Therefore,

Rawls' doctrines are significantly central to the nature of reason, equality, justice or pluralism. His doctrines inspire to think how his principles might actually enlighten political issues arising in contemporary Turkish society. Rawls believes that only a free-standing political conception of justice which does not ground its principles on any particular comprehensive doctrine, and which applies solely to a specific 'political' domain can gain the overlapping consensus of many citizens who are divided by incommensurable religious, philosophical, and moral conceptions of the good.

The author's argument will claim to have revealed that certain Liberal models such as Modus Vivendi Liberalism and Liberalism of Fear is not feasible in the modern day Turkey. Instead, what appears to be more feasible is Rawls' Justice as Fairness as a Political concept, because a 'better' political theory in terms of being a stable and reasonable doctrine successfully harmonises dissensus aspects of the Turkish society. Political Liberalism, at least in terms of its general thrust and outline, seems to be a fairly accommodating theory in the country.

For ease of analysis, the author divides the remaining part of this paper into three sections. First and foremost, Rawls' theory of 'Justice as Fairness' will be exhibited briefly and giving an overview of the three parts of *A Theory of Justice*. Firstly, explaining the primary subject of Justice which Rawls is concerned with how a society should be settled in order to succeed a fair distribution of primary social goods will be identified. Secondly, two principles of Justice as Fairness will be illustrated which Rawls argues that these principles connect suitably with the production of the good and they are principles which should to generate a stable society, being consistent with the good of the members of the society. Thirdly and finally, the 'original position' will be clarified which is designed to be a fair and impartial point of view that is to be adopted in our reasoning about fundamental principles of justice.

The second section is the crux of this dissertation: Rawls supports the notion of justice as fairness as a political conception of justice in his book, *Political Liberalism*, 1993. In this part, initially, Political Liberalism will be addressed by overlapping consensus as a political concept and reasonable comprehensive doctrine. Next, Rawls' theory 'justice as fairness as a political conception' will be demonstrated. After that the 'modus vivendi liberalism' and the 'liberalism of fear' will be exhibited which is the other aim of this study to briefly outline these two theories in terms of questioning whether a liberal solution to Turkey's current political life is possible – an issue that will be addressed in the last chapter.

The third section is a brief analysis of Turkey's political background, having stated the diversities in Turkey, the author will assess only two of the aforementioned concerns. Specifically, the unyielding political situation which currently exists between secular and Islamic ideas and the country's current agenda regarding the Kurdish Question offers the background to the author's argument which Rawls's philosophy might play a crucial role in divided societies ushered in a new era for Turkey and its role in the creation of multiple identities in terms of identify principles governing political life where Turkish citizens disagree deeply on important questions of value and, more generally, the proper ends of life.

Last but not least, taking the perspective developed throughout this dissertation, by assessing concepts such as Rawls' political liberalism, the 'liberalism of fear' and the 'modus vivendi liberalism' in this academic endeavour, it has been argued that the most relevant approach is the position of John Rawls which might be to address the roots of the problem of different identities and cultural diversity in the contemporary Turkish society.

What is justice?

Justice is not solely a legal concept. It is also an economic concept. The profound insight of John Rawls of Harvard university made an influential contribution to the theory of justice within the past forty years. Rawls associated the concept of justice within the framework of two underlying principles. The first principle is freedom and equality of opportunity and the second principle is acquiring income and wealth. The former principle offers a leeway to the latter. Therefore the freedom and equality of opportunity, leads to the acquisition of income and wealth; and in the society 'justice' can be achieved by acknowledging these two principles. Otherwise, justice cannot be attainable. Here, a basic question emerges. How can income and wealth be distributed in an effective manner? According to John Rawls, the distribution of income and wealth is still used by the theoretical tools of economics – that's to say, "Pareto optimality".

According to the Pareto optimum, if the income of a person increases on the expense of reducing the income of another person would lead to a societal and an economic unbalance. Therefore, an income that is stable and does not disrupt the existing distribution of income and wealth is considered as efficiently optimal or the most appropriate situation. Regarding this issue, Rawls divided other theorists of justice. He rejects the Pareto optimum because Pareto defends 'the efficient balance' by the amount of wealth and the goods which is stocked in society. Rawls argues that the income and wealth of people could rise further without reducing the income and wealth of others. Rawls connects this idea to the freedom and equality of opportunity. Rawls thinks that "if liberty and equality of opportunity in a society are met, the person can increase his income and wealth without adversely affecting other people'. So then, why is all this depicted to the reader? The constitutional referendum in Turkey could be viewed in light of Pareto and Rawls views. In other words, Rawls's theory is advocated by those who say 'yes' to a Constitutional referendum. Rawls' supporters contend that owing to increased freedom, the welfare of the country in turn increases because of rising production alternatives. So the increased freedom of individuals sustains that their acquisition to income and wealth would result in a decrease in the income and wealth of others. This view is not welcomed by the advocates of Pareto who purport that the increased freedom will reduce their own income and wealth.

Therefore, those who say 'no' to changes in the constitution namely CHP (The Republican People's Party, is a Kemalist, social-liberal and social democratic political party in Turkey)

MHP (Nationalist Action Party), and TUSİAD (Turkish Industry and Business Association) adhere to this stance because they believe it will reduce their income and wealth. The AK Party (The Justice and Development Party - centre-right conservative political party) articulated a ‘yes’ stance to Constitutional amendments which defends the view of the increased freedom of the individual to increase the income and wealth of the individual without reducing the income and wealth of others.

Turkish politician, researcher and author, Tarhan Erdem illuminates this reality in a noteworthy fashion. Should the lifestyle and existing situation of others improve, they fear that their own lives and quality of life becomes at stake. “Adamant cowards” is the term he employs to illustrate such people.

During the reign of the AK Party Government, John Rawls's theoretical approach is almost verified. By the EU harmonization laws, the area of freedom has expanded and Turkey has prospered. Although the AK Party Governments has increased the health and education spending that public spending for the poor , the income and fortunes of others has not diminished. On the contrary, it has increased.

Looking at the past eight years, as a matter of fact, despite the increase in the income of low-income groups, we cannot see any income and wealth classes which are descending. But the ‘educated’ class in Turkey unwaveringly insist on the adoption of the century-old concept of Pareto nonetheless. People who say ‘no’ to a new Constitution especially in business life ought to devote attention to the words of John Rawls: ‘Life is going on at full speed’ was Rawls’ advice to Pareto.

This previous text has been taken from Suleyman Yasar, a Turkish author, bureaucrat and journalist in the popular Turkish newspaper *Sabah* - in accordance to the relevance it lends to this dissertation. That’s to say, Yasar’s argument depicts that the theories of Rawls are applicable and feasible to Turkey.

Chapter I: Justice as Fairness: Justice within a Liberal Society

Justice as fairness is Rawls's theory of justice for a liberal society. It is a rich, intricate, and essential work which provides an elaborate set of arguments and offers many matters for discussion (Nagel 2003). The ideas at the core of Rawls' theory of justice which he calls justice as fairness, is the original position and the veil of ignorance. As stated by Swift, Rawls insists that the approach to seek 'which principles of justice are fair is to think about what principles would be chosen by people who do not know how they are going to be affected by them' (2006, 21).

According to Kukathas, 'Rawls's fundamental concern is social justice- the justice of social institutions and the distributive consequences they entail' (2003, 3). Rawls is concerned with background justice. His question asks: 'What institutions should govern a good society given that human beings' lives- including their opportunities and their prospects- are profoundly shaped by the rules or the terms of social co-operation?' (Kukathas 2003, 3). As Kukathas (2003) cites, Rawls' answer is that 'these institutions must be ones guided by two principles of justice: first principle assuring basic civil liberties may not likely be infringed, even for the greater good; and the second or in other words, the 'difference principle', principle preserving that socioeconomic inequalities are morally acceptable only if they cannot be eradicated without making the worst-of members of society even worse off.

Rawls underlines justice as fairness as fulfilling to the demands of both freedom and equality. His central concern develops principles of justice to govern a contemporary social order. From Rawls' perspective 'the basic idea is that a good society is one which gives priority to individual liberty in a regime of rules designed to ensure that those unfortunate enough to find themselves among the worst-off are not systematically disadvantaged by their bad luck' (Kukathas 2003, 3).

1: The Primary Subject of Justice: the Basic Structure

Rawls (1972) is concerned with how a society should be settled in order to succeed a fair distribution of primary social goods which any rational individual would need and would want more of, rather than less of, regardless of her individual life plan. He claims that these goods are rights, liberties, opportunities, income and wealth, and the social basis of self-respect (Rawls 1972).

According to Rawls *'justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust'* (Rawls 1972, 3). Rather than defining justice according to specific actions, Rawls believes that justice will result from the application of principles of justice, as he refers to them, the basic structure. He (1972) argues that a society's basic structure is described by the arrangement of the major political and social institutions such as the political constitution, the legal system, the economy and the family. Rawls (1972) points out that the arrangement of these major institutions is a society's basic structure which is the primary subject of justice; because, these institutions distribute the principal benefits and burdens of social life.

Consequently, how should society be organised to achieve a fair distribution of these goods? According to Rawls' idea of justice, justice as fairness, fair distribution will occur when definite principles of justice are applied to what he calls the basic structure of society. These principles of justice, the institutional principles, are the principle of equal liberty, the principle of fair equality of opportunity and the difference principle, in order of their lexical priority.

To better comprehend the basic structure, it is important to examine why Rawls believes that it is central to social justice. The basic structure has a special significance in Rawls' conception of justice which is not a subject of justice per se; however, it is the primary subject of justice and it is to the basic structure that principles of justice apply. Therefore, the effects of the basic structure are fundamentally deep; for example, it is influencing not only citizen's prospects but also their targets, their attitudes, their relationships and their personalities (Rawls 1972). For that reason, it is most imperative that the arrangement of the major political and social institutions be just. Thus, justice rejects that the idea of losing freedom for one is made right by a greater good shared by others (Rawls 1972). Justice, then, as per the interpretation of Rawls, is essentially the legal or political counterpart of the ethical concept of fairness (Chapman 2003).

In *A Theory of Justice*, Rawls proposes how to draw a line between the misfortune that is the society's onus and the misfortune is not by distinguishing between deep and shallow inequalities. The former are related with inequalities in the basic structure of society; 'It is these inequalities, presumably inevitable in the basic structure of any society, to which the principles of social justice apply' (Rawls 1971, 8). From this perspective, Rawls' idea is impressive. As Arneson states:

'think of two persons: one born on the "right," the other on the "wrong" side of the tracks; one blessed with capable and nurturing parents, the other cursed with parents from the bottom of the barrel; one born with a genetic endowment that predisposes her to talent and fortune, the other plagued by an unfortunate genetic inheritance; one wealthy from birth, the other poor. From the start, before either child has taken a step out of the cradle, they have unequal life expectations given their initial circumstances' (2007, 81).

The contrast that is of significance in this regard appears to be between profound inequalities within persons – specifically, those that have established a presence from birth, in set social circumstances, as well as shallow inequalities that subsequently manifest in accordance to processes that are influenced by voluntary choice.

In setting out justice as fairness, Rawls deems that the liberal society in question is marked by reasonable pluralism, and also that it is under reasonably favourable conditions: that there are enough resources for it to be possible for everyone's basic needs to be met. Although what exactly it means that the basic structure is the primary subject of justice is not entirely clear, it is enough to say that the basic structure is central to Rawls' justice and he assumes that the society is self-sufficient and closed, so that citizens attain it merely by birth and leave it only at death.

2: Two Principles of Justice as Fairness

Rawls's principles of justice as fairness is guiding by two ideas which embody the fundamental liberal ideas that cooperation should be fair to all citizens considered as free and equal. According to Rawls (1972), people do not deserve to be born into a rich or a poor family, to be born a member of a particular religious, to be born female or male, to be born a member of a particular racial groups, to mention a few. From a moral point of view, these features of citizens are arbitrary, people are not at the deepest level entitled to more or less of the benefits of social cooperation because of them and this is Rawls' negative thesis which does not in itself depict how social goods should be distributed (Rawls 1972).

Apart from this negative thesis, his positive distributive thesis is equality-based reciprocity which basis on the idea that all social goods are to be distributed equally, unless an unequal distribution would be to everyone's advantage. These strong requirements of equality and reciprocal advantage are distinctive features of Rawls's theory of justice. Rawls states, 'by

way of general comment, these principles primarily apply, as I have said, to the basic structure of society' (Rawls 1971, 61). There are number of reasons behind this. The first is that individuals in the hypothetical original position will choose these principles by way of contract. As in the case of the original position, all persons behind the veil of ignorance are equal because they are ignorant of any knowledge of individual particulars. Rawls is aware that within any society, people will not be completely unaware of their social standing and economic wealth.

The second reason Rawls states that these two principles are the root for the structure and regulation of just institutions, because for Rawls, society is composed of institutions (1971). It is through institutions which individuals govern themselves and distribute goods and wealth. Rawls argues that the two principles of justice as fairness will be adequate to build a society which is just. These guiding ideas of justice as fairness are described in its two principles of justice:

2.1: First Principle

It is the liberty principle which affirms for all citizens' familiar basic rights and liberties: liberty of conscience and freedom of association, freedom of speech and liberty of the person, the rights to vote, to hold public office, to be treated in accordance with the rule of law, and so on. The first principle attributes these rights and liberties to all citizens equally and it is prior to the second principle (Rawls 1971).

Unequal rights would not benefit those who would get a lesser share of rights, so justice requires equal rights for all in all normal circumstances. 'Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others' (Rawls 1972, 60). According to Rawls, in order for a society to be just, individual liberties must be protected for all members of society and he states that the first principle is prior to the second

(1971). From this standpoint, it is possible to say that all members of society are more or less equal by protecting individual liberties.

2.2: Second Principle

The second principle deals predominantly with social and economic differences which will be part of any society. Although the first principle of equal basic liberties is to be used for scheming the political constitution, the second principle applies primarily to economic institutions. Rawls states that 'social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be everyone's advantage, and (b) attached to positions and offices open to all' (1972, 60). Additionally, achieving the first principle takes priority over fulfillment of the second principle.

The second principle of justice is also entitled the difference principle. It has two parts which specifies how economic advantages should be distributed. Initially, the principle for the distribution of acquired wealth in society which is basically the principle to regulate taxation and redistribution. The first part of the second principles is: economic and social inequalities are to be arranged so as to make them maximally advantageous to the least advantaged in society. The only justification for any economic inequality is, then, that it is to the maximal advantage of the least well off.

The other part of the second principle is the principle of equal opportunity which regulates access to coveted social positions - basically jobs and positions of authority. In Rawls's words: 'The second principle applies, in the first approximation, to the distribution of income and wealth and to the design of organizations that make use of differences in authority and responsibility' (Rawls 1999, 53).

These two principles themselves apply to different parts of society. Rawls argues:

‘as their formulation suggests, these principles presuppose that the social structure can be divided into two more or less distinct parts, the first principle applying to the one, the second to the other. They distinguish between the two aspects of the social system that define and secure the equal liberties of citizenship and those that specify and establish social and economic inequalities’ (Rawls 1971, 61).

The assembling of the principles is formatted in a way to warrant that basic rights and liberties cannot be challenged in the service of social and economic distributions. Economic inequalities are just *only if* they do not make the least well-off even more disenfranchised. In addition, unequal dissemination of wealth cannot negotiate the core rights and liberties of any group of citizens.

3: The Original Position

The basic question posed by the *original position* is: How would we establish a governance in society that maximises justice for everyone which is not merely for the majority? In *A Theory of Justice*, Rawls settled the original position argument by identifying the circumstances of justice, the role of principles of justice in governing the institutional production and distribution of social primary goods, different formal requirements of justice, and so on (Rawls 1972). He holds that the principles of justice are what free, rational, mutually disinterested individuals would choose as fundamental terms of cooperation to regulate a society they expect to live under.

The question remaining is ‘How ought democratic citizens to organise their polity?’ Rawls’ answer is the *original position*.

‘The original position is a thought experiment: an imaginary situation in which each real citizen has a representative, and all of these representatives come to an agreement on which principles of justice should order the political institutions of the real citizens. Were actual citizens to get together in real time to try to agree to principles of justice for their society the bargaining among them would be influenced by all sorts of factors irrelevant to justice, such

as who could appear most threatening or who could hold out longest. (Stanford Encyclopaedia of Philosophy 2012, 7).

Essentially, the original position is a situation in which each citizen is represented as only a free and equal citizen, as wanting only what free and equal citizens' want, and as trying to agree to principles for the basic structure while situated fairly with respect to other citizens. As Rawls (1972) insists that citizens are free and equal that society ought to be fair.

Rawlsian citizens are also reasonable and rational which Rawls calls this reasonableness the capacity for a sense of justice. His notion of society is defined by fairness: social institutions are to be fair to all cooperating members of society, regardless of their race, gender, religion, class of origin (Rawls 1972). Rawls' conception of citizens and society are built into the composition of the original position itself. He uses these two conceptions to build his argument for his two principles. Therefore, the original position aims to determinate principles of social justice.

The central distinguishing feature of the original position is '*the veil of ignorance*': to assure impartiality of judgment, the parties are deprived of all knowledge of their personal features such as race, class, and gender of the real citizen they represent also their social and historical situations. One is placed under the veil of ignorance in order to generate principles that will be fair to all regardless of one's social circumstances. The parties in the original position are aware of main fundamental interests they all have and general facts about social and natural sciences such as psychology, economics and biology.

'Whatever expectation there are drive from the stipulation that they know all the facts mentioned in answering the questions of who chooses and what is chosen. But while the parties are under a veil of ignorance about particular facts, they are taken to know whatever general facts affects the choice of basic structure, in particular the facts available from the psychological and social sciences. These are the two important features of the veil of ignorance.' (Kukathas & Pettit 1990, 24).

Rawls proposes the veil of ignorance, for determining which social customs were just and which were unjust. Its criterion is as follows: a rule is just if everyone would agree to it given that they were made ignorant of their position in society. That is, the just society would be chosen by people who had set aside considerations of their own gender, wealth, race, parentage. Ideally, this rule eliminates personal bias from the choice and thus ensures the fairness of rules. According to Pettit (1980), the veil of ignorance is, in one respect, a heavy rather than a light veil.

The veil of ignorance which eliminates the effects of bias and self-interest, Rawls might have supposed that in the original position each party imagines that he will be assigned a place in whatever basic structure is chosen by a process of random allocation. In effect, the veil of ignorance deprives the parties of all facts about citizens that are irrelevant to the choice of principles of justice: not only their race, class, and gender but also their age, natural endowments.

Likewise, the veil of ignorance also omits precise information about the citizens' society so as to get a coherent outlook of the permanent structures of a just social system. Although the veil of ignorance being successful within particular extents, leaves much to be desired, it is limited in who it represents and protects, and that this separation of identity and knowledge that is necessary for the veil of ignorance to exist as described is far less simple than Rawls indicates in his treatment of the matter.

Chapter II: Justice as Fairness as a Political Conception

In John Rawls's second book, *Political Liberalism*, the doctrines of his remarkable book, *A Theory of Justice*, are positioned in a new light. It has been said that, although *A Theory of Justice* is about justice, *Political Liberalism* is about legitimacy. As Estlund (1996, 68) points out that *Political Liberalism* is 'about the condition that must be satisfied if it is to be morally justifiable to use force to secure compliance with principles of justice'. Bunchanan (2000, 73) also adds that this is considerably correct, because *Political Liberalism* is about 'the role that considerations of legitimacy should play in theorising justice. By bringing the relations between justice and legitimacy to centre stage, Rawls has launched his second revolution in thinking about justice'.

In *Political Liberalism*, Rawls supports the notion of *justice as fairness as a political conception* of justice. 'In Theory, no distinction was made between comprehensive moral doctrines and freestanding political conceptions of justice, but in *Political Liberalism*, this distinction is fundamental' (Davion & Wolf 2000, 4). A political conception of justice is distinguished by three core themes. Initially, it is a moral notion, for the essential structure of society which is not a notion that applies directly to associations or groups within a society. Secondly, it is consistent with reasonable comprehensive doctrines. Ultimately, a political conception, according to Rawls, is articulated merely in terms of definite essential intuitive thoughts that are taken to be implicit in the public political culture of a democratic society.

The aim of political philosophy, then, is to find a shared basis for settling fundamental political questions by collecting and carefully articulating the principles behind shared moral and political convictions. It does this by articulating these principles as a system and by adjusting and revising them in reflective equilibrium (Rawls 1993). That said, it is important to explain the idea of the reflective equilibrium:

'is the end-point of a deliberative process in which we reflect on and revise our beliefs about an area of inquiry, moral or non-moral. The inquiry might be as specific as the moral question, "What is the right thing to do in this case?" or the logical question, "Is this the correct inference to make?" Alternatively, the inquiry might be much more general, asking which theory or account of justice or right action we should accept, or which principles of inductive reasoning we should use' (Stanford Encyclopedia of Philosophy 2011, 1).

1.1: Overlapping Consensus

John Rawls introduces the conception of an 'overlapping consensus' as part of the work that resulted in his book, *Political Liberalism*. According to Rawls (1993), political power is legitimately used in a liberal society when it is used as per a political conception of justice which still renders undecided the predicament of stability: why citizens would unenthusiastic comply with the law as specified by a liberal political conception. Legitimacy indicates that the law may permissibly be enforced; Rawls needs another account of why citizens have incentives from within their own perspectives to comply to a law as such. He (1993) portrays such a society as being legitimised by the existence of an 'overlapping consensus' which is constituted by the mutual understanding by diverse 'comprehensive doctrines' that all individuals have the liberty to follow their own conception of good within the structure of a political society which is just in that it is fair.

Rawls insists that for a stable liberal society overlapping consensus is required; because, in an overlapping consensus, citizens support the same basic laws for different purposes. Rawls (1993) states that each citizen supports a political conception of justice for reasons internal to their own comprehensive doctrines which is a political conception is freestanding. From Rawls' perspective (1993), in an overlapping consensus each reasonable citizen confirms common 'module' which is a module that is able to be appropriate into any number of worldviews that citizens is likely to have from within their own perspectives. At this point, it is important to briefly introduce Rawls' conception of reasonable citizens:

'Citizens are reasonable when, viewing one another as free and equal in a system of cooperation over generations, they are prepared to offer one another fair terms of social cooperation . . . and they agree to act on those terms, even at the cost of their own interests in particular situations, provided that others also accept those terms. For those terms to be fair terms, citizens offering them must reasonably think that those citizens to whom they are offered might also reasonably accept them. . . . They must be able to do this as free and equal, and not as dominated or manipulated, or under the pressure of an inferior political or social position' (1993 XIV; see also 49, 54).

The other feature of our being reasonable is 'our recognizing and being willing to bear the consequences of the burdens of judgment' (Rawls 1993, 58). According to Rawls (1993), we are enthusiastic to identify that reasonable persons can disagree without being prejudiced or biased or excessively self- or group interested or wilful. We recognise such sources of disagreement or burdens of judgment as: conflicting nature and complexity of evidence; differences about evaluating considerations; ambiguity of notions, borderline circumstances; disparate experiences of diverse people; various sorts of normative consideration of different force on both sides of a matter; tendency of social institutions to force us to select some values for highlight and de-select others (Rawls 1993).

The central question of overlapping consensus is whether the principles of justice to which the parties in the original position would agree are sufficiently strong to actually bind together a society composed of persons with radically different 'comprehensive doctrines' or 'theories of the good'. In accordance to Rawls' response to this question which he frameworks, citizens not only have a capacity for developing a conception of the good but also possess a capacity to acquire and act upon a conception of justice and fairness when they believe that social institutions embody these conceptions and they have reasonable assurance that others will do their part (1993). These citizens develop trust and confidence in just and fair arrangements if they see other citizens intending to comply with them. Trust and

confidence strengthen and develop as ‘cooperative arrangements’ and basic political institutions remain successful (Rawls 1993, 86).

Rawls comprehends an overlapping consensus as the feasible ground of democratic stability which is the most desired. He insists that a stable liberal society is based on an overlapping consensus; because, any balance of power such as *modus Vivendi* may change, and social stability then be disappear (Rawls 1993). Thus, stability in an overlapping consensus is more influential than a mere balance of power between citizens who hold contending worldviews.

Moreover, Rawls’ only concern is to establish a stable arrangement for living together in a multicultural society: ‘How is it possible that deeply opposed though reasonable comprehensive doctrines may live together and all affirm the political conception of a constitutional regime?’ (Rawls, 1993, XVII). Comprehensive doctrines as such can even include non-liberal ideas (Rawls, 1993). To answer this question Rawls develops a set of basic principles and anyone living in a well ordered society will recognise their reasonableness, irrespective of his or her specific background. In the light of this ‘ideal theory’, which defines a perfectly just basic structure (Rawls 1993, 285), on-going social processes are to be limited and adjusted.

In the 1996 paperback edition of *Political Liberalism*, Rawls revised his description of the central question to be addressed by a political conception of justice to incorporate the perspective of such a person, nothing that: Not all reasonable comprehensive doctrines are liberal comprehensive doctrines; so the question is whether they can still be compatible for the right reasons with a liberal political conception. To the this, I contend, it is not sufficient that these doctrines accept a democratic regime merely as *a modus vivendi*. Rather, they must accept it as members of a reasonable overlapping consensus. Referring to citizens holding such a religious doctrine as citizens of faith, we ask:

'How is it possible for citizens of faith to be wholehearted members of a democratic society when they endorse an institutional structure satisfying a liberal political conception of justice with its own intrinsic political ideals and values, and when they are not simply going along with it in view of the balance of political and social forces?' (Rawls 1996, xxxix-x1).

Citizens sustain a political conception committedly from within their own perceptions, and so will carry on doing so even if their group experience an escalation or an acceleration of political power. Rawls purports that an overlapping consensus is unwavering for the veracious reasons: every citizen avows a moral doctrine (a liberal conception of justice) for reasons pertaining to morality (consistent with their comprehensive doctrine). Abiding by liberal basic laws is not a second-best negotiation of a citizen in the face of the power of others, rather, every citizen's first-best option in light of their own beliefs.

As Rawls (1993) puts forward that owing to the fact that citizens in some societies might have quite limited characteristics in common so as to reach a stable end point on a liberal political notion of justice, and in other societies unreasonable doctrines might proliferate until they exacerbate liberal institutions. Hence Rawls (1993) purports that an overlapping consensus is unfeasible in every liberal society, or that after established it will always maintain. However, he strongly believes that history illuminates both profound trust as well as convergence in beliefs amongst citizens in some liberal societies, which portrays an overlapping consensus that could be viable. Moreover, he asserts that where an overlapping consensus is likely, it is the most appropriate support for social stability that a free society can anticipate to sustain.

1.2: Reasonable Comprehensive Doctrine

In his argument of stability, Rawls seemed to recommend that in a ‘well-ordered society’, citizens endorse a conception of justice on the basis of a ‘comprehensive doctrine’ which idea he introduces in his book *Political Liberalism*. A comprehensive doctrine is a system of moral beliefs not only about the particular subject of political institutions, but also about a broader range of matters, such as how best to lead one’s life, what sort of virtues to aspire to, what sort of relationships to have, and so on (Rawls 1993). He insists that citizens of a modern, pluralist society are free to approve the politically liberal principles of justice, not on the basis of a comprehensive view which they all seem to share. Rather it’s stranded in the moral, religious, and philosophical reasons which are specific to their own conception of the good. According to Davion and Wolf, Rawls’ purpose in *Political Liberalism* ‘neither to replace reasonable comprehensive doctrines nor to justify them. Rather, the aim is to work out a political conception of justice that reasonable people can all endorse, even if they adhere to widely different comprehensive doctrines’ (2000, 7). This aim entails isolating specific purely political questions and providing justifications for them grounded on ‘public reason’, justifications that all reasonable individuals can approve in overlapping consensus (Davion and Wolf 2000).

The development of a purely political notion of justice and the public foundation of justification for such a notion requires the outline of a host of new concepts. Davion and Wolf states that from Rawls’ perspective, these involve:

1. The idea of justice as fairness as a freestanding view and that of an overlapping consensus as belonging to its account of stability;
2. The distinction between simple pluralism and reasonable pluralism, together with the idea of a reasonable comprehensive doctrine; and

3. A fuller account of the reasonable and the rational worked into the conception of political (as opposed to moral) constructivism, so as to bring out the bases of the principles of right and justice in practical reason (2000,7).

Rawls (1993) advances these concepts by displaying how they appropriate into a political conception of justice that could be the object of an overlapping consensus among these members of a society of persons who are reasonable yet, who disagree on any comprehensive view.

‘Citizens are reasonable’, writes Rawls, ‘ when, viewing one another as free and equal participants, they are prepared to offer fair terms of social cooperation and to act on those terms even when this runs contrary to their own narrower interests, provided that others are similarly willing’ (Rawls 1996, xliv). Reasonable citizens will concur, discusses Rawls, on the following ‘criterion of reciprocity: Our exercise of political power is proper only when we sincerely believe that the reasons we offer for our political action may reasonably be accepted by other citizens as a justification of those actions’ (Rawls 1996,xlvi). From Rawls’ perspective, a political conception of justice is reasonable unless it meets this criterion. Rawls argues, the concept reasonableness underlies the approval of this principle of reciprocity, in turn, reciprocity underlies the possibility of a liberal conception of a legitimacy (Rawls 1996), and the possibility that the stability of a liberal regime may be more than just a balance of power among competing parties.

2: The Modus Vivendi Liberalism

It might be helpful to begin by John Gray's view who advocacy of a political theory of modus vivendi. He writes:

'Modus vivendi expresses the belief that there are many forms of life in which humans can thrive. Among these are some whose worth cannot be compared. Where such ways of life are rivals, there is no one of them that is best. People who belong to different ways of life need have no disagreement. They may simply be different' (Gray 2000a: 5).

As stated by Gray (2000a), *modus vivendi* is not a form of political accommodation which seeks for eliminate conflicts of value; rather, it looks for merely 'common institutions in which many forms of life can exist'. For Gray(2000a) the theory of *modus vivendi* is not the quest for an ideal regime, liberal or otherwise where it diverges from Rawls's stance and the alternative view of liberalism; in spite of that, it intends to find terms on which different ways of life can live well together. As Horton (2006, 156) designates that 'while Rawls, like Gray, can be seen as seeking to institutionalise the value of toleration, for him this takes the form of a set of ideal principles of justice that have fairly specific and restrictive normative implications for legitimate political institutions'. Nevertheless, according to Gray, a modus vivendi is harmonious with a wide range of normative principles of political organisation, that might take very distinct institutional forms, though both principles and institutions must recognise certain 'universal goods' that are 'needed for any kind of human flourishing' (Gray 2000a: 8).

According to Horton, 'not all stable political arrangement will count as a modus vivendi (2010, 157). As Gray points out that a political structure that consistently and ruthlessly oppresses a minority is not an example of modus vivendi. While modus vivendi cannot be known with any explicit set of substantive values, 'there are limits on what can count as modus vivendi'; and it must recognise that there are 'evils that can make any kind of good life difficult or impossible' (Gray 2000a: 66, 138). From point view of Gray, these evils

based not on a consensus of belief, yet ‘on the fact that the experiences to which these evils give rise are much the same for all human beings, whatever their ethical beliefs may be. The constancy with which these experiences are found, across remote cultures and different epochs, reflects a constancy inhuman nature, not an agreement in opinions’ (Gray 2000a: 66). Bestowing that existing universal evils, nevertheless, does ‘not ground a universal morality. When faced with conflicts among them, different individuals and ways of life can reasonably make incompatible choices’ (Gray 2000a: 66). And nor do universal evils inevitably always take significance over local loyalties; therefore, there need be nothing irrational in defending one’s way of life, in spite of the fact that, the decision to do so might also result in some universal evil (Horton, 2010). The general theme is:

‘To affirm the reality of universal human goods is not to endorse a universal morality, such as many liberal thinkers have attempted to defend. Universal values are compatible with many moralities, including liberalism, as it has been understood by recent philosophers who take their cue from Locke or Kant; but they underdetermine them all. There is no one regime that can reasonably be imposed on all. Even minimal standards can be met in different ways’ (Gray 2000a: 67).

Thus, Gray insists, approving that the existence of universal goods and evils does not commit him to a universal morality; merely that there are things that any morality will consider as evils.

Although the notion of a modus vivendi is coherent with many different moralities, it is not highly comprehensive; ‘it may be questioned whether he is right to draw the contrast in quite the way he does – arguably, there remains a residual sense in which he is committed to something that could be intelligibly called ‘a minimal universal morality’ – the gulf between Gray and the liberals he criticises is in no way bridged’ (Horton 2010, 157).

According to Horton's assertion there are four main objections to the notion of *modus vivendi* as an appropriate way of thinking about a legitimate political accommodation: 'These are that it is unstable; that it is indeterminate; that it can be unjust or immoral; and that it privileges a narrow and contestable conception of value, quite as much as the liberalism it criticises' (2010, 161). It might be concluded that the most remarkable and relevant point of this study, is the objection that *modus vivendi* can be unjust.

The profound contribution of McCabe has offered a crucial insight to the matter at stake. That said, he argues regarding this that *modus vivendi* liberalism is a particularist liberalism that is entrenched by two considerations; the acknowledgment that many citizens approve normative frameworks that recommend ideal illiberal models of political association, the first consideration is as follows:

... 'Those frameworks may imply, for instance, that persons should be prohibited from pursuing certain misguided goals, or that the state be more active in directing citizens towards specific virtues and goals. Such citizens also understand, however, that many of their fellow citizens do not endorse the particular illiberal vision of the state recommended by their own frameworks' (McCabe 2010, 133).

Seeing the existence of the government either as an consistent fact of modern life or as something that contributes significantly important goods by a host of citizens is the second consideration of the *modus vivendi* liberalism (McCabe 2010). Individuals inhabiting a common world often make conflicting claims, encounter joint tasks, partake in an interdependent economy – in various ways come into contact and conflict with one another; moreover, some consistency and uniformity in rules and overall decision-making is required, should these encounters be manageable, stable, and efficient (McCabe 2010).

This implies that citizens have ample motivation to maintain laws as well as institutions all that can be unanimous upon, even if they do not match the suitable arrangements stated by

many of their own normative frameworks (McCabe 2010). According to McCabe (2010), the modus vivendi liberalism proposes that agreement to liberal terms might thus emerge as a negotiation among citizens who recognise the value of ordered political life but realise that the political vision recommended by their prominent normative frameworks cannot be accomplished.

McCabe here contends that the liberal government appears as a second-best alternative, based on the fact that it suggests terms for peaceful social coordination; therefore, modus vivendi liberalism based on a gamble: that citizens will endure others' having widespread liberties and accept that government power will not be used to develop their specific normative framework, in return for the reassurance that their own liberties will be preserved and that neither they nor their children will be subject to paternalist measures reflecting norms that they reject.

3: The Liberalism of Fear

The liberalism of fear is a notion first put forward by a political theorist, Judith Shklar, in 1989. Her thought centred on two core ideas: that cruelty is the utmost evil, which she discusses in her essay '*The Liberalism of Fear*' and clarifies entirely in *Putting Cruelty First*, an essay in *Ordinary Vices*, and her idea of 'liberalism of fear'. Shklar, following the tradition of political realism, develops a theory of liberalism devoid of illusions, devoid of morality and free of a historical concepts of social justice. According to Shklar (1989), 'the liberalism of fear' is grounded on cruelty which is the greatest evil and that governments are prone to abuse the 'inevitable inequalities in power' that result from political organization. From Shklar perspective, that evil is cruelty and the fear it inspires, and the very fear of fear itself (1989). She insists that liberalism is a political concept initially, and one which must be sensitive to political realities; moreover, it essential to be responsive to the realities of where cruelty comes from and what framework it takes (Shklar 1989).

The liberalism of fear addresses an important human need: freedom from fear. Bernard Williams states: “We say ‘never again’, but somewhere someone is being tortured right now, and acute fear has again become a common form of social control... the liberalism of fear is a response to these undeniable actualities and therefore concentrates on damage control” (2005, 55).

According to Brooks (2011), our fear, the fear of our domination by the state, has a crucial and constructive role, therefore; the liberalism of fear emphasises on our attention upon our vulnerabilities. Brooks (2011) states that fear does not immobilise us, however encourages us to action. The liberalism of fear is ‘modelled upon an antagonistic model of self and state which the state is conceived as some entity beyond the individual where the interests of the state may encroach upon the interest of the individual’ (Brooks 2011, 57). The state is a potential ‘enemy’ from the which the individual must keep in control (Williams 2005, 56). The view of liberalism is a combination of both negative and positive rights of the individual. To illustrate this, William urges us to “Note how this conception coincides neither with ‘negative’ nor with ‘positive’ freedom” (2005, 61).

The main idea of the liberalism of the fear is that individual’s lacking freedom might be caused by the power of another; for instance, individual may lack freedom by another restraining himself or by his inability to do or accomplish (Brooks 2011). ‘The basic sense of being un-free is being in someone else’s power, and that in the basic sense implies that what you do is directed by another person’s intentions even if you do not want to do those things’ (Williams 2005, 61). Therefore, the standpoints of negative and positive freedom are not entirely contrasting concepts, nonetheless; they share a common core.

The freedom of an individual in the society is fragile and require constant attention. According to Williams (2005), it is important to remind ourselves of the precious freedoms and rights we possess and how fragile they are. Therefore, the liberalism of fear helps serve as a constant reminder and it is important to constantly renew our self-understanding of how they might be best protected (Brooks 2011). It is significant that to keep the perspective of our vulnerability.

The liberalism of fear is emphasised by Bernard Williams for various reasons; because this political view is agreeably sensitive to our human vulnerabilities and the fragility of goodness as well as much else (Brooks 2011). Furthermore, it rests on both positive and negative perspectives of freedom as a bridge across them and it conceives that being in the power of another is the condition of un-freedom. Eventually, the individual in critical engagement with the state is understood by the liberalism of fear and the state is not inevitably a source of evil, however it is seen as a potential antagonist from which the individual demands protections, such as rooted rights.

Chapter III: Turkey's Political Background and Its Current Political Situation

1: Turkey's Political Background and Minorities of Turkey

The modern Turkey is a parliamentary representative democracy which was emerged out of the ashes of the multi-ethnic and multi-religious Ottoman Empire in 1923 after World War I. The Ottoman Empire was a multinational theocratic state, with Islam as the official religion and the Sultan standing as the Caliph or all the world's Muslims. However, the most disruptive ideology that threatened and later tore the Empire apart was nationalism which was influenced by the French Revolution. By the ideas of nationalism, peoples of different ethnic and religious groups struggled to carve new nation states out of the Ottoman Empire throughout the 19th century and early 20th centuries. From this perspective it is not hard to observe that Turkey is one of those societies where ethical, religious and cultural divisions cut deep.

In addition, Turkey is one of the very rare cases in the Islamic sphere where Islam magnificently coexists with a secular system in which religious rules play no role in the conduct of public affairs. In the Turkish society, Islam sits at the background of the secular regime established by Mustafa Kemal Ataturk, who was later honoured with the title Ataturk or 'Father of the Turks', is the country's first president in 1923. Under the leadership of Mustafa Kemal Ataturk, Turkey underwent various reforms aimed at the Westernization and modernization of the country. The impact this dramatic move on Turkish society is not the purpose of this study and hence will not be expanded upon further. However, those dramatic phases towards secularisation transformed the circumstances in which religion and politics interacted in Turkey.

Numerous social and political problems that modern Turkey faces are in fact embedded in its complex history and conflicting identities. Thus, without a deep understanding of Turkish history, it is very difficult to map out its social and political geography.

The paper focuses on nationalism and secularism, two crucial principals for the formation of modern Turkey. Its constitution governs the legal framework of the country which sets out the main principles of government and establishes Turkey as a unitary centralized state. The Turkish Constitution and most mainstream political parties are built on the following principles: Kemalism, Laicism and Modernization. Not only these political ideas have influenced but also other political thoughts have affected Turkish politics and modern history such as Conservatism, Neo-liberalism, Islamism, Pan-Turkism, Socialism and Communism. The Prime Minister of Turkey who is the head of state and holds a largely ceremonial role but with substantial reserve powers, and of a multi-party system. Turkey's political system is grounded on a separation of powers and executive power is implemented by the Council of Ministers. Legislative power is vested in the Grand National Assembly of Turkey and the judiciary is independent of the executive and the legislature.

Although Turkey shows the modeling of a Western-style democratic government, it is also a country where military coups have overthrown voted civilian governments since 1960. Strict limits were imposed on personal and political rights and liberties by the military rule.

Furthermore, political parties were banned, and prominent civilian politicians were barred from participating in political movement for up to ten years. The military justified its intervention on the premise that it was returning the country to the principles of Kemal Atatürk. these military interventions which were occurred in the close history of the country indicates that the democratic system of Turkey is not only jeopardised but has also destabilised the country's economic and social balance which, as a result, effects the soul of the public negatively.

2: The AKP and Its Social Political Understanding

Recent development in Turkish domestic politics is the rise of the Justice and Development Party (AKP) which is a centre-right, social conservative political party. It is the largest party in Turkey, with 327 members of parliament. The AKP came to power in 2002 under the leadership of Recep Tayyip Erdogan with 34% of the vote on its' first election; 46% on its' second election in 2007; and in 2011, the AKP further raised its vote to 49.8% and held 327 parliamentary seats to form a third-sequential majority government. Here, it is note-worthy to state that the election of the AKP government three times in a row as such hitherto. Since 2002 is a historical success in Turkish politics as such a political occasion has not occurred. More remarkably, the AK party gained higher votes every time it ran for the elections – as aforementioned. A paradigm shift towards a democratic rights discourse in Islamic politics is enlightening the AKP's electoral success. Although this shift has crucial effects on democratic development in Turkey, it testifies to the significance of social learning in divided societies.

Turkey is now governed by an Islamic-leaning party and since the AK party came into power debates on their vision on political, economic, social and cultural matters have been discussed in Turkey. All sorts of fears and disagreements that preoccupy most secular minds have come to the surface. There is a division on religious and secular lines which has always been sharp in Turkey, yet the resoluteness of the AKP's victory almost caused a sense of despair among secular-minded Turks. Because, the main apprehension for secular Turks is fear of losing the long secular tradition and perhaps being forced to live under some Islamic rules. As a result, for the secular eye, the election results of the AKP are a defiance of the secular principles of the Republic. There is no indication about any intention to the AKP alters Turkey's existing secular system because of the AKP leadership's has continuous conciliatory movements; however, for Kemalists approach which is a modernisation philosophy guided the transition

between Ottoman Empire to the secular, unitary Republic of Turkey, the AKP still remains a threat to the inherited system of the country. Moreover, People's Republican Party (CHP), the opposition party in parliament and the main political voice of the Kemalist line, claims that the AKP has a hidden agenda to overturn the secular system. Not only the CHP has this outlook but also the Turkish Army has expressed the similar view.

However, the party leadership of the AKP is keen not to run a religious agenda. Furthermore, during the election campaign and after, the party continuously reiterated its loyalty to the main principles of the secular system. Thus, the level of formal politics in Turkey has shown deep divisions between Islamic and secular groups. The leader of the AKP, Tayyip Erdogan, in a post-election interview with Lally Weymouth (2002) of *The Washington Post* indicated this commitment clearly:

Weymouth: *In the West, some fear that your party is a threat to the secular state. Is this so?*

Erdogan: Our party sees secularism as an important segment of democracy. Secularism establishes the administrative structure of this country.

Weymouth: *People in the West admire Turkey as a secular, democratic, Muslim country. They are worried that your party is really an Islamic party that will change the nation's character.*

Erdogan: Our political party is not Islamic. It is not based on religion. A political party cannot be Islamist. It cannot be for Islam. These are inaccurate terminologies. Islam is a religion, and a party is just a political institution.

Acknowledgement by the AKP of the most essential secular principle, the separation of religious and political affairs, is of primary importance in enhancement of democratic aspirations in Turkey.

Democratic credentials of the AKP's have frequently been tested by various nationalist arguments who are accusing the AKP leadership of being too soft on the issues such as the Kurdish Question. The core of the matter has always been the Kurdish issue to which the AKP's response has been increasingly authoritarian in style, particularly in light of escalation of clashes between the Turkish Army and the Kurdistan Workers' Party (PKK) since 2007.

3: AKP's Agenda: The Kurdish Question and the New Constitution

The most crucial issue facing the AKP is the Kurdish problem at home. The Kurdish conflict in Turkey, what has come to be known as the 'Kurdish Question', has deep historical and cultural roots which can be traced back to the Ottoman Empire and its' demise. Efforts by the Kurds in the broader region, which encompasses the Kurdish populations in Syria, Iran and Iraq, to move towards self-determination, political representation, freedom from discrimination, and recognition of their identity as an ethnic group, have continuously been marred by suppression and violence by the Turkish government. Undoubtedly, the complex and divergent attitudes towards the Kurds, their demands and their situation have all delayed progress and impeded the achievement of a satisfactory solution (Tezcur 2013).

The 'classical approach' the current government, the AKP has employed throughout the years in order to solve the Kurdish Question has historically been one of military intervention, dedicated primarily to the PKK's oppression leading to grave abuses of human rights, fierce conduct and killings, thus resulting in an ongoing struggle between the state and the PKK. Ever since the 1920s, the political and social attitude of Turkey's governments towards Kurdish demands and interests have been met by rejection, intolerance as well as marginalisation.

The Kurds, Turkey's largest minority group geographically located in southeast Turkey, have posed what is identified as the 'biggest threat to the formation of a homogenous Turkish nation-state' (Taspinar 2006, iv; Bozarslan 2008, 333). The successive policies and attitudes

of the state have thus denied the presence of the Kurds as a distinct ethnic group in the diverse population of the country, and the pursuit of an official policy of ‘Turkification’ and integration has given rise to a prolonged armed conflict. Strategies followed since the founding of the Turkish Republic, which draw on the secular Kemalist ideology within their endeavours to construct a national Turkish identity and society, have proven to be unsuccessful in unknotting the Kurdish Question (Yildiz 2013, 152).

The Turkish government suppressed revolts, enforced displacement, criminalised language and culture akin, and arbitrarily imprisoned Kurds amounting to a *blanket denial* of the Kurdish Question, and have additionally set up a distinctive ban around the Kurdish minority in not only Turkish politics but also within the society altogether. Such a classical approach has resulted in Turkey’s Kurds becoming increasingly alienated and disenfranchised (Yildiz 2013).

In fact, the lack of an effective conflict resolution process and national unanimity has served as the leading obstacles to bringing the conflict to a halt and attaining a peace agreement that is sustainable. Academic literature germane to ethnic conflict resolution stresses on the willingness on the parts of the applicable parties to negotiate and accept conciliation as an imperative factor in successfully resolving ethno-nationalist conflicts (see Wolff 2006; Heiberg, O’Leary and Tirman 2007). A state affairs as such also illuminates the sluggish pace of the reforms that Turkey has been carrying out in recent years to enhance the political rights of the Kurds. So far, the stride of the reform has largely focused on Turkey’s aspirations to fulfil the conditions of membership for entry to the European Union (EU) (Gunes 2013).

The AKP government has in various ways been more pro-active than any previous government, not least by recognising that there are problems that must to be addressed. One the key steps instigated by the government, which shows that the mistakes made in the past are not to be reiterated, is its 2009 proposal of a much publicised initiative en route to find a

solution to the Kurdish Question, widely referred to as the 'Democratic Opening' or the 'Kurdish Opening'. This initiative revolves around a dialogue of a novel, more enhanced and democratic constitution in Turkey, which would entail the security of minorities and the advancement of civil liberties.

Acknowledging the Kurdish Question, may be viewed as the most progressive result of any swing in approach regarding state policy until this point; and it ought to be highlighted that this harbours the possibility of not only benefitting Kurds but Turkish society. Yet, regardless of initial optimism that the Democratic Opening might tolerate the Kurds to progressively begin to lengthen their basic rights and ultimately maintain a specific degree of freedom of cultural and political manifestation within the confines of the current political structures in Turkey, the progress achieved so far has been inadequate - hence, opening invitation to an unwise optimism. The initial impetus behind the Democratic Opening seems to have diminished since 2009 and a reformed constitution, albeit under discussion, has not been drafted yet. During its creation, the Democratic Opening created a renewed sense of hope in the Turkish public. It was generally observed that the move signified a step towards dialogue, and that it would comprise all sides as well as the public. The government received vast support across the political spectrum and throughout civil society for this launching this (apparently) successful initiative. Which subsequently elucidated itself merely as a superficial success. (Yildiz 2013).

Many in the Kurdish lobby stayed dubious throughout, assuming that the Opening was not proceeding far enough in reforming Turkey. Kurdish critics argued that the Kurdish Opening has been falling short of responding to the requests of the Kurds with the Prime Minister failing to include Kurdish voices in the initiative adequately. In facing criticisms as such, Erdogan insisted that the Opening was still in place and that the government was to adamantly stand behind it (Nykanen 2013).

That said, in order for the government to push ahead with its reforms and plans for a solution to the Kurdish Question, this essay suggests that the AKP government should improve relations and therefore build partnership with opposition parties. However, this is not a simple task (Yildiz 2012). The main opposition parties - the CHP and the MHP - continued to strongly oppose the initiative, asserting that Erdogan was swimming in dangerous waters by compromising Turkey's security for political gains (Nykanen 2013) and on the grounds that such a recognition will also result in separatism and weaken the existing notions of nation and citizenship enshrined in the Constitution. This lack of consensus has presented itself as a major barrier. (Gunes 2013; Zaman 2013).

The argument above could take place if the parties in question were appreciative of the power of sharing that is required to reach a sustainable peace agreement. Of importance is for these parties to be able to empathise with the present circumstances of Kurds in Turkey. The parties must understand that the opposition must be treated respectfully and as citizens, not as subjects; unfortunately this seems a remote possibility not least because the political parties in the government are unable to meet in common grounds let alone work the pro-Kurdish Peace and Democracy Party (BDP).

Therefore, it has become evident that this pressing issue has brought to the fore the ideological rigidity of Turkish nationalism and its reluctance to welcome the legitimacy of Kurdish political demands. The recognition of the Kurdish identity necessitates major changes in the identity of Turkey as a state. These can only happen if a genuine willingness and consensus to re-negotiate the concept of citizenship and universal rights (Gunes 2013). This assessment provides a leeway to depict the demands of the Kurds and their expectations regarding the current peace process.

The pro-Kurdish political parties have been articulating Kurdish identity and national demands within the confines of democracy and human rights, and, as an approach to bring the conflict to an end, they have set forth proposals to reform the prevailing political framework so to identify the Kurdish identity and national difference in Turkey. Initially, the pro-Kurdish parties campaigned more specifically on political reconciliation and a political solution to this political predicament. Gunes (2013) argues that a central demand of the pro-Kurdish democratic movement has been the recognition of the cultural and linguistic rights of Kurds, which is expressed in the following way in the programme of the current pro-Kurdish BDP:

“The right of every citizen, within the unity of the country, to express themselves freely, to develop their culture, to speak and develop their mother tongue, to be educated in it and use it in visual, auditory and written forms of media, are fundamental human rights and consequently they will be protected under the Constitution” (BDP 2008).

Additionally, releasing the political prisoners, predominantly PKK’s leader Abdullah Ocalan, who was largely kept incommunicado since July 2011 in the prison island of Imrali, has been a key demand raised by the PKK. However, this specific demand has sparked feelings of uneasiness in Ankara. But the novelty is not that the state is talking to Ocalan but that they now admit that this is a problem at stake and begs to be resolved. With regard to these preliminary negotiations, PKK guerrillas have (temporarily) offered to lay down their arms and have already started withdrawing from Turkey on May 08, 2013. Notwithstanding this development, Erdogan remains adamant about not releasing the PKK leader in that he even refuses to grant him house arrest. This jeopardises the success of the peace process specifically because Ocalan has thus far starred as an influential actor in the peace process by accepting to directly negotiate with government forces and convincing the rebels to declare ceasefire.

Although the PKK have taken such steps depicting their desire to end this conflict permanently, the Turkish government is yet to reveal an articulate package of what it promises to deliver to the PKK in return. He refuses to unveil what is in a peace process for the Kurds or what may have been promised to Ocalan by his messenger Fidan (Traynor and Letsch, 2013). This lack of candour is feeding mistrust and alienation on the Kurdish side.

Erdogan cannot shake hands with a fist; he must reciprocate these steps taken by Ocalan and the PKK, in an explicit manner before the firmly closed fist strikes him hard.

The current peace process between the Turkish government and the PKK is likely to decrease the intensity of the violence but not necessarily bring it to a halt. The public debate regarding the Kurdish question has brought to the fore the ideological rigidity of Turkish nationalism and its hesitancy to accept the legitimacy of Kurdish political demands.

A reformist and inclusive brand new constitution has been promising by the AKP since 2009. Prime Minister Erdogan wanted to change Turkey's political system from its current parliamentary form to a presidential one. It has also will have to focus on *constitutional reforms* in order to find feasible solutions to Turkey's Kurdish dilemma. It seems that addressing domestic Kurdish discontent in the agenda of a new constitution will be an overwhelming challenge for the government.

Constitution drafting is not an easy workout; and the Turkish circumstance seems to be considerably tough because countries hardly ever find themselves in requirement of a new constitution, except in response to outstanding situations such as conquest, secession or regime change. However, Turkey's condition appears to be profoundly different because Turkey is going through a period of economic and political stability unprecedented in its past. This politicises the process more than one is used to seeing in other cases of constitution drafting. The challenge for the parties involved in this historic exercise is to be more

concerned with creating a fair and democratic political framework than calculating how their decisions will play out in the upcoming elections.

Untimely, the most essential question is whether the AKP will be able to change course and once again try to address Kurdish demands with the new constitution. Two fundamental stages in the drafting of the document will go a long way in diffusing tension: (1) removing ethnic attributes from Turkish citizenship (2) making Turkish 'the official' and not 'the only recognised' language of Turkey. These constitutional changes can pave the way to other crucial legal reforms such as the right to bilingual education. The AKP could also broaden and deepen its previous democratic opening by offering permission to Kurdish towns and villages to revert to their original names and allowing more room for local government and administrative decentralization. The party should know that only a more multicultural and less centralised Turkey will satisfy Kurdish demands.

The AKP has now full control over the superstructure of the state institutions for example universities, the judiciary system, and the military. It has launched the measures to construct a new constitution. It has three central aims consistent with the regime change which previous years have shown that: First one is the removal of all obstacles in front of the capital. This includes abolishing the social mechanisms created by the central state to regulate the markets, such as the application of single minimum wage throughout the country. In order to get rid of state regulations, they endorse the notion of localisation and decentralisation as the solution to the problems of Turkey. Additionally, in the constitution, education and health continue to be social rights under the onus of the state.

The second aim is to get rid of all definitions that restrict Turkey into its own national territories. The AKP has established consent from the United States for expanding into the borders of Turkey's neighbours if conceivable territorially or at least in terms of political and economic impact. Hence, the AKP has been attempting to distort the national borders of the

country. The third and final goal is the Islamisation of the daily social life as well as politics. The new constitution will deliver the final viewpoint against the secular characteristic of the country while also principally undermining women rights and the rights of non-Sunni sectors of society, namely, the Alawites.



Conclusion: What Liberal Political Society Is Possible in Modern Day Turkey?

In our contemporary life, the view of John Rawls addresses not only philosophers but also citizens, by placing the following question at the core of political theorising: Is it possible for people divided at the fundamental levels to nonetheless reach a stable consensus on a single conception of political justice? This study has put to the fore that the answer which has been provided according to Rawls' theories might offer a common ground between different identities in modern day Turkey.

The dissertation's starting point in this exploration is a claim about Rawls' theory which is *justice as fairness as a political conception* which has been presented as an alternative political approach in Turkey. Putting Rawlsian justice under scrutiny, it shall come to discover an understanding of Rawlsian justice might be a desirable theory for the modern political era in Turkey. According to hypothesis presented here, Rawls' *reasonable comprehensive doctrine* which can include such as religion, political ideology and morals domain could be oriented to mutual understanding between Islamic and secular forces within the Turkish public sphere which could enhance the possibility that an adequate framework for reconciling differences can be established.

In Turkish politics there is a relentless contest amid secular and Islamic ideas. Although, the level of formal politics in Turkey has revealed deep divisions between both the Islamic and secular groups, there is merely a small possibility that these divisions which are endemic to Turkish social and political life, can be reconciled within the boundaries of formal politics. While the commonalities between Islamic and secular lines are larger than one could expect, making those commonalities functional in the sense that they contribute to the formation of a democratic polity around which different groups could gather regardless of background requires an alternative way of conceiving the democratic process.

Rawls' concern with stability is addressed by relying on the reasonableness of citizens in a liberal society for support of the political values serve as the basis for the political conception of justice. Rawls's idea of reasonableness as the willingness of citizens to assign primacy to political values even when they come into conflict with their own moral and religious values. Thus, the *reasonable comprehensive doctrine* offers this possibility which Rawls's contemporary political liberalism offers a more superior form of religious tolerance. Turkey's current dilemma, between Islamic and secular groups may be resolved if Rawls's *reasonable comprehensive doctrine* can secure a place in the public sphere to function towards enhancement of mutual understanding between conflicting groups.

Apart from the contest between secular and Islamic ideas, Rawls' ideas can be a blueprint for the maturity of the *Kurdish Question* which is combined with Turkey's prime minister, Erdogan's realisation that Turkey cannot hope to play a central role in the region without resolving its Kurdish issue, now make the solution of the Kurdish issue inevitable. From the conundrum of Turkey's agenda regarding the Kurdish Question, liberal doctrines such as the *modus vivendi* liberalism and the liberalism of fear might be inadequate in terms of sustaining a stable and harmonised society; instead, Rawls' theories might be more approachable for the public sphere of Turkey in terms of eradicating current clashes.

According to Rawls the commitment to reasonableness is a necessary but not sufficient condition for stability. Stability also requires a public conception of justice that is 'willingly and freely' reinforced by a majority of citizens, and that citizens continue to affirm the conception even in the face of changes in their own personal circumstances, their religious, moral, or philosophical commitments, or their access to political power. Therefore, this is an idea of overlapping consensus which Rawls asserts an overlapping consensus is not a mere *modus vivendi* because it is a sort of strategic agreement or treaty which is public knowledge that no party has adequate incentive, in the current circumstances, to violate.

The study's principal aim is to neither bury the modus vivendi liberalism and the liberalism of fear nor to praise them. Rather, the purpose is assessing the modus vivendi liberalism and liberalism of fear as an alternative model for the Turkish society. However, both ideas appear an inappropriate way of thinking about a legitimate political settlement of Turkey.

Acknowledging that the modus vivendi method does not provide the deep moral consensus that many liberals demand. The dissertation claims that the modus vivendi liberalism is not a robust and feasible idea because of being unstable; that it is indeterminate; that can be unjust or immoral; and that it privileges a narrow and contestable conception of value which reveals that this theory is not unsatisfactory in Turkey from perspective of Kurdish dilemma.

That said, the current circumstances being the Kurdish dilemma and its implications on Turkey 'Modus Vivendi Liberalism' may not appear to be well-accommodated in the country because the conditions of the agreement is adhered to for pragmatic, not moral grounds.

Consequently, both the terms of the treaty and the degree of adherence to it depend on contingent factors, such as the balance of power. An overlapping consensus differs in each respect. First, the object of the consensus, the political conception of justice, is based on moral grounds—it is advanced from significant notions in the public political culture. Second, the political idea is recognised on moral grounds—grounds internal to each ample doctrine. Finally, support for the political notion is not reliant on the balance of power. Those whose comprehensive doctrine becomes predominant will not extract their support for it. Thus, it can be concluded that Rawls' doctrines more approachable.

In compliance to Rawls, Shaklar has argued that liberalism should be understood as a political doctrine. From Shaklar's points of view, liberalism is a political conception, 'because the fear and favour that have always inhibited freedom are overwhelmingly generated by governments, both formal and informal' (Shaklar 1989, 21). Shaklar argues that a liberal political notion of justice is the best means by which to protect individuals from the

tyranny of abusive governments and the injustices that are made possible by unequal distributions of socio-political power. As purported by Rawls, Shklar contends that her conception, the 'political liberalism of fear', proposals a 'neutral' paradigm in that it is not precisely or necessarily 'linked to any religious or scientific doctrine' (Shklar 1989, 24). Since the fear of cruelty is universal, Shklar considers that the objective of her type of political liberalism, freedom from fear and cruelty, can indeed be realised.

Nevertheless, Shklar (1989) attacks the aim of achieving a shared political conception of justice as utopian and dangerous. It might be asserted that Rawls' theory is much more compelling political philosophy for the Turkish Question. It might be significant to remind that, there is a tension between the self and the state, but the two need not always be adversarial. Williams may be correct that liberalism of fear may give rise to a new politics of hope, but this study argues that the politics is best addressed by John Rawls's theory of 'reasonable comprehensive doctrine'. Because as Brooks cities that the liberalism of fear is a view of perpetual anxiety and antagonism, he also adds that 'the reason the great majority fear punishment, but because we accept the laws we uphold' (2011, 59). Therefore, Rawls' theory to accord best with the Turkish political life.

Although Williams (2005) has positive remarks in favour of the liberalism of fear.

Brooks(2011) has argued that republicanism shares much with what constitutes the liberalism of fear. Moreover, Brooks points out that there is a clear difference between the liberalism of fear and republicanism. Although there is a close affinity between republicanism and the liberalism of fear, this study claims that albeit Turkey is officially a republican country, the liberalism of fear is not suitable to Turkey because its' policies are not compatible. To illustrate this assumption, had the pressure of fear been dominant on the Kurdish minority in Turkey, this conflict would not have been on-going for three decades. This implies that the Kurds are not restrained by any form of fear.

The question that needs to be addressed, then, is: how feasible is the concept of political liberalism? Or, to be more specific, does the concept of political liberalism offer a feasible solution to the problem of political stability in contemporary liberal democracies such as Turkey? Though the viability of the concept of political liberalism has been discussed a great deal in this dissertation, a significant but of the analyses has focused almost exclusively on Rawls' conception of political liberalism.

Aside from Rawls' theories which debate the feasibility and potential value of the concept of political liberalism, the study also directly addresses the issue of political stability in Turkey one that seems to become more prominent and its resolution more urgent with each passing day. Evidence to support this last assertion is, unfortunately, all too plentiful. Indeed, with frightening regularity the daily news heralds the eruption of new or re-emergent ethnic, cultural and religious quarrels; gradually but continuously, it seems, an ever-greater percentage of the globe is being consumed by socio-political unrest and upheaval and armed conflict in Turkey.

The author believes, to bury one's head in the sand and wit in blissful ignorance for the inevitable calamity; to fail to acknowledge the urgent need to fragmentation and polarization of humanity is to leave a festering infection untreated and suffer the consequences of this neglect. With this foresight in mind, although there are the theoretical links among the three conceptions of political liberalism namely, the modus vivendi liberalism, the liberalism of fear and justice as fairness as a political conception the value of the project of Rawls' political liberalism is clear and much more approachable in modern day Turkey.

It is suggested that, as a consequence of mass migration, new technologies of communication and continued cultural experimentation is experienced not only in the Turkish society but also nearly all modern societies today contain several ways of living, with different people having different lifestyles. Although It is not possible to claim that a single way of life is best

for humankind, it is better to begin by understanding why conflict, in Turkey, cannot be avoided and toleration has contributed immeasurably to human well-being like Rawls provided by his theories which is grounded on humane and tolerant of group differences.



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