

UĞURCAN ÇELİK

CONSCIENTIOUS OBJECTION IN TURKEY

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CONSCIENTIOUS OBJECTION IN TURKEY:
INVESTIGATION OF THE POSSIBILITY OF
DEFINING THE CONCEPT AS A GENERAL
OBJECTION CATEGORY

A Master's Thesis

by
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Ankara

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To the exiled souls of the world



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The Graduate School of Economics and Social Sciences of
İhsan Doğramacı Bilkent University

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I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality,
as a thesis for the degree of Master of Political Science and Public Administration.

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ABSTRACT

CONSCIENTIOUS OBJECTION IN TURKEY: INVESTIGATION OF THE POSSIBILITY OF DEFINING THE CONCEPT AS A GENERAL OBJECTION CATEGORY

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Conscientious objection (CO) entered Turkish literature in 1990 as refusal of conscription. Since then, the reasons for CO's objections have diversified. In the literature, CO has two definitions: narrow and broad. According to the narrow definition, CO is refusing conscription. The broad definition can be summarized as an agent's objection to complying with a rule, principle, or social norm for various reasons. As a general category of objection, CO is conceptualized in the literature comparatively with civil disobedience. It is defined as a moral objection to obtaining a personal exemption, while civil disobedience is considered a political act of violation of the law by a collectivity to get the law changed/revised/abrogated. CO studies in Turkish literature have been limited to the narrow definition of the concept, and the subject is discussed concerning

citizenship, militarism, actors, and law. This thesis deals with the problem of the limitation of approach in the Turkish literature on the concept. In this respect, it analyzes whether CO can be conceptualized as a general objection category and not limited to refusing conscription. Two methods are used in this study: a content analysis of the *Amargi* journal, published by an anarchist group, including COs, in Izmir between 1991-1994, in which CO is frequently discussed, and semi-structured in-depth interviews with 12 COs. In the conclusion, I argue that the concept is considered in a broader context even by COs who reject conscription.

Keywords: conscientious objection, Amargi, civil disobedience, general objection category, Turkey

ÖZET

TÜRKİYE'DE VİCDANİ RET: KAVRAMIN GENEL BİR İTİRAZ KATEGORİSİ OLARAK TANIMLANMASI OLASILIĞININ ARAŞTIRILMASI

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Yüksek Lisans, Siyaset Bilimi ve Kamu
Yönetimi Bölümü

Tez Danışmanı: Dr. Öğretim Üyesi Başak İnce

Ağustos 2023

Vicdani ret, Türkiye literatürüne 1990 yılında zorunlu askerliğin reddi bağlamında girmiştir. O tarihten bu yana vicdani retçilerin itirazlarının nedenleri çeşitlendi. Akademik literatürde vicdani ret kavramının dar ve geniş olmak üzere iki tanımı vardır. İlk tanıma göre vicdani ret, zorunlu askerliğin reddidir. Geniş tanım, bir failin çeşitli nedenlerle bir kurala, ilkeye veya sosyal norma uymaya itiraz etmesi olarak özetlenebilir. Genel bir itiraz kategorisi olarak vicdani ret, literatürde sivil itaatsizlikle karşılaştırmalı olarak kavramsallaştırılmaktadır. Vicdani ret, kişisel muafiyet elde etmeye yönelik ahlaki bir reddiye olarak kavramsallaştırılırken, sivil itaatsizlik, kanunun değiştirilmesi/revize edilmesi/ilga edilmesiamacıyla bir kolektivite tarafından yasanın ihlal edilmesi biçiminde ortaya çıkan politik bir eylem olarak değerlendirilmektedir. Türkiye literatüründe vicdani ret çalışmaları kavramın dar tanımıyla sınırlı tutulmuş; konu vatandaşlık, militarizm, aktörler ve hukuk bağlamında ele alınmıştır. Bu tez, kavramla ilgili Türkçe literatürdeki yaklaşımın sınırlılığı sorununu ele almaktadır. Bu bağlamda vicdani reddin zorunlu askerliğin reddiyle sınırlı olmayan genel bir ret kategorisi olarak kavramsallaştırılıp kavramsallaştırılamayacağı analiz edilmektedir. Çalışmada iki

yöntem kullanılmıştır: 1991-1994 yılları arasında İzmir'de içinde vicdani retçilerin de olduğu anarşist bir grup tarafından yayınlanan, vicdani reddin sıklıkla tartışıldığı Amargi dergisinin içerik analizi ve vicdani retçilerle yapılan yarı yapılandırılmış derinlemesine görüşmeler. Sonuç bölümünde ise kavramın askerliği reddeden vicdani retçiler tarafından bile daha geniş bir bağlamda ele alındığı savunulmaktadır.

Anahtar Kelimeler: vicdani ret, Amargi, sivil itaatsizlik, genel itiraz kategorisi, Türkiye



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TABLE OF CONTENTS

ABSTRACT.....	i
ÖZET.....	iii
ACKNOWLEDGEMENTS.....	v
TABLE OF CONTENTS.....	vii
LIST OF ABBREVIATIONS.....	ix
CHAPTER I: INTRODUCTION.....	1
1.1. Conscientious Objection as Phenomenon.....	3
1.2. Problem Statement and the Gap in the Literature.....	4
1.3. Research Question and the Method.....	7
1.4. Outline of the Study.....	11
CHAPTER II: STATE OF ART AND THEORETICAL BACKGROUND.....	13
2.1. Defining Conscientious Objection.....	14
2.2. Historical Origin and Meaning of CO.....	14
2.3. Civil Disobedience and Conscientious Objection.....	23
2.4. Conscientious Objection in Turkey.....	39
2.4.1. Literature on the Case of Turkey.....	46
CHAPTER III: THE ANARCHIST ORIGIN OF CONSCIENTIOUS OBJECTION IN TURKEY: AMARGİ.....	52
3.1. What Kind of Journal Was <i>Amargi</i> ?.....	53
3.2. Antimilitarist Positioning of <i>Amargi</i>	57
3.3. Conscientious Objection as an Action Plan.....	61
3.3.1. Negative Understanding of Politics.....	62
3.3.2. Termination of Contract.....	64
3.3.3. Content of the Rejection.....	65
3.4. Concluding Remarks.....	67
CHAPTER IV: EXPLORING CONSCIENTIOUS OBJECTION THROUGH PERSONAL NARRATIVES.....	69
4.1. Conceptualizing an Action: Definition of Conscientious Objection.....	71
4.1.1. Conscientious Objection as an Act of Civil Disobedience.....	72

4.1.2. Conscientious Objection as a Stance in Life.....	77
4.1.3. Conscientious Objection as an Act of Making a Promise and a Call...81	
4.2. ‘Dirty Peace’: Militarism.....	84
4.2.1. Militarism as the Organization of Society.....	84
4.2.2. Militarism as the Organization of Violence.....	87
4.3. Different Conscientious Objections.....	90
4.3.1. Objections of Non-Obligated.....	92
4.3.1.1 Women Conscientious Objectors as Manifestation of Their Existence.....	95
4.3.1. Women Conscientious Objectors as a Source of Inspiration.....	96
4.3.2. Different Grounds for Objection.....	97
4.4. Is the Suggested Solution Making Legal Regulation?.....	100
4.5. Concluding Remarks.....	104
CHAPTER V: CONCLUSION.....	106
REFERENCES.....	111
APPENDICES	
A – LIST OF INTERVIEWEES.....	118
B – INTERVIEW QUESTIONS.....	119
C – TURKISH VERSION OF TAYFUN GÖNÜL’S CONSCIENTIOUS OBJECTION DECLARATION.....	123

LIST OF ABBREVIATIONS

CO	Conscientious Objection
COr	Conscientious Objector
COrs	Conscientious Objectors
CD	Civil Disobedience
ECHR	European Court of Human Rights
VRD	Vicdani Ret İzleme
VRD	Vicdani Ret Derneđi
SKD	Savaş Karşıtları Derneđi
İSKD	İzmir Savaş Karşıtları Derneđi

CHAPTER I

INTRODUCTION

If I know that in this hotel room, they have food every day, and I'm knocking on the door every day to eat, and they open the door, let me see the party, let me see them throwing salami all over; I mean, just throwing food around [and] they're telling me there's no food. Every day, I'm standing outside trying to sing my way in: 'We are hungry; please let us in. We are hungry; please let us in.' After about a week, that song is gonna change to, 'We hungry, we need some food.' After two, three weeks, it's like, 'Give me the food, or I'm breaking down the door.' After a year, you're just like, 'I'm picking the lock, coming through the door blasting!' It's like, you hungry, you reached your level. We asked ten years ago. We was asking with the [Black] Panthers. We was asking with the Civil Rights Movement. We was asking. Those people that asked are dead and in jail. So now what do you think we're gonna do? Ask? (Lazin, 2003)

The political struggle is also the struggle for the appropriation of words (Ranciere, 2010a, p. 91).

Bartleby, the main character of Henry Melville's novel (2010) *Bartleby, The Scrivener*, is a disobedient who infuriates everyone around him. He does not "prefer to" do anything he does not want (Melville, 2010, p. 17). After being hired, just as demanded, he begins not to fulfill the tasks requested from him when he is someone who "writes without making a sound, like a machine," and he does not feel the need to explain his reasons while doing this. His disobedience

manifests itself in almost everything: he refuses to do the re-reading demanded of him, to handle his boss' errands, or to read the newspaper in his spare time. Henry Melville (2010) does not explain the reasons for this refusal—except for a short anecdote shared at the end of the novel that his work before working at the law firm may have been the reason for his demeanor (pp. 63-64). All we know is the disobedience of this calm, feeble, and polite man, which has come to the point of shaking the whole order.

This story should not be seen as just a sad and, at the same time, a frustrating slice of life of a strange – and for some, freaky – man. In the famous words of Karl Marx (1990) in *Das Kapital*: “De te fabula narratur” (The tale is told of you) (p. 90). Like the clerk Bartleby, we all have to do dozens of things in our daily lives, sometimes voluntarily and sometimes unwillingly (Melville, 2010). These fulfilments are sometimes forced by the legal/bureaucratic relations to which we are subject, sometimes based on the fact that we are a ‘zoon politikon,’ etc. As we can volunteer to fulfill all these things, sometimes we can reject all of them and sometimes some of them. Our justifications may differ: ethical, religious, political, conscientious, moral, philosophical, etc. For example, vegan activists reject the use of medicinal products obtained as a result of testing on animals for ethical, political, and conscientious reasons and encourage the same attitude. Another example is refusing to receive the COVID-19 vaccine, perhaps the most massive form of protest in recent years. Examples of individual and collective objection forms like these can be multiplied. The crucial problem for the social sciences is to analyze these forms of objection in a conceptually coherent framework.

In this respect, this thesis scrutinizes one of these forms of objection, conscientious objection (hereafter CO), by focusing on the rich case of Turkey. The concept of CO entered Turkish political life in the context of rejecting compulsory military service. As a result of this, CO has been studied in the literature, based on this definition, by limiting it either to its legal dimension or to its relation with anti-militarism (Altınay, 2004; Gürcan, 2007; Çınar & Üsterci, 2008; Turhan, 2008; Başkent, 2010; Yıldırım, 2010; Esmer, 2012; Evren, 2012; Rumelili et al., 2012; Sapmaz, 2012; Kesikli, 2013; Öğünç, 2013; Çınar, 2014; Arslan, 2015; Kemerli, 2015; Durgun, 2019; Kemerli, 2019a; Kemerli, 2019b; Kılıç, 2019; Çaltekin, 2022). However, although CO is primarily discussed in the context of compulsory military service in the world literature, it is not a limited concept (Cohen, 1968; Bedau, 1991; Burk, 1995; Allan, 1996; Rawls, 1999; Schinkel, 2006; Raz, 2009; Brownlee, 2012; Cooke & Petherbridge, 2016). This thesis examines whether the definition in the literature can be broadened based on how conscientious objectors (hereafter COs) who reject conscription define the concept.

1.1. Conscientious Objection as Phenomenon

CO, in its broadest definition, is when a person feels compelled to act otherwise against an expected action. (As cited in Schinkel, 2006, p. 490). The reasons for this objection, the characterization of the ‘conscientious’ dimension of the refusal, whether it has political implications, whether it can take the form of a collective refusal, and the cases where it is just/unjust constitute the literature in which the definition of the concept is elaborated and discussed. As Cohen (1968) pointed

out, although CO is almost always thought of in the context of military conscription, this is not the only sphere in which it is applicable, and it can take different forms of objection (p. 270).

The way thinkers such as Rawls (1999), Arendt (1972), and Raz (2009) handled the concept in the 1970s also supports this claim. The concept of CO has not been discussed only in the context of compulsory military service by these thinkers. It has been accepted that it may include other refusals as a category of objection in its own right and has been conceptualized accordingly. However, since the 20th century was an age of wars and the acceptance of the right to life as an absolute right became widespread, CO was often discused in the context of compulsory military service. In recent years, studies especially in the field of education and health (Rice, 1978; Joseph & Efron, 1993; Grady, 2006; Beal & Cappiello, 2008; Catlin et al., 2008; Wicclair, 2008; Morton, 2009; Olson, 2009; Ford et al., 2010; Santoro & Morehouse, 2011; Wicclair, 2011; Davis et al., 2012; Morrison, 2014; Santoro, 2017; Alegre, 2019; Lamb et al., 2019; Tongue, 2022; Valero, 2022) have led to the development of the idea that the concept is a form of objection that can be put forward in different fields. Therefore, although it is widely believed that CO is limited to the refusal of conscription, it should be kept in mind that the concept implies a more general category of objection.

1.2. Problem Statement and the Gap in the Literature

The literature examining the example of Turkey on CO treats the concept as the rejection of compulsory military service (Altınay, 2004; Gürcan, 2007; Çınar & Üsterci, 2008; Turhan, 2008; Başkent, 2010; Yıldırım, 2010; Esmer, 2012; Evren,

2012; Rumelili et al., 2012; Sapmaz, 2012; Kesikli, 2013; Öğünç, 2013; Çınar, 2014; Arslan, 2015; Kemerli, 2015; Durgun, 2019; Kemerli, 2019a; Kemerli, 2019b; Kılıç, 2019; Çaltekin, 2022). The main reason for this is that the concept entered the political life of Turkey in 1990 when Tayfun Gönül and Vedat Zencir were rejecting compulsory military service (Gönül, 1990, p. 6; Zencir, 1990, p. 9). Thus, the literature since Henry David Thoreau (1849), which discusses the forms of disobedience and which is not limited to conscription but also includes other forms of disobedience/rejection, has been ignored, and the concept has been examined regarding its narrow meaning in the context of Turkey. As a result, studies on the subject have generally taken four approaches: 1. The legal approach that CO is a human right that is evaluated in the context of freedom of religion and conscience by the European Court of Human Rights (ECHR) and similar international authorities and by many international conventions (Gürçan, 2007; Can, 2008; Üçpınar, 2008; Yıldırım, 2010; Evren, 2012; Rumelili et al., 2012; Çınar, 2014; Kılıç, 2019; Çaltekin, 2022); 2. Approach in the context of actors explaining CO (Altınay, 2008; Öğünç, 2013; Arslan, 2015; Kemerli, 2015; Durgun, 2019; Kemerli, 2019a; Kemerli, 2019b); 3. CO approach as an anti-militarist opposition (Altınay, 2004; Üsterci & Çınar, 2008; Başkent, 2010; Kesikli, 2013); 4. Approach to CO in the context of citizenship (Erdem & Başkır, 2012; Sapmaz, 2012; Alkan & Zeybek, 2014)

Any form of disobedience should not be understood as CO. There are various ways to oppose “...unjust regimes, from CD and CO to militant resistance and revolution” (Rawls, 1999, p. 8). In the relevant literature, CO and civil disobedience (hereafter CD) are conceptualized as a form of objection that “accept

the modern democratic legal order and its moral framework and neither serve an extra-legal formation such as a right of resistance nor a state of emergency,” differentiating it from other forms of objection (Celebi, 2011, p. 81). In other words, these two forms of objection are considered as ways of struggle/intervention within the system. However, the primary differentiation between the two concepts is evaluated in the context of their relation to the political. CD is considered an illegal but legitimate, non-violent form of public action aimed at redressing an injustice within the political order (Rawls, 1999; Bedau, 1961). It is argued, however, that CO is argued to be a form of moral but not a political objection that can take the form of CD (Rawls, 1999, p. 323). It should be noted that all these distinctions do not have to adapt to every situation and should be considered as ideal types. One form of objection may associate with another and evolve into it; it can flow into something other than what it is, so to speak. Therefore, it would not be correct and sufficient to treat CO always as an act of CD or always as an individual moral stance. This attitude is not compatible with the fluidity of social life.

The literature examining CO in Turkey ignores this nuance and limits the definition of the concept to the refusal of conscription. In most studies, CO is defined as an act of CD, and both the conceptual difference in the relevant literature and the individual or collective attitudes of COs are ignored.

When Ishtar, the curious child from the movie *Bab'aziz*, asks her grandfather why people trying to go to the same place go by different routes, the answer he gets is:

“There are as many paths to the truth as there are people in the world” (Khemir, 2005). Not every individual or group of people, as a collective, is easily standardizable. Moreover, identifying and analyzing differences in attitudes makes it possible to understand social/political/economic issues better. A similar attitude should be followed in the issue of CO. Thus, the questions of what the differences and commonalities among COs are and how the form of objection they put forward can be conceptually handled within a categorical evaluation can be answered. In other words, CO does not always have to be an act of CD, and vice versa. Understanding this depends on examining both the origins of CO in Turkey and the ways in which the objectors put forward their objections.

1.3. Research Question and the Method

Two conclusions can be drawn from these evaluations of the CO literature in Turkey. First, the limitation of the concept to the refusal of conscription makes challenging the analysis of other forms of objection/denial/disobedience. The second consequence is that the potential differences and commonalities between acts of CO and CD are overlooked. This thesis aims to make a modest contribution to the CO literature in Turkey by trying to eliminate the conceptual blurring that appears in these two problem areas. Accordingly, the study’s main research question is: How do COs who reject conscription in Turkey define the concept, and does this definition match the limited approach in the literature?

In order to answer this research question, two data were used in the study: *Amargi*, which is the first magazine in Turkey to describe itself as an anarchist and whose editorial team/authors are mostly COs who reject compulsory military service,

and semi-structured in-depth interviews with 12 COs who refused conscription (In addition, a Jehovah's Witness, Osman, who did not identify himself as a CO was interviewed.)

First of all, the content analysis of *Amargi* (December 1991- August 1994) was made. There are two main reasons why *Amargi* is primarily analyzed. The first reason why *Amargi* is primarily studied is to be able to analyze the historical origins of CO and how it was conceptually presented in the process of its emergence. Secondly, the fact that some of the names who pioneered the introduction of this form of objection to Turkish political life are also among the writers of *Amargi* helps to identify the people who were planned to be interviewed. This point was critical in terms of including both the adventures of the first COs and their approaches to the course of the concept in the past. The reasons for choosing *Amargi* as a case can be listed as follows:

- It is the first journal to call itself anarchist, with a staff of mostly COs and anarchist writers, with many issues devoted to anti-militarism/CO.
- It is a platform that functions as a speaker's corner, where the idea of CO has just begun to be discussed, and from this aspect, we can get the first clues of conceptualization.
- Izmir War Resisters Association (*İzmir Savaş Karşıtları Derneği, İSKD*), which is one of the first examples of associations where political and legal struggles of COs are carried out, was established with the call of *Amargi* journal.

The second step of the research consists of semi-structured, in-depth interviews with people who have declared their refusal to do military service at different times and for different reasons. Although I claim that CO is used with a limited definition (as refusal of conscription) in the Turkish literature, the reason why I interviewed COs who refuse conscription is to test whether the objectors who refuse conscription limit the concept to this attitude. In other words, whether the definition of CO in Turkey can be broadened based on the meaning attributed to the concept by those who reject compulsory military service.

Thirteen interviews were conducted (See Appendix A), four of which were face-to-face and nine were online. It was taken into account that the interviewees should have declared their CO at different times and based on different reasons. The main sources that facilitate this selection are the texts of the CO statements presented on the website of the Conscientious Objection Association (*Vicdani Ret Derneği, VRD*) and the study called *Vicdani Ret Açıklamaları Almancağı* (The Almanac of Conscientious Objection Statements), edited by Can Başkent (2011a). In order to eliminate the situations where these two detailed sources are insufficient, the snowball sampling method was used, and the interviewees' suggestions were acted upon.

Despite the help of all these open sources, I had some challenges planning and conducting the interviews. I would like to meet with at least two more COs within the LGBTI+ movement. To accomplish this, I attempted to contact *Kaos*

GL and *Pembe Hayat* and request assistance. However, I chose to leave unanswered some of the questions and requests in the "academic research form" that *Pembe Hayat* required me to fill in to offer support (such as asking my opinions on LGBTIQ+s in general, being required to share the address of the house where I live, and my commitment to submit a sample of the research to the association after the research is completed), even if I found it is understandable in some respects, due to my political stance and approach to the subject. My request to contact *Kaos GL* was not met. Therefore, I could meet only one person involved in the movement, which I could reach through the people I talked to. Also, my attempt to interview COs who are Jehovah's Witnesses was limited to one interview- that person also chose not to describe himself as a CO. Even though he had done his military service, I chose to include this person in the study because he was categorically against it because the circumstances forced him to do so and because he had been in a military prison twice for refusing to touch a gun in the military.

Interviews allow for a direct and in-depth understanding of individual attitudes and approaches (Mosley, 2013, p. 2). Following this approach, a series of questions were asked, with a thematic distinction, for a holistic and in-depth analysis of the understanding and the meaning that COs ascribe to their own actions (reasons, motivations, etc.). These themes are personal experience, definition, antimilitarism, different reasons for being a CO, movement, citizenship, and approach to the state (See Appendix B). However, the interviewee was allowed to tell various anecdotes based on the implications of the question.

Thus, I hoped to be one step closer to analyzing one's intellectual approach to the concept.

The interviews were recorded with the help of a tape recorder. Before each interview, the interviewee was asked to carefully read all the issues in the Contents of the Informed Consent Form and to notify before the interview if there were any points that s/he did not approve of. Everyone interviewed declared that they approved all the issues in the form. Only one of them requested that the quotations to be used in the study related to the interview with her be forwarded to her before the study was published. A pseudonym was assigned to each of the interviewees. The names used in the study are not the real names of them.

After the interviews, each interview was verbatim transcribed and translated into English. In this way, it was possible to understand better some points that were overlooked during the meeting. Then, the answers given by considering the thematic distinction determined while preparing the questions were coded and included in the study.

1.4. Outline of the Study

Accordingly, the next chapter establishes the conceptual and theoretical framework for CO by examining the literature. Three bodies of literature are considered for a holistic analysis of the debate. First, I will consider how CO is defined in the relevant literature. Following this, I will try to detail the studies

examining CO in Turkey and identify the commonalities and differentiations between them. Finally, in order to support my argument, I will examine the differences and similarities of CO from other forms of objection and whether it is possible to have transitions between these forms of objection.

In the third chapter, I will briefly summarize the course of the concept of CO in Turkey. Then, in the same chapter, I will present *Amargi*'s content analysis to analyze how CO was conceptualized when it emerged in Turkey. This section allows us to examine how the origins of the concept were conceptualized in Turkey and whether the approach of first objectors to conscription allows for broadening the definition of the concept. This is important because, even as every idea can transform over time, following the traces of the lead approach that spawned it allows us to examine how it became known.

The fourth chapter presents an assessment of interviews with COs who have based their refusal on different grounds and who have historically made their statements at different times. In this way, I aim to prevent the ‘anarchist/anti-militarist’ narrative of the first objectors from limiting the research in a one-sided way. This point provides substantial clues in answering the main research question of the thesis.

The last chapter outlines this study's general conclusions and implications, and ends with suggestions on how future studies would elaborate CO in Turkey and different political contexts.

CHAPTER II

STATE OF ART AND THEORETICAL BACKGROUND

In this chapter, I will discuss the studies on the concept of CO in both world and Turkish literature. First, I present the phenomena of the concept's close connection with military service in conventional wisdom and examples of research that embraces this limited use of the concept. In the second section, I explore the historical justifications for this approach. Despite this widespread opinion, I present various examples from the fields of education and health in order to show that the concept has been defined to include other forms of objection, especially in recent studies, and that it has found other application areas. In the next section, I discuss the concept of CO in comparison with CD. Since such an approach is adopted, especially in studies in political/legal philosophy studies, I have adopted a similar approach in this study. In the last section, after briefly summarizing the history of CO in Turkey in the axis of prominent breakdown periods, I critically evaluate the literature consisting of studies on CO in Turkey.

2.1. Defining Conscientious Objection

While CO is defined as “an objection on the grounds of conscience to complying with a requirement” in the Oxford English Dictionary (n.d.), the first meaning of the concept in the Cambridge Dictionary (n.d.), which is frequently used by many students/researchers/curious people, is identified “the fact of refusing to join the armed forces or fight in a war for moral or religious reasons.” Besides refusing military service, CO as a general category of objection is mentioned as the second meaning in the same source. Similarly, the Turkish Language Institution (*Türk Dil Kurumu, TDK*) (n.d.) defines CO as “rejecting compulsory military service on the basis of political views, moral values or religious beliefs.” On the website of the frequently used French publishing house Larousse (n.d.), the same concept is referred to as “*refus de porter les armes*” (refusing to carry a gun). The German DWDS (n.d.) online dictionary states that the German word for CO, *Kriegsdienstverweigerung* combines of the words war, service, and rejection. As can be seen, there are differences in these sources in different languages that many people often use as to whether CO means refusing to bear arms or being part of the military or whether it is the name of a more general form of objection. Only in the Oxford English Dictionary (n.d.), the concept is primarily used to describe a general category of objection. It is clear, therefore, that the concept is often equated with the refusal of conscription.

2.2. Historical Origin and Meaning of CO

Conventional wisdom regarding CO is that it is a form of objection limited to refusing conscription. In some academic research, the concept is defined and handled similarly (Cohen, 1968; Burk, 1995). However, according to Moskos & Chambers II (1993), “the term ‘conscientious objector’ has a historical origin,

dating back to the 1890s when it was initially used to describe individuals who briefly resisted mandatory vaccination" (p. 11). Determining the reasons for this interesting difference that arises both in daily life and in some academic studies regarding the definition of the concept may be a good start.

People of the 20th century were born into war; they lived with it. While some of the people born in the late 19th or early 20th century tried to repair the devastation they inherited, and some of them have embarked on the preparation of a new war with the feeling of being wronged by the past or the motivations built from scratch and reinforced with the adjective 'more' (destructive, stronger, better, etc.). The end of these two historical periods, in which the darkest sides of man were exposed and millions of people were killed with great joy, coincided with the beginning of a war called 'cold,' where two great 'machines' avoided direct confrontation because it was not clear who would be victorious. During the 20th century, the smell of gunpowder was not gone from the world. Although gunshots were less audible, people who have acuity senses were aware of the odor of corpses and gunpowder that permeated all human activity.

There were also various developments in other aspects of the war front (bureaucracy, diplomacy, politics, etc.) that are now coded as 'positive.' The most important of these in terms of our subject is the Universal Declaration of Human Rights, adopted by the United Nations in 1948. This declaration states that everyone is equal regarding having the rights specified in the declaration, and the sanctity of human life was underlined. This maxim became the most crucial part

of the ideological apparatus of the capitalist countries as they gradually gained strength against the socialist bloc led by the USSR, and finally, with the dissolution of the USSR towards the end of the century. Democracy and capitalism, presented as if capitalism was a natural part of democracy, were marked as a must-reach 'wonderland' for all countries, and the idea of the sanctity of human life (perhaps the human 'resource') was part of the package. Thus, for some time now, the sanctity of human life has become a universally accepted phenomenon. However, the world has not been a 'wonderland.' States have continued to make military expenditures and to seek to create bigger/more powerful/more destructive weapons. Moreover, with the invasion of Iraq at the beginning of the 21st century, the USA proclaimed to the world that there was no limit to what it could do for the sake of imperialist ambitions. This was not an isolated example. At a stage where the sanctity of human life was tried to be shown as a phenomenon that was accepted without question, US soldiers continued to die on Vietnamese soil.

On the one hand, the idea that human life is a sacred and absolute right roamed the world like a ghost, while on the other hand, the paradox of states and their armies increasing in destructive capacity was clear. The spread of CO as the rejection of conscription was the disclosure of this contradiction. Every war has the potential to be a harbinger of peace. CO should be seen as such a phenomenon. Its spread and increased visibility came with the rejection of conscription. The internal and external campaigns against the injustice of the Vietnam War contributed significantly to this process (Raz, 2009, p. 264).

Therefore, the concept being equated with the refusal of conscription in most cases can be understood in view of this historical process.

It is possible to see the traces of this historical heritage in academic studies. Carl Cohen (1968) evaluates CO in the context of rejection of conscription. His article was written in 1968, in a political atmosphere where the anti-war movement was rising in the face of the Vietnam War, and even within the army, the numbers of those who thought this war was unfair and refused to participate were increasing day by day. Therefore, in a sense, he aimed to analyze the political conditions it is in. Nevertheless, Cohen (1968) prophesied that the concept itself may have a content that may transcend the context in which it deals and find application in other areas of law (p. 269).

For him, CO comes into question as soon as one feels that the law threatens one's own self (Cohen, 1968, p. 269). He believes that such legal protection should be provided. He does not think that it is right to discuss whether the person's conscientious reasons are right/just or wrong/unjust because it is enough for a person to have the thought that the law threatens his own self. Otherwise, the law takes on the mission of determining whether the CO's conscientious convictions are true or false. Cohen (1968) does not even discuss such an assessment; the objector is subjectively right (p. 270).

Recognizing the right of CO has two advantages over him. First, when such a right is granted, one's conscience ceases to be a 'burden' to the state. At the same

time, the person has the opportunity to live in the way he or she knows is right. Secondly, creating the opportunity for people with different values to live in the same society increases the diversity within the society and is necessary for the long life of the society (Cohen, 1968, p. 270).

James Burk (1995), who has a similar approach to Cohen in terms of the definition of CO, considers CO in terms of its relationship with citizenship as a status. According to him, the CO not only expresses his opposition to war but also resists exclusion, which may be the result of his refusal to do military service, which is encoded as a civic duty (Burk, 1995, pp. 511-512). For example, the effort to escape from exile takes the form of reminding society of some values (such as human rights) that were institutionalized after World War II and transcended national borders.

The CO's situation is similar to that of women and minority groups (African Americans, for example) in terms of the likelihood of exile because there is a prevailing opinion that all these groups must do 'something extra' in order to gain equal citizen status. For example, according to Burk (1995), African Americans in the United States are more willing to serve in the military to demonstrate their loyalty as citizens (p. 505). The irony of the similarity between COs and groups at risk of exile is that the CO takes the opposite stance, while other groups are willing to serve in the military (Burk, 1995, p. 524).

For Moskos & Chambers II (1993), this objection is central to the relationship between the state and the citizen (p. 3). The COr defies his duty to defend his country of citizenship. Therefore, it seems to empty the notion of the citizen, which is the founding subject of the modern state. However, according to Moskos & Chambers II (1993), the situation is more complex and paradoxical than it seems. What a person who has a duty to defend his country does, in a way, is to challenge the notion of citizenship. However, on the other hand, the increase in alternative service options, especially in Western democracies, resulted in expanding the areas considered as civic duty (Moskos & Chambers II, 1993, p. 206). Thus, the COr who accepts alternative service is faced with an insurmountable paradox (Total objectors should be separated here.)¹. Ulrich Bröckling (2009) draws attention to a similar paradox:

The authority that is expected to protect conscientious objectors is none other than the same one that necessitates this objection. The states that recognize the right to conscientious objection do not waive their right to wage wars. The antimilitarist struggle does not end with the legalization of conscientious objection. On the contrary, perhaps these two issues are becoming increasingly less relevant to one another (p. 59).

Although for a long time, it was equated with the rejection of compulsory military service, the point revealed by the literature, which has dealt with various forms of objection (revolution, CD, legal protest, CO) since the 1960s (Bedau, 1961; Arendt, 1972; Rawls, 1999), is that similar to the historical origin of the concept, CO has qualities that cover other fields of application. Especially in the studies conducted in the 21st century, the emphasis on the qualities of the concept that goes beyond an objection to military service has increased, and studies of CO

¹ Total or “universalistic” COs are those who reject all forms of compromise, including alternative civil service and are against all forms of war and militarism (see Moskos & Chamber, 1993, p. 193).

have increased, especially in the field of health and education (Rice, 1978; Joseph & Efron, 1993; Grady, 2006; Wicclair, 2008; Beal & Cappiello, 2008; Catlin et al., 2008; Morton, 2009; Olson, 2009; Ford et al., 2010; Santoro & Morehouse, 2011; Wicclair, 2011; Davis et al., 2012; Morrison, 2014; Santoro, 2017; Alegre, 2019; Lamb et al., 2019; Tongue, 2022; Valero, 2022).

Kristan Morrison (2014) questions whether homeschooling can be considered an act of CO in terms of rejecting other forms of education. In this direction, it tries to determine the similarities and differences between CO, which is conceptualized as the rejection of compulsory military service in daily life, and the decision to homeschool. The rationale behind this quest is that the parallelism between the two refusals allows to be thought of as similar forms of objection (Morrison, 2014, pp. 34-35). Morrison (2014) states that similarities can be detected in four titles. First, both forms of refusal are similar in their motivations. The motivations of those who decide to homeschool or those who refuse military service may be religious or secular concerning personal conscience. It may also include a desire for social change as well as a limited objection to a request for personal exemption (Morrison, 2014, pp. 35-39). The second point concerns the similar historical trajectory followed by both forms of refusal. CO is first met with intense hostility. Then, the seeds of suspicion that it can be a justified objection sprout, and in the meantime, alternatives begin to appear. Finally, it is accepted/legitimized in the mainstream (Morrison, 2014, pp. 39-41).

Another similarity is the similar taxonomies/typologies of actors and actions.

Morrison (2014) examines this similarity category under two headings: scope of beliefs and degree of willingness to cooperate with the state/level of confrontation with power. The attitude of a CO_r can be evaluated within a broad spectrum, from universalistic to discretionary. A universalist CO_r is based on a more radical opposition: (s)he can reject all wars, all schools, and all coercion. However, more moderately, s(he) can be selective. (S)he can stand against certain wars and a certain school/curriculum. At the other end of the spectrum is discretionary CO_r.

CO_r, in this category, is not against the entire military establishment or against the current war. However, he is against a particular part of the war, such as the use of chemical weapons. Likewise, the person does not mind being subject to compulsory education, but part of the relevant curriculum forms the basis of its refusal. The second title of this category actually parallels the scope of belief. The attitude of the universalist CO_r brings with it a "high level of confrontation." By contrast, discretionary CO_r involves lower levels of confrontation and higher cooperation (Morrison, 2014, pp. 41-46).

The final category of the template proposed by Morrison (2014) is the similar characteristics of actors. Similar demographic characteristics and educational backgrounds are evaluated in this category, and partnerships are determined (Morrison, 2014, p. 46). However, Morrison (2014) does not argue that this last category of similarity is decisive. She argues that this commonality can only be observed in the cases he considers (homeschooling decision and denial of compulsory military service) (Morrison, 2014, p. 46). Therefore, the last category may be ignored in an evaluation made from a broader perspective and with an

approach that goes beyond these two examples. Although Morrison's work (2014) offers the opportunity to expand the scope of application of the concept of CO and discusses it through the similarities/differences between the forms of objection, it is not sufficient to answer the question of how to define CO at the conceptual level. The reason is that she makes evaluations based on examples (rejection of compulsory military service and homeschooling decision). Thus, she is not concerned with the question of how to conceptually define CO. She takes for granted that the refusal of compulsory military service is a CO.

Grady (2006), with his striking work in the field of health, discusses pharmacists' refusal to fulfill the demands of those who apply to them in line with their ethical and moral preferences. Taking an incident in Michigan (a pharmacist's refusal to sell the morning-after pill to the applicant and to suggest another pharmacy that can make this sale), he argues:

When possible, the conscience and morals of a health care worker should be considered, so long as patients are being cared for and not overburdened by long drives through rural towns and not being shamed for what someone presumes to be an immoral lifestyle choice (Grady, 2006, p. 330).

Moreover, he points out that the case he is dealing with is more than an isolated incident, emphasizing that 30 states in the USA treat pharmacists' CO at different levels (Grady, 2006, p. 330).

Valero (2022) addresses the possibilities of recognizing CO as a right in areas other than compulsory military service by appealing to ECHR decisions. He underlines that the ECHR's assessment of Vahan Bayatyan's application, which

rejects compulsory military service in the context of freedom of thought, religion, and conscience (Article 9), is likely to turn a CO into a claim that includes health and similar fields. Moreover, he argues that it is an inconsistency that the court does not consider the applications of the applicants who have declared their CO in the field of health to be similar to the case of *Bayatyan v. Armenia*. According to him, the interpretation of CO to cover other areas is a necessity of ECHR decisions (Valero, 2022, p. 558).

I have tried to underline the necessity of addressing the problem of defining CO by presenting several striking case studies, especially in the field of education and health, in recent years. CO should be considered as a form of objection that includes and transcends the refusal of conscription. Discussions in the literature on this subject are generally based on the similarities and differences between CO and CD. Therefore, I think it is reasonable to follow such a path and consider the ‘broad’ definition of CO in the context of its relationship to CD.

2.3. Civil Disobedience and Conscientious Objection

At first glance, it seems a little strange to think that a man who died at the age of 45, without even living half of the 19th century, refused to pay the income tax requested from him and dealt with a short text about this attitude will lead to various debates in almost all fields of philosophy (Bedau, 1969, pp. 15-26). This is the truth of the matter. Henry David Thoreau (1849) refused to pay income tax twice to protest the administration and expressed the justification for this attitude with the following sentences:

The only obligation which I have a right to assume, is to do at any time what I have a right to assume is to do at any time what I think right (Thoreau, 1849, p. 190).

As this quote shows, Thoreau did not aim to change the world. He just tried to protect his personal integrity by trying to live the way he thinks is right by keeping the balance between his values and what he does. His effort to finalize this effort has left behind dozens of questions worth discussing. One of these, perhaps most important, is how his objection can be conceptualized.

Some of the most debated arguments on the answer to this question were written by the liberal author of *The Theory of Justice*, John Rawls (1999). According to John Rawls (1999), the natural principles of duty and obligation define both the institutional ties of people and the ties they form with one another (p. 293). This principle takes two forms: doing our part by complying with fair regulations enforced by fair institutions and/or helping to establish fair arrangements (Rawls, 1999, pp. 293-294). A more or less just political order, therefore, requires obedience to itself, which is a natural duty. Rawls (1999) considers that the system should be more or less just enough to fulfill the natural duty (in terms of difficulty in ensuring procedural fairness and majority rule in voting) since he thinks that the relevant political system should take into account the situations in which it may not be a fully just order (p. 311). In other words, he accepts that a fair system, in general, can create unfair arrangements. These injustices can arise in two ways:

[C]urrent arrangements may depart in varying degrees from publicly accepted standards that are more or less just; or these arrangements may conform to a society's conception of justice, or to the view of the dominant class, but this conception itself

may be unreasonable, and in many cases clearly unjust (Rawls, 1999, p. 309).

Yet any unjust arrangement that arises in a just society does not in itself call for disobedience because, so to speak, according to Rawls (1999), a more or less just constitution is better in any case than no constitution (p. 312). As mentioned above, for example, as a natural consequence of the majority rule that forms the basis of voting, there will be minorities who object to the relevant regulation and do not accept it (Rawls, 1999, p. 311). Therefore, not every thought of injustice should lead to disobedience.

The first question that derives from this is under what conditions and in what form disobedience might be an option. For Rawls (1999), CD, as a balancing element of the democratic constitutional order, is precisely the answer to this question (p. 336). Rawls (1999) defines CD “as a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government” (p. 320). The first and most critical feature of this form of objection, which aims to change/revise a law or regulation, is that it accepts the legitimacy of the constitutional order. This is one of the two assumptions Rawls (1999) makes when describing CD. The other is that the relevant regime is a democratic constitutional regime, in other words, a more or less just society (Rawls, 1999, p. 319). All his arguments about CD rest on the assumption that the relevant form of objection arises in a more or less democratic society.

CD should be public because it appeals to the public conscience/common sense of justice. It has a political nature both in this respect and because it is "an act guided and justified by political principles, that is, by the principles of justice which regulates the constitution and social institutions generally" (Rawls, 1999, p. 321). The legitimacy of CD depends on three conditions:

1. "The violation of the principle of equal liberty," in other words, the violation of equal citizenship status, which is one of the basic principles of the community (Rawls, 1999, p. 327).
2. The failure of the normal appeals to the political majority and thus disobedience being a last resort (Rawls, 1999, p. 327).
3. To have operated of "perceptive" leadership and cooperative political alliance of the minorities in order to avoid the existing constitutional regime would be endangered as a result of the disobedience of similar groups in all respects for the same reason. This situation is quite exceptional, but still taken into account. (Rawls, 1999, pp. 327-328)

For Rawls (1999), CD represents a very specific form of opposition to the law in a democratic constitutional regime. This objection is considered a balancing element of the democratic constitutional order (Rawls, 1999, p. 336). In the words of Trevor Robert Seaward Allan (1996), it is a result of the idea of "advancing the common good" (p. 90). Individual freedoms are protected, as well as promoting the common good through CD. Thus, the effort that lies deep within this liberal

analysis is to minimize an ancient tension, the conflict between liberalism and democracy (Berkday, 2014, pp. 67-70).

Peter Singer, in his text *Democracy and Disobedience* (1973), defines CD with a similar approach to Rawls (p. 86). However, he does address the limitations of Rawls' approach in some respects. The first point concerns the evaluation of CD as appealing to society's sense of justice. According to Rawls (1999), in a democratic constitutional regime, there is a consensus based on a common principle of justice between free and equal people.² CD also appeals to this common principle itself. Singer (1973) questions whether an act of CD can be a form of objection to this common principle itself and concludes that this limitation is "unreasonable" in two respects (p. 88).

Firstly, situations where common understanding itself may be problematic cannot be ruled out (Singer, 1973, p. 88). The CD activist can demand a revision of the common sense of justice. The second point is related to the scope of the "common justice" principle. Rawls (1999) thinks that personal moral, religious, and philosophical principles cannot be made the subject of CD. Moreover, he argues that the theory of justice is "but one part of a moral view" (Rawls, 1972, p. 512). An example that falls outside the scope of this theory is human-animal relationships. According to Rawls (1972), there is no justice-based relationship between us and them. Singer (1973) argues that CD based on animals and their protection is an unjustified form of objection in the context of Rawls' theory

² The Theory of Justice requires a much more comprehensive and in-depth discussion. However, instead of discussing the theory of justice itself, I am trying to concisely express its place in research.

because our relations with animals are apolitical because it is not within the scope of the theory of justice (p. 90). Therefore, the second "unreasonable" consequence of Rawls' theory is that it excludes the right to CD in other areas of morality that fall outside the scope of the theory of justice (p. 90).

For Rawls (1999) and the tradition that followed, even if critical of it, CD represents a particular form of opposition to the law in a democratic constitutional regime. It differs from other forms of objection in many respects. CO is the form of objection that most closely resembles CD due to the convergence in actual situations. However, in many respects, there are several differences between each other (Rawls, 1999, p. 324).

According to Rawls (1999), CO is "...is noncompliance with a more or less direct legal injunction or administrative order" (p. 323). It takes many forms, from refusing conscription to refusing compulsory education. According to Rawls (1999), there are two main differences between CD and CO, at least at the conceptual level. The first is that the CO often does not appeal to the majority's sense of justice. Therefore, it does not demand the repeal or reorganization of the regulation that is expected to be obeyed; it waits for that day to come by itself (Rawls, 1999, p. 324). The second difference, in connection with the first, is that, unlike CD, CO is not necessarily based on political principles. Religious, moral, and philosophical principles can also be grounds for CO (Rawls, 1999, pp. 324-325). The difference between the two forms of objection is not absolute. There

may be transitions between modes of action. A CO's objection can contain many elements of CD and vice versa (Rawls, 1999, p. 326).

It can be argued that the most comprehensive criticism of Rawls' arguments on CD and CO was put forward by Joseph Raz (2009). Raz (2009), like Rawls, maintains a liberal point of view but differs significantly from it. Preferring a broader definition, he defines CD as:

Civil disobedience is a politically motivated breach of law designed either to contribute directly to a change of a law or of a public policy or to express one's protest against, and dissociation from, a law or a public policy (Raz, 2009, p. 263).

Raz (2009) states that the most critical reason for his preference for such a broad definition is to follow a value-neutral approach. In other words, instead of determining the conditions under which CD is legitimate/justified, he aims to explore the factors that bring it about and the possibilities of recognizing such a right in certain situations. According to him, Rawls' approach is normative; Rawls identifies situations where CD is "justified" and defines the concept accordingly (Raz, 2009, pp. 262-265).

According to him, in a just or not state, "...there is neither a general duty to obey nor a general duty to disobey the only proper general morale attitude there can be is not to have a general moral attitude" (Raz, 2009, p. 250). Therefore, CD cannot be evaluated with an approach like having an obligation to obey or the right to disobey. He questions whether the right to CD can be evaluated in the context of the right to political participation (Raz, 2009, pp. 271-272). States where the right

to political participation exists (liberal principle), liberal states, and states where this right is not recognized are called illiberal states (Raz, 2009, pp. 271-272). This distinction is a reversal of what Rawls had set as a precondition for the right to CD (possible in a more or less just state). According to Raz (2009), in a liberal state, the right to CD cannot derive from the citizens' right to political participation (pp. 272-273). By assumption, in a liberal state, the right to political participation is granted to all and protected. He argues that an approach claiming that the right to CD can be justified in line with the right to political participation ignores and normalizes its exceptional character. This claim can also be considered as a criticism of Rawls. He implies that Rawls gives CD, which he formulates as a public action that excludes violence, a standard, ordinary form of action.

In contrast, the right to CD may be based on the right to political participation in an illiberal state. Raz (2009) assumes that every person has the right to have the right to political participation in the society in which they live (p. 271). Therefore, even if this right is not recognized by the state, a person has the right to act as if he is recognized and to use this right (Raz, 2009, p. 274).

According to Joseph Raz (2009):

Conscientious objection is a breach of the law for the reason that the agent is morally prohibited to obey it, either because of its general character (e.g. as with absolute pacifists and conscription) or because it extends to certain cases which should not be covered by it (e.g. conscription and selective objectors and murder and euthanasia) (p. 263).

Although Raz (2009) admits that the discussions of CO are concentrated in the context of compulsory military service, he claims that it cannot be limited to this. He implies that the probable reason why this form of objection appears to be limited to the refusal of conscription is that one is the only mission that demands to kill or participate in the killing (Raz, 2009, p. 277). The liberal understanding's assumption of the sanctity of the right to life reduces the expectation of questioning this objection. However, if CO is an effort to protect one's self from immorality directed against the law, the manifestation of this demand for exemption in every field can be coded as CO at the conceptual level (Raz, 2009, p. 277).

According to Raz (2009), the issue of CO is a much more challenging form of objection than CD because he finds both the arguments that justify CO and the arguments against it strong enough (p. 276). The main question here is: Does a person have to obey the law, even if it is wrong, against his moral values, or is (s)he entitled to an exemption? The difficulty here is the manifestation of a common challenge to all liberal thinkers: the ancient tension between the protection of individual freedoms, and democracy. CO includes a request for the protection of personal space as an individual-moral request for exemption. It is, therefore, about preserving one's self and balancing other interests simultaneously (Raz, 2009, p. 286). For Raz (2009), what makes the discussion of the right to CO more ominous than the right to CD is how to conceptualize this right. The first solution is to adopt "...a special and unified legal doctrine" that guarantees this

right (Raz, 2009, p. 287). However, such a category of rights is disadvantaged in three respects: it is vulnerable to abuse, encourages morbid introspection, and holds public officials accountable for one's moral principles (Raz, 2009, pp. 287-288). As a result, the inclusion of such a right in the legal order does not eliminate the conflict between the democratic side and the protection of individual freedoms, if I refer to the ancient tension I mentioned. Therefore, Raz (2009) proposes to try to reduce the possibility of such a request and make regulations in this direction instead of granting a right to an exemption similar to CO: "Rather than allow Muslim employees to stay away from work on Fridays, all employees should have the freedom to choose their rest day (or their second rest day)" (Raz, 2009, p. 288).

As can be seen, John Rawls (1999) and Joseph Raz (2009) are quite different from each other in their approaches to the issue of CD and CO. By taking the arguments of these two influential theorists, Kimberley Brownlee (2012) attempts to identify their strengths and weaknesses and to open the door to a new definition of CD.

Brownlee (2012) argues that Rawls' definition of CD is limiting (p. 529). She states that his approach to the concept is open to criticism in three aspects: the expectation of loyalty to the law, publicity, and non-violence, and (in most) cases, it is coded as morally justified. According to her, it is not necessary for the disobedient to be faithful to the law. The clearest example of this is the disobedience of Gandhi, who was not loyal to British rule in India (Brownlee,

2012, p. 529). Rawls' definition excludes such examples. Secondly, publicizing disobedience can be detrimental to the insurgents in the process of building the channel of communication with the legislator and the community—that is, at the beginning. The action may be hidden—at least in its initial phase. However, Brownlee (2012) thinks that in Rawls' (1999) sentence, "...any interference with the civil liberties of others tends to obscure the civilly disobedient quality of one's act", non-violence identifies the characteristic of CD (p. 321). According to her, some forms of non-violent action can do more harm to the civil liberties of others than violent ones. The final criticism is about Rawls' normative implication that acts of CD are justified. Consequently, according to her, the definition proposed by Rawls (1999) is insufficiently explanatory and limiting (p.529).

Brownlee (2012) finds Joseph Raz's definition of CD more comprehensive and explanatory than Rawls's: "...politically motivated breach of law designed either to contribute directly to a change of a law or of a public policy or to express one's protest against, and dissociation from, a law or a public policy" (Raz, 2009, p. 263). The strength of this definition is that it does not specify violence, does not imply normative argument, and does not specify whether the disobedience is direct (violation of the law being challenged) or indirect (violation of the unopposed law) (Brownlee, 2012, p. 530). However, it still needs reorganization. The first thing to criticize is that it limits disobedience to an appeal to government institutions. It does not specify how to classify acts of disobedience against non-governmental organizations. Second, it excludes the communicative aspect of disobedience. Brownlee (2012) argues that, ultimately, CD is a form of communication with the state or society, or both. Finally, according to Brownlee

(2012), it is essential to identify the source of the civility of CD. According to her, the source of this is that he is sincere, serious, and conscientious (pp. 530-531). These elements should also be included in the definition.

Brownlee (2012) points out the importance of identifying the differences between different forms of objection, identifying where he thinks widely accepted definitions in the literature on CD need improvement. Accordingly, she draws a "paradigmatic" distinction between CO and CD. She argues that CO is defined "...more narrowly as necessarily a violation of the law motivated by the dissenter's belief that she is morally prohibited to follow the law because the law is either bad or wrong, totally or in part" by Raz (Brownlee, 2012, p. 532). According to her, the argument of the 'necessity' of breach of law is dubious. CO is a direct, usually individual, form of objection that does not always have to be unlawful and deliberate and does not aim to correct injustice in the law (Brownlee, 2012, pp. 532-533). CO differs from CD by these four characteristics. CD corresponds to a communicative objection, either direct or indirect, individual or collective, that involves the willful violation of the law (Brownlee, 2012, pp. 532-533). It should be noted, however, that Brownlee (2012) insists on keeping in mind that these distinctions are paradigmatic distinctions. She often states that an act can be both an act of CO and CD, or there may be crossovers between each other: "Trespassing onto a U.S. military base with a spray-paint can and carrying out acts of vandalism in order to protest against an ongoing war is an example of indirect civil disobedience" (Brownlee, 2012, p. 532).

What these approaches to CD and CO have in common is that they focus on the relationship between the activist and the political sovereign. The basic assumption of the theories of these thinkers, who follow the contracting tradition at different scales, is that all rights are transferred to the sovereign in return for security. Thus, CD or CO is formulated as ‘bargaining’ with the sovereign. While CD is evaluated as a form of political objection arising from the conflict between these two actors, CO is seen as apolitical since it has moral, i.e., individual, grounds and is limited to a request for personal exemption. While this approach is followed by Arendt (1972) on some points (in that CD is political and CO apolitical), she presents a fundamentally different approach from the liberal tradition.

From Arendt’s (1972) point of view, Henry David Thoreau is not an activist of CD. He is a COr because he has no intention of healing the world or doing the right thing. He does not simply do what he ought not to do by following his own conscience (Arendt, 1972, p. 63). The question that can be derived from this approach of Arendt (1972) is: Cannot a personal act that violates or suspends a law by listening to the voice of personal conscience be considered in the category of CD? For her, the answer to this question is obvious: No, it cannot be evaluated. The main reason why this is the answer is Arendt's (1972) conceptual approach to conscience.

For Arendt (1972), “conscience is unpolitical” because it is shaped in line with the relationship one establishes with one's own self, and “it trembles for the individual self and its integrity” (pp. 60-61). What is essential for conscience is the

preservation of personal integrity; it is not more than that. Therefore, it has a subjective nature (Arendt, 1972, p. 62). It is not concerned with people causing injustice or being silent in the face of injustice. Finally, the rules of conscience “do not say what to do; they say what not to do” (Arendt, 1972, p. 63). Because of all these features of conscience, Henry David Thoreau cannot be considered an activist of CD. In other words, the act of a person who acts individually and guided only by his conscientious convictions cannot be defined as an act of CD for the reasons listed above. With this approach, Arendt (1972) states that there are vital differences between CO and CD.

CD, as a form of collective act of objection,

arises when a significant number of citizens have become convinced either that the normal channels of change no longer function, and grievances will not be heard or acted upon, or that, on the contrary, the government is about to change and has embarked upon and persists in modes of action whose legality and constitutionality are open to grave doubt (Arendt, 1972, p. 74).

There is no personal exemption request in this form of objection. It stems from a fundamental difference of understanding and is therefore based on the non-guidance of rules of conscience, which are apolitical and subjective. This should not mean that conscientious convictions are never effective in the emergence of an act of CD in the first place. According to Arendt (1972), “when a number of consciences happen to coincidence, and the conscientious objects decide to enter the market place and make their voices heard in public”, this objection acquires a political character and takes the form of an act of CD (pp. 67-68). The point to be noted here is that at the end of such a transformation, disobedience is not just the

sum of individual consciences. In this new situation, the members of the group are not alone with their own consciences (Arendt, 1972, p. 68). The starting point of the objection has been differentiated and has gained a political and collective character.

CD activists publicly declare their opposition to the law (Arendt, 1972, pp. 75-76). In other words, a violation of the law is reported. In this form of objection, violence is excluded because the CD activist accepts the general framework of the established order and its legitimacy (Arendt, 1972, pp. 76-77). The state is formulated as a monopoly of legitimate violence (see Weber, 1946). The use of violence, therefore, is characteristic of revolutionary action for Arendt (1972), as a radical opposition to it and the denial of its legitimacy, not CD (pp. 95-96).

According to Arendt (1972), CD as a form of collective, public, and nonviolent protest is a phenomenon unique to America (p. 83). The USA is envisioned as a society in which citizens are their own masters and slaves at the same time, and in this respect, the ancient conflict between individual freedom and democratic values is internalized by citizens (Arendt, 1972, p. 83). Understanding the hallmark of the "American model" depends on identifying where the source of power (*potestas*) comes from and how the use of power (*auctoritas*) is organized. The source of power in the USA is the people themselves. Thus, unlike the Hobbesian model, it is not based on the transfer of all rights to Leviathan in exchange for security. On the contrary, the source of power remains the people themselves, and the state has no more than the power to use it. CD, as an example

of the horizontal social contract, can be carried out nowhere but in the United States because there is a social consensus that rises above the “promise” given by the citizens to each other. CD takes the form of legitimate action for a group that believes this promise has been violated by *auctoritas* (Arendt, 1972, pp. 85-86).

Although there are profound differences between all these approaches, it can be argued that there are some similarities in the conceptualization of CD and CO. Four key aspects of CD are shared by all approaches: It is a form of political objection that directly or indirectly involves violating the law, recognizing the legitimacy of the existing order, and pursuing the common good. In contrast, CO is seen as a request for individual exemption on moral grounds. These two forms of objection are categorically different from each other. Therefore, one should not be seen as a subset of the other. Transitions between objection forms are possible. As a result of these transitions, one does not become a subset of the other. It differentiates and transforms. For example, the form of objection that emerges as a personal exemption request can be considered as CO. However, in light of all these theoretical discussions, it can be argued that the action of the mass who wants the law to be changed or repealed and violating a law directly or indirectly in this direction is an act of CD. Although the phenomenon of CO in daily life is not considered a paradigmatically different form of objection since it is equated with compulsory military service, I argue that preserving this distinction is necessary both to analyze the relevant form of appeal and to understand the different acts of CO or CD other than conscription.

In the continuation of the study, I will adopt this distinction, considering that this paradigmatic distinction provides an appropriate perspective for the conceptual evaluation of an objection from a practical point of view. However, I am not suggesting that every action is purely CD or CO. I would argue, however, that the transitivity between forms of objection is often detectable. An action cannot simply be considered CD when it turns from an individual exemption request to a political appeal and vice versa. The same course of action may contain elements of both CD and CO. An expectation to the contrary is based on a consistent demand for wholism. However, this approach does not coincide with the fluidity and communicativeness of the self and the political. Concepts, forms of objection, and arguments advanced in justifying action are in constant motion. It is, therefore, important to identify these pass-throughs by following a similar approach to CD and CO – while simultaneously accepting the paradigmatic distinction for practical reasons.

2.4. Conscientious Objection in Turkey

The Turkish public was introduced to the concept of CO in 1990³ with the statement of Tayfun Gönül. I think it is a good starting point to share the full text of Gönül's manifesto, as it presents many important indicators both to fill a gap in the academic literature and to understand the emergence of CO in Turkey:

There are hints that the search for freedom will increase in the world of the 1990s. Freedom and taboos are two concepts that will never be compatible with each other. The army and militarism are at the forefront of the taboos that need to be broken. Militarism is a disease that sees domination and systematic violence in all human relations as legitimate and

³ There is inconsistent information in the literature regarding the date of the first CO statement. In some studies, it is stated that the first explanation was made in 1989 (Esmer, 2012; Soydan, 2013; Sapmaz, 2012). However, the relevant issue of Sokak magazine, where the first statement was made, was published on 7-13 January 1990 (see Gönül, 1990, p. 6)

affirms and has permeated all the fabrics of society. That is why humanity has to struggle with militarism in its quest for freedom.

Army is a taboo in Turkey. Moreover, it is a taboo that has not been dared to be touched until now. We all grew up with military anthems and garish holiday celebrations. We learned our own history from the mouth of official history, which preaches that we are a conquering, military nation and its virtues. The army was in a respectable position beyond all political strife.

On September 12, this position of the army was shaken. Civilian political forces began to criticize militarism from their side. Of course, this criticism was limited to the military's tradition of making a coup.

However, there is now a much more important truth. Although militarist values were not openly expressed in the press, they began to be ridiculed from time to time. Young people no longer want to join the military on a large scale.

The times when those who did not join the military were not considered men are about to be a thing of the past. People are now seriously thinking about ways to get rid of military service.

All armies of the world legitimize their reason for existence by hiding behind the concept of homeland defense. If everyone is on the defensive, who will attack, then? The reality is that the army is an organization for systematic violence and destruction. Although the balance of power and government policies can be restraining at times, it is on the minds of every professional soldier to be a conqueror. Therefore, a lasting world peace is not possible under the existence of armies.

The main function of the army, which legitimizes its existence on the grounds of war, is related to the 'peace' period. First of all, the military is responsible for maintaining the status quo in a country. Status quo, on the other hand, is the totality of domination relations in that society. The status quo is the domination of the rulers over the ruled, property owners over the propertyless, men over women, and the dominant nation over other nations.

And finally, the army is an educational institution. It dresses everyone in uniform and depersonalizes them. It teaches absolute obedience to orders. Gives his subordinates the ability to command. It makes a person so numb, unreasonable, and robotic that one gives up his own life in order for the wheels of the existing machine to turn. It teaches us to destroy an 'enemy' defined by the authorities and to hate the different.

People's quest for freedom makes it increasingly difficult to say, 'I am the state; I can do whatever I want.'

If there is a 'freedom of conscience,' if people cannot be compelled to act contrary to their own conscience, provided that they do not directly harm others, and if states have accepted this 'freedom,' they now have to find ways to form their own armies other than 'compulsory military service.'

In cases where doing military service or joining the army is against the conscience of the person, no power can impose the obligation of 'compulsory military service' on these people. We call this right, which has become an integral part of human rights, especially after the Second World War, as the right to conscientious objection. The right to conscientious objection is a requirement of natural law, and the State of the Republic of Turkey has implicitly accepted this right with the Declaration of Human Rights and the 1982 Constitution.

If it is sincere in this acceptance, what it needs to do is to change the laws and regulations stipulating compulsory military service.

A person's conscience can be formed by many different factors. For example, some people may refuse to take up arms or join a military organization because of their religious beliefs, because they are Christians, Buddhists, Taoists, or Jehovah's Witnesses. Or, for a non-religious reason, politically, he may be a pacifist against all forms of violence, an anarchist against all forms of domination and institutionalized violence. A radical Muslim who considers himself a soldier of God may not want to serve the secular state. Or, a revolutionary socialist who opposes the bourgeois army may be an individual of another nation that characterizes the dominant nation's army as a colonial force.

Nor do they have to have such radical political and religious beliefs. One can be a liberal, a social democrat, or even a conservative who sees the existence of the army as necessary and useful but who thinks that his personality is incompatible with military service and that the army should be made up of professionals.

In addition, conscientious conviction may arise from purely practical reasons. The person may not want to break up with his lover, or not to interrupt his scientific career, not to leave the business he has established unfinished.

And all these people live in this society. They cannot be ignored. With its current practice, the Turkish State ignores these people and compels them to act against their conscience with 'compulsory military service.' This is a grave human rights violation.

We call on like-minded people to use their RIGHT to RESIST against this human rights violation. From now on, we will try to change the laws and regulations related to military service with the exposure of militarism, while on the other hand, we will try to create and develop concrete solidarity among the victims.⁴ (Gönül, 1990, p. 6)

Tayfun Gönül's statement is more of a call than a request for personal exemption.

On the one hand, he clearly states that he does not want to be a part of this order, underlining the role of the army in perpetuating the domination and in terms of education. On the other hand, he made a call to those who demand the same thing as him for whatever reason and who want to oppose an imposition concerning freedom of conscience to exercise their right to resist. In other words, his call and declaration are as much an invitation to an act of CD as a declaration of CO.

Indeed, this call was not left unanswered. In the next issue of the same magazine, statements of support for Tayfun Gönül came from many people and were published ("*Seni Destekliyoruz*," 1990, pp. 10-11). In the following issues of Sokak magazine, which became the platform on which the campaign was carried out, a large space was devoted to the campaign, and the same call was repeated frequently. Finally, in February 1990, two months after Gönül's statement, Vedat Zencir also declared his CO (Zencir, 1990, p. 9).

After these first two examples, although there was no increase in the number of COs for a long time, the campaign for the denial of conscription qualitatively expanded. In December 1992, the War Resisters Association (*Savaş Karşıtları Derneği*, SKD) was established, and an attempt was made to create the possibility of political struggle with an anti-militarist perspective (Soydan, 2013, p. 162). For

⁴ Gönül's declaration is in Turkish in Appendix C.

example, the institution that hosted the declaration of CO by six people in January 1993 was SKD (Esmer, 2012, p. 138). However, the lawsuit filed for the dissolution of the association in November 1993 was concluded, and SKD was closed (“*İzmir Savaş Karşıtları Derneği Kuruldu*,” 1994, p. 6). This situation did not mean that the struggle for CO as a rejection of compulsory military service was part of the dusty pages of history. There are two critical breaking points in this regard. The first is the participation of Aytek Özel and Menderes Meletli, Former President of the War Resisters Association, in a program on a national television channel called *HBB* in December 1993 (Esmer, 2012, p. 140). For the first time, the concept of CO was discussed on a national television channel, and millions of people were introduced to the concept, so to speak. The government's reaction to this issue was directly proportional to the importance of this issue. Many people deemed responsible, from those who participated in the broadcast to the producer of the program, were prosecuted and sentenced. The second important break was the establishment of the Izmir War Resisters Association (*İzmir Savaş Karşıtları Derneği*, ISKD) on February 26, 1994. Similar to the first association, the founding purpose of ISKD was formulated as follows:

To fight against war, militarism, and racism. In this context, to develop awareness in the public. To carry out organized activities by bringing sensitive people together, to develop solidarity among these people. To create an alternative, peaceful and libertarian counterculture to replace the militarist culture that currently dominates (“*İzmir Savaş Karşıtları Derneği Kuruldu*,” 1994, p. 6).

An effort was made to carry out a CO movement under the umbrella of the ISKD and similar autonomous organizations established in other cities.

It should be noted that the notion of CO in Turkey has been made a part of the political literature by anarchists. However, it was not limited in this way and was conceived as a form of objection that concerns much wider circles, with interventions from both inside and outside the movement. Three examples of this issue are noteworthy. The first is the case of Mehmet Tarhan, who declared his CO in 2001 by refusing to receive the ‘pink permit’⁵ presented to him as a ‘right’ due to his homosexuality (Başkent, 2011a, pp. 19-20). The second example is the CO statements of five women (İnci Ağlagül, Nazan Askeran, Ebru Topal, Direkt Yurtsever, Hürriyet Şener) in 2004 (Öğünç, 2013, p. 78). These two examples prove that one part of the CO movement in Turkey is more than a personal exemption request. The declaration of CO by persons who are legally exempted or have the opportunity to obtain exemption cannot be considered mere support. In their statements, they declared that they are the direct subject of the militarism they oppose and that they are against this system (Başkent, 2011a, pp. 19-20, pp. 28-30). The last example is an important piece of evidence in terms of showing that CO is known by widely different social/political circles in Turkey: Enver Aydemir's statement of CO with Islamic references. In a statement he made in 2007, Aydemir did not content himself with expressing his CO to compulsory military service but openly declared that he had no sympathy for any of the fundamental values of the Turkish Republic (Başkent, 2011a, p. 49). These examples show that the concept of CO in Turkey is both a form of objection that

⁵ The issue defined as "severe psychosexual disorder" regulates the exemption of LGBTIQ+s from military service, which was regulated in section C of article 17 under the title of List of Diseases and Malfunctions of Turkish Arms Forces Health Capability Regulation No. 86/11092 (*Türk Silah Kuvvetleri Sağlık Yeteneği Yönetmeliği*, 1986). No change was made in the issue regarding the amendment made in the law in 2016; it was named as "sexual identity and behavior disorder" (*Türk Silah Kuvvetleri, Jandarma Genel Komutanlığı ve Sahil Güvenlik Komutanlığı Sağlık Yeteneği Yönetmeliği*, 2016).

is adopted by people from different political/social backgrounds and has different moral/ideological/philosophical/ethical reasons, and that goes beyond the request for personal exemption.

The picture presented so far should not make us think that the CO movement in Turkey has adopted a line of political struggle unrelated to the claim for rights, as it has positioned CO as more than just the rejection of compulsory military service. The CO movement in Turkey has been shaped by a closely related dual line of struggle. Both the political struggle (*militurism* festivals that reveal the militarist symbols of the city in which they would be held and have the character of a carnival, street theatres, non-violence training activities) and the legal struggle (applications of COs to the ECHR or the struggle in cases where COs are prosecuted) were tried to be carried out.

Various developments in the line of political struggle in recent years (making military service by payment a permanent option, the regime gaining an authoritarian character and accordingly criminalizing street politics, etc.) have resulted in the reduction of CO to a claim for rights and, accordingly, the priority of legal demands. *Vicdani Ret Derneği* (Conscientious Objection Association, VRD), which was founded in 2013, and the platform named *Vicdani Ret İzleme* (Conscientious Objection Monitoring), which started its activities in 2022, are organizations that report the violations of rights faced by those who declare their CO and carry out the legal struggle for the recognition of this right.

According to the information on the website of the VRD, 624 people have declared their CO against compulsory military service so far (Rejection Statements, n.d.).⁶

2.4.1. Literature on the Case of Turkey

In the current academic and non-academic CO literature in Turkey, the subject has been discussed in various contexts, such as citizenship (Erdem & Başkır, 2012; Sapmaz, 2012; Alkan & Zeybek, 2014), militarism (Altınay, 2004; Üsterci & Çınar, 2008; Başkent, 2010; Kesikli, 2013), legal dimension (Gürcan, 2007; Can, 2008; Üçpınar, 2008; Evren, 2012; Rumelili et al., 2012; Çınar, 2014; Kılıç, 2019; Çaltekin, 2022) and actors (Altınay, 2008; Ögünç, 2013; Arslan, 2015; Kemerli, 2015; Kemerli, 2019a; Kemerli, 2019b; Durgun, 2019). It should be noted that it is difficult to say that many of these studies address only one aspect of the subject. This point is related to the multidimensionality of CO in Turkey. Many topics, such as the coexistence of legal and political struggle, the discussion of the gender regime, and the discussions carried out at the macro level due to the anarchist origin of the concept in Turkey, have always remained current as a part of the concept and movement of CO. Therefore, as a natural reflection of this, this multidimensionality can be followed in the studies in the literature. In this section, with reference to a few prominent case studies in the literature, I will argue that the problem of defining the concept has been overlooked in the current literature.

Ayşe Gül Atınay's seminal work (2004) is not limited to CO. She analyzes the process by which the Turkish Republic was invented as a military-nation.

⁶ The relevant website was visited on 4 August to obtain this information.

Therefore, this large-scale project has essential pillars. Probably the two most important of these are education and the military (Altınay, 2004, p. 63). These two institutions were militarized with and following the state-building process, which Altınay coded as a sexist cultural revolution, and the invention of the army-nation myth was aimed in this direction (Altınay, 2004, p. 6). The notion of CO is "an engaged activism," which includes "acts of civil disobedience, nonviolent action, and conscientious objection," which emerged both as a result of an internal conflict that has become widespread, especially since the 1980s, and more generally as an objection to militarism (Altınay, 2004, p. 95). The most crucial feature of CO is its anti-militarist character. For Altınay (2004), militarism should be considered "a set of ideas and structures" in which military practices are glorified (p. 2). It is an ideology that shapes political and social life. CO is the disclosure, so to speak, of these "loud silences" that permeate all areas of life (Altınay, 2004, p. 163). Altınay (2004) aims to reveal the deep meaning of the phenomenon of CO by using interviews with COs as data. In other words, her effort is to reveal "lie beneath and within the masks of 'the military' and 'the state'" (Altınay, 2004, p. 163).

Again, Ayşe Gül Altınay, *Künye Bellemeyen Kezbanlar: Kadın Vicdani Retçiler Neyi Reddediyorlar?* (Refusing to identify as obedient wives, sacrificing mothers and proud warriors) (2008), she argues that the "army-nation" myth was one of the founding elements of Turkish nationalism after the 1930s, following her claim in *The Myth of the Military-nation* (2004) (p. 114). One of the most important arguments of this myth is that military service ceased to be a 'duty' mandated by the state and became a part of Turkish culture (Altınay, 2008, pp. 114-115).

Therefore, no 'Turk' is allowed to construct a life outside of this cultural element, which is almost conceived as a way of existence. One of the critical approaches to this claim was expressed by women. The number of women COs has increased in the process that started with İnci Ağlagül and four other women in 2004 (Altınay, 2008, p. 125). Altınay (2008) analyzes the emergence process of female COs and the reasons for their objection in her article. According to her, three common themes can be identified in women's statements of CO: the rejection of conscription as a part of militarism, the rejection of all the roles women play in the militarist order (perpetrator-victim, subject-object), and positioning against militarism and violence (Altınay, 2008, pp. 127-130).

In both studies, Altınay (2004; 2008) underlines the anti-militarist character of CO. In the first study (2004), she evaluates the CO movement in Turkey, which is made a part of her macro analysis, as a protest against the militarist values on which the notion of nation-state is built. Her work on women COs, on the other hand, can be identified as a work that deals with the same theme through certain actors that declared their CO.

Like Altınay's work on female COs, Pınar Kemerli (2015; 2019a; 2019b) also conducted actor-based studies focusing on Muslim COs. In her work, it does not only provide evaluations in line with the attitudes and justifications of COs. According to her, Turkish modernization does not indicate a radical break with the religious content of the Ottoman past (Kemerli, 2015, p. 283). In the modernization process, Islamic values have been made a part of the nation-state

construct through the state and its ideological apparatuses. The army was designed accordingly. Kemerli (2015) underlines the religious content of the training given to privates in the army (p. 283). This controlled use of Islamic values provides the legitimization of both compulsory military service and state violence through martyrdom narratives (Kemerli, 2019a, p. 140). The attitude of Muslim COs is an objection to this religious content of military service. By objecting to the state's conception of itself as a rival to *Allah*, they are declaring their testimony that *Allah* is the sole and absolute authority, so to speak (Kemerli, 2015, p. 294).

Therefore, according to Kemerli (2015), the attitude of Muslim COs reveals "the difficulties faced by nationalist projects to discipline religious imaginaries and put them to the service of the modern state" (p. 282).

Alkan and Zeybek's article (2014) analyzes the relationship between the discourse practices and actions of COs and citizenship. The CO embodies it by assuming that there is a right that is not recognized by national law. Moreover, they make "themselves not only the symbol of a struggle but the very struggle itself" (Alkan & Zeybek, 2014, p. 470). Alkan and Zeybek (2014) consider CO an act of citizenship. Concerning the concept described by Engin Işın as exercising "either a right that does not exist or a right that exists but which is enacted by a political subject who does not exist in the eyes of the law," they argue that COs from Turkey have created a deep break in the "acceptable citizen" (see Üstel, 2021) fiction presented to them (Işın, 2012 as cited in Alkan & Zeybek, 2014, p. 470). Therefore, their objection forms include the possibility of rethinking the construct of citizenship in Turkey.

However, it should not be thought that COs in Turkey limit this rethinking to the acquisition of a right or the realization of some changes in the legislation. One of the most important reasons for this is that the origins of CO in Turkey are closely related to the anarchist movement (Alkan & Zeybek, 2014, p. 471). This historical origin has led COs to be against all forms of militarism, more generally against any hierarchy and authority, as well as against conscription. Therefore, most are "total objectors" (Alkan & Zeybek, 2014, p. 471).

Çaltekin (2022) deals with the phenomenon of CO, which he sees as an act of CD, from a "social-legal" context (p. 2). With this approach, Çaltekin (2022) questions the categorical distinction between law and social/political life and analyzes the effects of these two on each other with the data obtained from her interviews with COs. According to her, legal texts spread through society and come into contact with social reality. In other words, there is constant communication between legal and social norms. With this perspective, Çaltekin (2022) tries to approach "the problems pertaining to the current legal framework for military service from the personal experiences of COs with the militarist system" (p. 2). While emphasizing that COs, like Alkan and Zeybek (2014), reject all kinds of authority and hierarchy due to their anarchist origins, she acknowledges that some reforms in the legislation will not be a definitive solution but at least emphasizes the importance of preventing human rights violations (Çaltekin, 2022, pp. 140-144). It should be noted that it is an essential study in that it simultaneously draws

attention to militarism that penetrates the deepest of social norms and that legal reform is something that is not sufficient but necessary.

It must be admitted that all these studies have enriched the CO literature in Turkey at an invaluable level. However, in these studies, the problem of how to define the concept of CO is not adequately addressed. As I tried to show in the chapter entitled Civil Disobedience and Conscientious Objection, the notion of CO in world literature does not correspond to a form of objection limited to conscription alone. Also, it is not an act of CD. Categorical distinctions can be identified between the two. However, CO in Turkish literature is equated with the rejection of conscription, probably as a result of the introduction of the concept to Turkish politics. As such, it is ignored that CO is the name of a more general set of objection forms, including other forms of objection. In other words, it is not taken into account that CO is not one of the forms of objection called CD but another category of objection by itself. This situation leads to the question of whether CO is an act of CD in some studies (see Çaltekin, 2022). There are two drawbacks to asking this question. First, CO is formulated as an objection limited to the refusal of conscription, and this leads to the problem of understanding COs on different issues. The second is that as a result of ignoring the categorical distinction between CO and CD, the distinction between the demand for personal exemption and the demand for political/social change becomes blurred. Of course, the distinction between these two forms of objection is not absolute; they should be considered as ideal types. To sum up, the most fundamental deficiency in the CO literature in Turkey is that the problem of defining the concept has not been addressed sufficiently, taking into account the world literature.

CHAPTER III

THE ANARCHIST ORIGIN OF CONSCIENTIOUS OBJECTION IN TURKEY: *AMARGİ*

In this section, the content analysis of *Amargi*, a journal in which the first COs were among the contributors and the topics of antimilitarism/CO were discussed in many issues, will be analyzed. This analysis is essential to answer the question of how CO was conceptualized and justified in the process when it first emerged in Turkey. To this end, I will try to understand the historical origins of this form of objection. The first section presents the main features of the journal through answers to questions such as why *Amargi* was published and what its identity is. In the second section, I include discussions of antimilitarism and violence. The reason for this is that the relationship between COs and militarism in Turkey, which emerged as a rejection of compulsory military service, should be considered as the first step for the analysis of the subject. The third section details how CO is conceptualized and justified as a practice of action. In the concluding section, I present the implications of how the idea of CO was understood in Turkey during the emergence process.

3.1. What Kind of Journal Was *Amargi*?

Amargi is a journal that has 13 issues published between December 1991 and August 1994 (The 10th and 11th issues were published in a single volume). Its name derives from Ancient Sumerian. In Ancient Sumerian, *amargi* means "freedom; liberation; manumission; exemption from debts or obligations" (Alan, 2006, p. 19). It is the first journal in Turkey to call itself an anarchist. Kara and Efendisiz⁷ magazines, published before it and evaluated in the anarchist corpus, defined themselves as libertarian. By contrast, *Amargi* prefers the designation 'anarchist.' The reason for this is stated in the introduction letter of the first issue as follows:

Notice that apart from concepts such as libertarianism, we are using the term anarchism specifically because, in Turkey, we have an endeavor with the legitimization of this term in the literature. Secondly, to protect the term against the ascription of anarchism inherited from Lenin, 'any negative thing' (*"Çıkarken,"* 1991, p. 3).

This effort was not conceived as culminating in adopting a particular interpretation of anarchism. On the contrary, it was accepted that "all roads have handicaps," and it was underlined that the important thing is awareness of these handicaps (*"Çıkarken,"* 1991, p. 2). As a result of this approach, polyphony became the main character of *Amargi*. As can be seen in the rest of the chapter, it is often possible to come across articles with quite different perspectives on the same subject in the journal. All writers and contributors have anarchism in common; otherwise, it is not easy to find a common point on which everyone agrees. Moreover, it is possible to come across opposite ideas in some articles on the same subject written by different authors. Another factor underlying this

⁷ *Kara*, published 12 issues between October 1986 and November 1987, is considered to be Turkey's first anarchist magazine. *Efendisiz*, six issues were released between November 1988 and October 1989. Similarly, it is considered part of the anarchist corpus (see Başkent 2011b; 2011c).

polyphony and the effort to protect differences is the evaluations made as a result of macro analysis. "After World War II, as a result of the disintegration of systematic philosophy in the philosophical dimension, the development of problematic philosophy, that is, the inability to establish holistic, metaphysical systems anymore," the only way out is autonomous, where one-to-one encounters are prioritized ("*Neden Otonom*," 1993, p. 4). In this way, the systematicity of the existing order and its claim to integrity is questioned; the possibility of freedom is sought through small-scale living spaces. Calling itself an "autonomous," *Amargi* gained a polyphonic quality as a natural consequence of this character. Therefore, this polyphony is not just because of the belief that everyone's opinion is equally respected; it also stems from an objection to the integrity claim of industrial society. Instead of seeking totality, there is a search for "the possibility of freedom in fragmentation" ("*Neden Otonom*," 1993, p. 5).

Özkan, one of the names I interviewed and who witnessed the process since the emergence of the magazine, describes the aim of the publication of *Amargi* as follows:

In fact, the foundation of *Amargi* is based on the idea that 'let's get together around the magazine, organize and decide what to do.' We knew the publication process and aftermath of *Kara* and *Efendisiz* magazines. We have not been directly involved, but we know. *Kara* and *Efendisiz* were intellectually better journals than us in terms of conveying the theory of anarchism. They performed their functions. When we published *Amargi*, we did not aim to introduce the theory of anarchism to Turkey. It was a purely instrumental thing. It was something to organize. After all, the first thing that a political structure will do to organize is to establish a magazine. We actually did that. This magazine was a very vocal magazine for us. Anarchism is like that.

Accordingly, *Amargi* did not arise as an end in itself. On the contrary, it is a tool in which the aim is discussed and a perspective of struggle is tried to be put forward:

Publishing activity is only an instrument of a political struggle. However, the danger of becoming itself is very high. For the anarchist movement, too, magazine publishing became the political struggle itself. We were well aware of this. Therefore, we have never cared much about *Amargi* as a magazine because we did not see *Amargi* as the political struggle itself. This is a state of satisfaction; the publication activity of the journal may take three years, five years, or six years. However, in the face of the question of ‘what kind of political struggle did you wage,’ there is only publishing a magazine. Look at the history of anarchism in Turkey. Only the magazine was issued. If you say what you put in terms of political line, what you did, there is no equivalent. Unfortunately, the answer to this is only in the line we created. There are a lot of people in this line.

As a matter of fact, in the first issue of the magazine, the fundamental importance of street politics is underlined with a similar approach (“*Çıkarken*,” 1990, p. 2).

Accordingly, the most critical question to be answered remains the following:

What did *Amargi*'s perspective of struggle aim at? Or, to put it another way, *Amargi* was a tool for what purpose?

The answer to this question is closely related to understanding the political atmosphere in Turkey during the period when the magazine came into existence.

In the 1990s, the traces of the September 12 military coup were in the deepest part of political and social life, and the increasing visibility of these military phenomena was legitimized by the conflicts with the *PKK* (see Zürcher, 2004). To put it succinctly, militarism and its phenomena were more permeated than ever before in nearly all human activity. *Amargi* that emerged in this social and

political atmosphere attached central importance to discourses and actions against militarism. Hence, its primary agenda was directly antimilitarism:

Our tendency and understanding were more towards conscientious objection and opposition to war. It was a more apparent struggling style. It was a less dirty understanding and line of struggle. (Özkan)

Compared to *Kara* and *Efendisiz*, instead of theoretical discussions on anarchism, *Amargi* has functioned as a free platform where the antimilitarist agenda is prioritized, more precise and more direct discourses, and different interpretations of anarchism are discussed. Therefore, the most discussed topics in the magazine were politics, violence, antimilitarism, and organizing opportunities.

It should be noted that although the current political atmosphere has been influential in the emergence of the magazine, the aim of the magazine is not to make policy. They aimed to take a “non-political” position (“*Neden Otonom*,” 1993, p. 7). Being “non-political” should not be thought of as aiming to remain apolitical. What is meant is that they aimed not to construct a discourse in line with the requirements of the current political atmosphere. As a matter of fact, this issue is closely related to the approaches of the publishers of the journal on anarchism. According to them, the starting point of anarchism should be to establish a “negative framework for the state and its institutions, for power in general” (“*Çıkarken*,” 1991, p. 2). This issue is based on the idea of rejection, as discussed in other sections. In other words, they attempted to philosophize with a hammer (see Nietzsche, 1998). It was not intended to be a political party or organization. It is the questioning of “industrial society (capitalist, socialist) and

the exploration of alternative culture” through one-to-one encounters (“*Neden Otonom*,” 1993, p. 5).

3.2. Antimilitarist Positioning of *Amargi*

As I have mentioned in the previous section, perhaps the most prominent discussion topic in *Amargi* is antimilitarism. For *Amargi*’s employees in İzmir, antimilitarism means “being against all forms of the army and war” (“*Anti-Militarist Gündem*,” 1994, p. 7). It is necessary to underline the important points included in this definition. First, antimilitarism is not characterized as something opposed only in times of war. On the contrary, there is a discourse that objects to the very existence of the army. This discourse also objects to the existence of the army in peacetime. The second point is that there is a limited definition of militarism with the military. Therefore, in this definition, the aspects of militarism that can spread to every area of society are ignored. However, it should be noted that it is not easy to draw a quick conclusion about the definition of anti-militarism in *Amargi* from a single text. As I tried to convey in the previous section, it is possible to determine that there are different definitions due to the polyphonic structure of the magazine. Discussions of antimilitarism were often accompanied by discussions of violence. Therefore, it seems appropriate to prefer such a starting point.

It is possible to say that the text that started the discussion of violence in *Amargi* is *Antimilitarizm'e İlişkin Ayrımlar* (The Distinctions Regarding Antimilitarism), written by Vedat Zencir (1992). He underlines the difference between organized violence and individual violence:

The reason for the existence and violence of militarism is directly related to the continuation of power and the subjugation of people. The reason for the use of violence is not vital but related to the use of force. Reasons are often abstract rather than concrete. While individual violence acts for its own sake, militaristic violence acts on behalf of others, on behalf of the general public, and even exaggeratedly in the name of humanity. Violence is necessary and indispensable for the existence of militarism. However, the necessity of militarism for violence, in general, is not indispensable. Violence forms the material of militarism, but the reason is the will-to-power, as we mentioned above. The most important way for the power to preserve and maintain its power is through the organization of violence (Zencir, 1992, p. 4).

It is underlined that militarism has an ideological power that differentiates itself from individual violence. This ideological power is based on the assumption that the individual confirms the rightful existence of the state and law as soon as s/he is born. More precisely, it organizes in an effort to create such an outcome. “All in all, every child is born a soldier” (Zencir, 1992, p. 5).

The most important result of this approach towards militarism is its ideological content that goes beyond the army's borders. According to Zencir (1992), the state and its ideological apparatuses are organized within the framework of this institutionalized notion of violence. Therefore, “it is not possible to be both a citizen and a consistent antimilitarist” (Zencir, 1992, p. 5).

Another consequence of Zencir's distinction between individual violence and institutional violence is that violence in itself is not considered bad. According to him:

Violence is not something that is contrary to human nature or out of nature, acquired. Morally, we can characterize violence as bad and inhuman. However, an understanding of ignoring violence in human nature and trying to prove it is dangerous and problematic, as it primarily tries to determine human nature. Secondly, it is doomed to lose all its defenses at every point where violence is detected in human beings (Zencir, 1992, p. 4).

He is not concerned with the notion that violence is natural or cultural. He is interested in the ideological power of organized violence, namely militarism.

However, he does not establish an imperative link between individual violence and militarism (Zencir, 1992, p. 4). Moreover, he claims that such an imperative connection would mean underestimating the ideological power of militarism. On the other hand, in another article by Serdar Tekin and Osman Murat Ülke (1992), in response to this text, they argue that the link between individual violence and militarism is imperative. According to them:

[T]he source of militarism is the use of individual violence to dominate, but the existence of violence is a sufficient and necessary reason for the will to dominate. Thus, the inevitability of the transformation of individual violence into militarism emerges. Based on this, we can say that the destruction of the platform on which militarism rises is possible by preventing the feedback. In other words, leaving violence unanswered, rejecting violence altogether... This is pacifism (Tekin & Ülke, 1992, p. 6).

The assumption of the sanctity of human life shapes this approach. However, unlike Christian pacifism, this holiness is not claimed to derive from a divine power. On the contrary, it is a worldly understanding that feeds on "libertarian ethics" (Tekin & Ülke, 1992, p. 6). To underline this difference, Tekin and Ülke (1992) call their approach "militant pacifism" (p. 6.). The 'militant' character of this pacifism stems from the idea of not being pacified in all aspects of life. In

other words, they not only prefer to live away from violence individually but also take a militant attitude by objecting to the organized form of violence. They claim that the relationship between these two types of violence, individual and organized violence, is an imperative one. The way to transform this equation is to both personally leave violence unanswered and stand against militarism.

The most important output of such an understanding is that militarism occurs in every aspect of human life. In other words, if individual violence necessarily leads to militarism, it is itself a part of the militarist order. Therefore, for the pacifist approach, militarism is not limited to the army; it is possible to find traces of militarism wherever there is violence. In both approaches, it is critical to have such an approach towards militarism because the discussions on violence and militarism are closely related to how determining an anti-militarist perspective of struggle.

As I mentioned in the previous section, the point of view that stands out most in *Amargi* is that "negative propositions" are the starting point for the struggle. The foundation of the antimilitarism position is shaped through the negative propositions approach.

Two points about antimilitarism should be underlined. First, as I tried to convey in the discussion of violence above, traces of militarism can be detected in all areas of life. This idea is accepted by both pacifists and non-pacifists (Zencir, 1992;

Tekin & Ülke, 1992; Tekin, 1994). The second is the approach that antimilitarism is “the positivity of negative discourse” (Hür, 1991, p. 9). What is meant here is:

Antimilitarism is a field that creates the positivity of negative discourse by rejecting militarism and creating libertarian negative discourse despite militarist structures. (Hür, 1991, p. 9)

The strength of the positivity inherent in anti-militarism comes from its source: the right to life (Hür, 1994, p. 13). A negative proposition is constructed by rejecting the military traces that have spread to all areas of social and political life. However, the justification for this refusal is shaped with reference to the right to life, thus giving it a positive quality. As will be seen in the next section, the notion of CO arose as a result of just such a way of thinking.

3.3. Conscientious Objection as an Action Plan

In *Amargi*, discussions of CO can be examined under three interrelated headings:

negative understanding of politics, termination of the contract, and content of rejection (whether there is an objection limited to denial of compulsory military service). Before moving on to the discussion on this issue, one point should be underlined. As I mentioned in the previous sections, it is possible to determine that different opinions are expressed on the same subject in the magazine. In this section, I will prefer to ignore the differences in nuance between ideas because I do not intend to analyze each author's ideas on CO. I aim to understand what kind of a general framework of CO is introduced to the Turkish public. In my opinion, it would be more beneficial from a practical point of view to identify the common propositions shared by the COs/anti-militarists of the period regarding how this form of objection was justified.

3.3.1. Negative Understanding of Politics

Amargi is a journal that was not seen as an end in itself but was published due to the need to create an opportunity for organizing. It is a political journal. As a matter of fact, it was published with the title "Monthly Political Journal" (*Aylık Politik Dergi*). The first issue often discussed concerns the content of this politics. The political position shaped by the idea of a “negative proposition” is also detailed in the context of these discussions.

Osman Uzun (1991), in his article titled *Bir Mücadele Perspektifi* (A Struggle Perspective), reviews the political positioning of the anarchist movement in Turkey and looks for ways to develop a practice of struggle. According to him:

[I]n whichever field the anarchist discourse tries to say something other than showing the Phoenix on the Kaf mountain, it finds itself left alone with the idea of rejection. For example, propositions such as leave school, we do not want education, are very suitable for the structure of anarchism (Uzun, 1991, p. 5).

It can be thought that the “phoenix” analogy is used to indicate the ultimate goal to be reached. Therefore, what he aims and emphasizes is instead of waiting for the day when anarchist ideals will be realized as the final stage, it is the determination of what can be done in an active struggle. The idea of objection is a consequence of this reasoning. The will underlying this idea does not refer to civil society discussions that function as a "safety valve" (see Kataria, 2013). On the contrary, it is underlined that “every autonomy demand of civil society is actually a new definition of the state, a demand for a new state” (Uzun, 1991, p. 6). It is underlined that the culture of ‘rejection,’ so to speak, should be a political line

itself, by rejecting all kinds of reconciliation planned with the state, including the idea of civil society (“*Otonomca Örgütlenme*,” 1993, p. 16).

What is highlighted here is to underline the potential of the political by not doing politics.

[F]reedom and politics are mutually exclusive concepts. Politics refers to the ways of obtaining and retaining power (Atan, 1993, p. 5).

They did not choose to call themselves dissidents either. Opponent denotes those who accept the logic of power itself and want to seize power to dominate (Atan, 1993, p. 5). However, the first thing to be done for the anti-militarist/COr anarchists of *Amargi* is to accept that power is bad in itself and to reject the politics shaped by the desire to be in power. This reasoning explores the possibility of creating spaces of freedom (Atan, 1993, p. 5).

The idea of CO is also a product of this ‘counter-politics’ understanding (Atan & Atan, 1994, p. 23). Therefore, it is not just a demand for a right. They are not trying to seize the possibility of coming to power as an opposition and to seek ways for the law to summon them (see Althusser, 2002). Indeed, they are total objectors (Atan & Atan, 1994, p. 23). Consequently, the first thing to keep in mind is this: The anti-militarists/COs who contribute to *Amargi* are those who do not favor the idea of reconciliation with the law by demanding personal exemption as a right and aim to organize on the basis of the idea of counter-politics/negative-

politics and to build a political line of struggle based on freedom from the idea of power.

3.3.2. Termination of Contract

In *Amargi*, CO is formulated as the unilateral termination of the contract between the state and the citizen (Zencir, 1992, p. 6). The main issue that needs to be examined in this formulation is the reason for this termination. “Once, power was concentrated in certain hands because of the formation of relations of domination and politics among people” (Atan, 1993, p. 5). Therefore, man is no longer free. He has subordinated his will to establish his own future to another authority. This is exactly what is being contested. This objection does not indicate a problem that is likely to be resolved by reconciliation. As I tried to convey in the previous section, the current order itself is shaped either on the axis of the desire to be in power/to rule or on the axis of submission to those who claim to have the power to dominate. Reconciliation means the adoption of these propositions. However, this is a political position that anarchic politics cannot accept.

It should be noted that the idea underlying the termination of the contract is not limited to the violation of a law. It involves the rejection of the assumptions that determine social and political relations. To put it in a Rancierean approach (2010b), it is a rejection of the parteking process. Objections are raised to the implicit assumptions and covert mechanisms that come with the parteking process. Therefore, CO cannot be limited to the rejection of laws resulting from these hypothetical contracts; it is the problematization of hypothetical contracts.

The second aspect is the source of the power that makes it possible for men to terminate the contract. The source of the will of man to terminate the civic contract is innate (Atan, 1993, p. 5). Therefore, it cannot be evaluated in the context of positive law. This idea refers to the theory of natural law (see Bix, 2002; Finnis, 2011). “The idea that law can be purposefully suspended by a higher law is also the basis of natural law thought” (Celebi, 2011, p. 82). The higher law set in *Amargi* is of a secular nature. Humans and their freedom are conceived as a value in itself. This supreme value has a cosmical content in the face of existing law.

The justification of the idea of CO is based on these two issues. The contract with power makes human freedom impossible. Therefore, it was terminated unilaterally. The power to terminate the contract arises from a universal value that transcends the limits of positive law, from the assumption that man himself is a value.

3.3.3. Content of the Rejection

As I have tried to demonstrate in the previous two sections, the origins of the idea of CO are not limited to just a refusal to serve in the military. Of course, due to the political conjuncture of the period, the frequency of voicing the objection to military service was higher. However, the arguments put forward in the debates, the justification of the idea of refusal, and the framing of what was intended

reveal that the objection is not limited to the rejection of compulsory military service.

The formulation of the CO is not based on the idea of personally not wanting to kill someone or die in a war. The first and most evident manifestation of this is the refusal of alternative civilian service:

These days, when the alternative civil service emerged as the policy of the states, there is no point in defending this as a stage or as an achievement. On the contrary, the army now needs civil service in the sense of 'getting rid of its clumsiness,' 'mobilizing,' and 'reducing the military burden of the state.' Morally, the acceptance of alternative civil service is a serious double standard. This is nothing but an evasive way of saying, 'I cannot kill, but you kill.' Antimilitarists no longer have to question and transcend the double standards of alternative civil service. Now, citizens must know that every law they abide by, their status, and all their legitimate identities serve the army and the state (Zencir, 1992, p. 5).

Accepting to be a part of the existing political and social organization is considered to serve militarism, whether it is within the borders of the military or not. Therefore,

[t]he important thing is to perceive alternative civil service in unity with concepts such as the state, nation, and citizenship and to feel uncomfortable with identities (also in the sense of official identity) that are carried over very seriously. Secondly, it is believing in the possibility of total objection (in the sense that it includes other institutions) in the process and looking for ways to do this. Apart from refusing military service, we can refuse to seek help from the police and go to court (Zencir, 1992, p. 5).

The objection to conscription is only part of the notion of CO. Objection forms such as not asking for help from the police, opposing the right to vote and being

elected, refusing to be a citizen of any nation, and not paying taxes are the forms of objection suggested as a result of the same reasoning (Atan, 1993, p. 5).

3.4. Concluding Remarks

Amargi is a magazine that brings together people who want to organize around the idea of counter-politics/negative politics. In this direction, it aims to create freedom areas by rejecting existing political tools. The idea of CO should also be seen within the framework of the action plan for this large-scale struggle. The CO unilaterally terminates the contract with the government and presents the idea of freedom, encoded as a universal value, as a justification for his rejection. Even if this objection is the rejection of compulsory military service at the first stage, the termination of the contract is not the elimination of one dimension of the relationship with the state; it means total rejection. As a matter of fact, the conceptual framework put forward by the first COs/anti-militarists who contributed to *Amargi* reveals that this is what was intended. Therefore, the concept of CO has not emerged as a personal exemption request in Turkey. It is an action that derives its legitimacy from a higher law that is nonviolent, public, collective, and reminds us that the source of power is not the state but man himself. In this respect, it is not an act of CO as a general category of objection. Although it can largely be seen as an act of CD, it differs significantly from it in that it does not recognize the legitimacy of the existing order.

It should be noted that all these evaluations of CO are related to how it was conceptualized in the process of its emergence in Turkey. Therefore, it should be considered as a specific conceptualization made in a specific historical period.

Over time, the idea of CO has become widespread and has been declared by many people. In the next chapter, insights into the conceptualization of this form of objection, which over time has been adopted by more and more people for different reasons, will be explored through interviews. In this direction, both the approaches of those who have been a part of the emergence of CO in Turkey and who have declared their rejection as of 2023, as well as the conceptual approaches of people who were socialized in different social/political circles at different times, but who met with the idea of CO at some stage of their life, will be discussed. Thus, a holistic approach can be obtained by evaluating both the origins of CO in Turkey through *Amargi* and its transformation over time.

CHAPTER IV

EXPLORING CONSCIENTIOUS OBJECTION THROUGH PERSONAL NARRATIVES

In this chapter, I will scrutinize the concept of CO in Turkey through data obtained from interviews. First, I will consider how CO is defined by the interviewees and identify commonalities and differences. Next, I will analyze the relationship between CO, which first emerged as the rejection of conscription, and militarism in Turkey. The third section presents how the reasons for refusal of people who have expressed their refusal on different grounds over time have been met by the COs interviewed. In the final section, I will detail the CO's understanding of solving what he or she points to as a problem.

Interviews enable direct and in-depth analysis of attitudes and approaches through personal narratives (Mosley, 2013, p. 2). Following such an approach, I asked a series of questions on different themes such as personal experience, definition, (anti)militarism, different COs, CO movement, citizenship, and approaches to the state in order to make a holistic analysis (See Appendix B). I recorded the conversations via a tape recorder. I transcribed the interviewer's statements word by word and translated them into English.

Three criteria were taken as the basis for determining the interviewees. The first point is the date when they announced their CO. I have determined such a criterion in order to analyze whether the concept has undergone a historical transformation and how it is conceptualized. 2 of the interviewees declared their CO between 1990-1999, 5 people between 2000-2009, and 5 people between 2010-2023 (See Appendix A). Secondly, whether the person who declared his/her CO is legally obliged to do compulsory military service was determined as a criterion. Among the interviewees, two women are not legally obliged to do military service. Third, attention has been paid to the elements by which the objector justifies his/her position in the objection declaration (CO as a position of total nonviolence, CO resulting from following religious requirements, CO as a desire to protect one's self against the state/authority, CO justified by highlighting issues such as sexual orientation/gender).

In light of these criteria, the texts of the CO statements presented on the website of the Conscientious Objection Association and the study called the Almanac of Conscientious Objection Statements, edited by Can Başkent (2011a), were used as the main sources in the determination of the interviewees. In cases where these resources were insufficient, I resorted to the snowball sampling technique. Typically, in snowball sampling, the participant usually aids in the process of enlisting more individuals to join the study (see Coleman, 1958; Goodman, 1961). The disadvantage of this situation is that access to other people who are not directly related to the source of information becomes difficult (Morgan, 2008, p.

816). To overcome this difficulty, I did not directly follow the advice of the information source. First of all, I have determined whether it is necessary and important to include the person proposed to be interviewed in the study in terms of the three criteria specified above. While doing this, I examined the refusal statements in the sources I mentioned above in detail. Also, I took care that the majority of the interviewees did not live in the same city. This issue is important in terms of the objective of this research. Izmir has been an important city for the CO movement in Turkey. Important non-governmental organizations such as *SKD* and *ISKD* were organized and operated in this city. Therefore, since I thought that communicating with people living in the same city would mean contacting the same social environment, I took care to interview people living in different cities/countries. Thus, I interviewed 13 people.

One of my interviewees, Osman, stated that as a Jehovah's Witness, he does not define himself as a CO. He stated that he thinks COs are a 'political' community and underlined that the source of his thoughts is not political but religious. Moreover, he stated that he served in the military. On the other hand, I prefer to use the interview with Osman as data in the study because he refused to carry weapons during his military service on religious grounds and was tried and sentenced in a military court for this objection. The remaining 12 people define themselves as COs.

4.1. Conceptualizing an Action: Definition of Conscientious Objection

In this section, I will present how COs interviewed conceptualized their objections. In line with this, I will not discuss each objector's approach in detail.

My aim is not to analyze the depths of the inner world of everyone interviewed. I will address the commonalities and differences through their highlights. Accordingly, in this section, I will examine the conceptualization of objection under three headings: CO as an act of CD, CO as positioning, and CO as an act of making a promise and a call.

4.1.1. Conscientious Objection as an Act of Civil Disobedience

Seven interviewees (Merve, Boran, Ulaş, Ali, Özkan, Ayhan, and Kemal) openly stated that CO is an act of CD. However, it is worth mentioning that there are differences in the conceptualization of CD. Some objectors, with reference to detailed criteria, argue that CO is an act of CD, while others prefer a broader definition. For instance, Merve characterizes CO as an act of CD based only on the criterion of objection:

The most general and my favorite definition of conscientious objection is civil disobedience. For me, civil disobedience means rebellion. I think it is a conscientious objection to say ‘just a second’ to learned and blessed things, such as motherhood, war, homeland, things that are presented to us as values.⁸

This definition is based on the idea of non-obedience as a civilian rather than referring to CD as in the literature. Moreover, as noted in Conscientious Objection and Civil Disobedience (Chapter 2), it is difficult to argue that it is compatible with the criteria shared by many theorists. For example, the criterion of direct or indirect violation of the law, which was put forward by thinkers such as Arendt (1972), Rawls (1999), and Raz (2009), was not considered in this definition. In

⁸ Vicdani reddin, en genel ve en sevdiğim tanımı sivil itaatsizlik. Benim için bir sivil itaatsizlik, bir başkaldırı demek. Öğrenilmiş ve kutsanmış şeylere, annelik gibi, savaş gibi, vatan gibi, bize değer olarak sunulan şeylere "bir saniye" demek bence vicdani ret.

fact, this point reveals an exciting feature of the CO movement in Turkey. Women are not legally obligated to do military service (*Askeralma Kanunu*, 2019). On the other hand, many women, such as Merve, made statements of CO. It is not a crime for them to declare that they will not join the military. Therefore, due to an evaluation to be made in the context of positive law, it is not possible to see the CO statements of women like Merve as a 'meaningful' objection. As a matter of fact, as can be seen in the section quoted above, it is not a reform to be made in the context of positive law that is already intended. On the contrary, it is a call for the annulment of imaginary contracts that run much more profound and encompass all social/political life.⁹ This argument reveals that the criterion of recognizing the legitimacy of the existing order is also not fulfilled because CO is formulated as the displacement of notions that make the existence of the established order possible, such as the nation-state and the effort to shape a woman's identity through the notion of motherhood. In other words, it is not stated that an aspect of the established order is in need of repair; the fundamental values on which it justifies itself are challenged. In summary, the notion of CO does not qualify as CD concerning the prevailing approach in the literature. It is claimed that it is an act of CD in that it is civil and includes disobedience. Additionally, no particular emphasis is placed on conscription in the definition expressed by Merve. For example, the notion of motherhood is also denied, giving clues that it is possible to consider a broader definition of CO.

⁹ According to Ranciere (2010b), “the logic of arkhe thus presupposes that a determinate superiority is exercised over an equally determinate inferiority” (p. 30). Through this assumption, various secret contracts are constructed, and the fate of the *polis* fiction is possible with the continuity of the validity of these hypothetical contracts. The political means the interruption of this construction of continuity; that is, it is ‘an-archic’ (Ranciere, 2010b, pp. 27-44). The contracts I mentioned here should also be considered in this context.

It is difficult to argue that others who view CO as an act of CD follow the same approach. Different approaches are available. According to Ulaş, CO is “an act of civil disobedience because it is a form of nonviolent action, is illegal but legitimate, and is a call to appeal to the public and change/transform it.” It should be noted that when making this definition, Ulaş refers to the definition of CO as limited to the rejection of compulsory military service. Based on this definition, he defines this particular form of CO as an act of CD. The interesting manifestation of the unlawful nature of CO as an act of CD in the Turkish example is emphasized by Boran as follows:

Conscientious objection practically corresponds to an act of civil disobedience in every country and in our country where conscription is practiced. However, interestingly, we also have the legal right to conscientious objection and, accordingly, not to do military service because conscientious objection is a human right in international conventions that Turkey is a signatory. According to the laws of Turkey, in cases where our domestic laws and the articles of international agreements we are signatories conflict with, the international article is immediately valid and applied. In this context, being a conscientious objector actually coincides with the act of civil disobedience, and on the other hand, we have to play puss-in-the-corner with the state for more than 20 years in order to get what we are entitled to according to the law.¹⁰

Although this approach seems limited to an evaluation made in the context of positive law at first glance, it can be evaluated on a common basis with the other approach (Merve) implicitly. In Article 90 of the 1982 Constitution of the Republic of Turkey, “in the case of a conflict between international agreements,

¹⁰ Vicdani ret, pratikte bir sivil itaatsizlik eylemine denk düşüyor zorunlu askerliğin uygulandığı her ülkede ve ülkemizde. Fakat, hukuken vicdani ret hakkına ve buna bağlı olarak askerlik uygulamasını yapmama hakkımız da var ilginç bir şekilde. Çünkü Türkiye’nin imzacısı olduğu uluslararası sözleşmelerde vicdani ret bir insan hakkı olarak geçer. Türkiye’nin yasalarına göre iç yasalarımız ile imzacısı olduğumuz uluslararası sözleşme maddelerinin çeliştiği durumlarda derhal uluslar arası madde geçerli olur ve uygulanır. Bu bağlamda, vicdani retçi olmak aslında pratikte sivil itaatsizlik eylemine denk düştüğü gibi bir yandan da zaten yasalara göre hakkımız olanı almak için 20 yılı aşkın süredir devletle hukuki bir köşe kapmaca mücadelesi oynamak zorunda kalışımız şeklinde ilerliyor.

duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail” provision is included. The European Convention on Human Rights, which is accepted as one of the basic texts on fundamental rights and freedoms, was signed in 1950 and ratified by Law No. 6366 of 10.03.1954 by the Turkish state (*İnsan Haklarını ve Ana Hürriyetleri Koruma Sözleşmesi ve buna Ek Protokolün tasdiki hakkında Kanun*, 1954). Therefore, the provisions of the contract should be taken as a basis by ignoring the articles of law that contain contradictory provisions with this contract. Although there is no direct provision in this contract regarding the issue of CO, it was decided that CO is a right that should be evaluated and recognized in the context of freedom of thought, conscience, and religion in the decision of Bayatyan-Armenia with reference to the contract (*Bayatyan v Armenia*, 2011). Since it is clear that this decision is also binding in terms of domestic law in Turkey by the relevant constitutional provision, it seems essential that CO be recognized as a right. However, this right is not recognized. What makes the situation interesting is the absence of the provision that CO constitutes a crime, as well as the denial of the right. No one can be accused of being a CO. As a matter of fact, COs who are punished are not accused of being COs. As a lawyer, Ulaş expresses this situation as follows:

An administrative fine is imposed on you in case of absentee attendance and being a remnant. If you object to this administrative fine, at the end of the objection, if you do not object, the fine becomes final from that moment on. After the fine is finalized, every record kept means a criminal case. In other words, if 20 records were kept against you, it means that 20 criminal cases would be filed against you.¹¹

¹¹ Yoklama kaçağı ve bakaya olduğunuz durumda hakkınızda idari para cezası kesiliyor. Bu idari para cezasına itiraz ederseniz itirazın sonunda, etmezseniz o andan itibaren para cezası kesinleşmiş oluyor. Para cezası kesinleştikten sonra girilen her tutanak ceza davası anlamına geliyor. Yani hakkınızda 20 tane tutanak tutulduysa, hakkınızda 20 tane ceza davası açılacağı anlamına geliyor bu.

The inadequacy of an evaluation limited to positive law is apparent. CO in Turkey is a form of objection that is not legally defined as a crime and can also be claimed to be a recognized right in accordance with the relevant constitutional provision. In any case, according to Ulaş, COs are subject to very serious sanctions. Therefore, the first point to be noted is that it is an example of disobedience that is difficult to grasp in the context of positive law. This difficulty stems from the nature of CO that transcends the limits of positive law. The CO challenges the principles on which the state of the Turkish Republic justifies its existence, similar to the conclusion drawn from the statements of Merve. For this reason, a CO is subject to a serious attack by the state, whether it is a right implicitly recognized in accordance with the constitutional provision or a crime not legally defined. Therefore, although Boran's approach seems limited to a positive law perspective at first glance, it is implicitly a manifestation of a similar perspective. Therefore, he defines CO as an objection that is not limited to the refusal of conscription.

To sum up, CO is defined as an act of CD that is not limited to the denial of conscription. However, this definition differs significantly from the CD conceptualized by theorists such as Rawls (1999), Arendt (1972), and Raz (2009). The most essential difference is the lack of recognition of the legitimacy of the existing order. Moreover, CO itself is in the form of an objection to the legitimacy foundations of the order. Thus, it differs from both CO, conceptualized as a demand for personal exemption, and CD, which recognizes the legitimacy of order.

4.1.2. Conscientious Objection as a Stance in Life

Another definition of CO shared by many interviewees is that it is a kind of positioning based on reasons that may vary from person to person, such as political, religious, ethical, or philosophical. The most striking aspect observed in this approach is the nature of this 'taking position' that includes many areas of political/social/economic life. Temmuz, referring to the historical roots of CO, expresses his position as follows:

When we look at it as a historical process, we can define it as the rejection of compulsory military service as the most basic and common point. However, of course, it has many implications. For example, when we look at the Quaker movement in the historical process, or when we look at those who refused to join the military in Russia, and those who refused for religious reasons at the end of the 19th century, which Tolstoy mentioned, a great majority of them also refused to pay taxes. Likewise, they refuse to pay taxes, claiming that it is something that hurts one's conscience. Or they refuse to go to school and make their children part of the compulsory education system. This is not just for the anarchist movement. It is also valid for many other religious movements, mostly Christian ones. We also see that this approach goes hand in hand with the conscientious objection movement. In this sense, from where I stand, conscientious objection is not merely a refusal to join the military; in general, I see it as rejecting the manifestations of militarism in society and all its imposing approaches on human life. In addition to enlisting in the military, opposing compulsory education and opposing taxes are also included in conscientious objection. In fact, I think militarism cannot be limited to the military complex. Other aspects of capitalism are also supportive elements of militarism. In this sense, working in companies in their hierarchical structures is something that comes with the continuation of militarism. In this sense, I think we can include refusal to work within the hierarchical structure of a company within the scope of conscientious objection. At least, that's how it has been in my personal history. Of course, I can't help but add this: We all have very different needs, necessities, and concessions that we have to make in order to stay in life. None of us live without compromise. We do not live entirely by principles. We all make concessions; we have to give. That's why I don't mean to criticize the concessions or deviations from principles made by anyone, but the rejection of working life was actually an important element in my personal

history. That's why I did not get a job in a company or think of having a civil service while I had the conditions and opportunities to do these things. However, on the other hand, I must add that I had the conditions and opportunities to live by not doing these things. That's part of what gave me that luxury. I am aware of that, too. I realize that not everyone has this opportunity.¹²

Arjen, on the other hand, states that this stance should be considered as an individual's self-preservation and construction:

For example, you cannot do something like I bid, and it is over. As a whole, it is now something that walks with you through your life. It gives you perspective. This is not only the change of political arguments but also the approach to daily life, reflexes, acceptance, and rejection measures. Being a conscientious objector is actually a rejection of your self-established by society, family, system, and state, and this time, trying to add something to the place you stand as an individual. Trying to improve this build on your own initiative. In this sense, conscientious objection, to me, is an individual's self-reconstruction.¹³

¹² Tarihsel süreç olarak baktığımızda, aslında en temel, ortak buluşulacak nokta olarak zorunlu askerliğin reddi şeklinde tanımlayabiliriz. Ama tabii bunun pek çok yan içerimleri de var. Örneğin, tarihsel süreçte Quaker hareketine baktığımızda ya da Rusya'da askere gitmeyi reddeden, Tolstoy'un da bahsettiği 19. yüzyılın sonunda dini nedenlerle reddedenlere baktığımızda, bunların büyük bir çoğunluğu örneğin vergi vermeyi de reddediyorlar. Aynı şekilde vergi vermenin de kişi vicdanını yaralayan bir şey olduğunu öne sürerek reddediyorlar. Ya da okula gitmeyi, çocuklarını zorunlu eğitim sisteminin bir parçası kılmayı da reddediyorlar. Bu sadece anarşist hareket için geçerli değil. Pek çok başka dini kaynaklı, daha çok Hristiyanlık kaynaklı dini akımlar içerisinde de geçerli. Bu yaklaşımın da vicdani ret hareketiyle birlikte yürüdüğünü de görüyoruz. Bu anlamda ben, kendi durduğum yerden vicdani reddi sadece askere gitmeyi reddetmek olarak değil; genel olarak militarizmin toplumdaki tezahürlerini ve bunun insan hayatı üzerindeki dayatmacı tüm yaklaşımlarını reddetmek olarak görüyorum. Askere gitmenin yanı sıra, zorunlu eğitime karşı çıkmak ve vergi ödemeye karşı çıkmak da vicdani redde dahil. Militarizm aslında sadece askeri kompleksle sınırlandırılmaz diye düşünüyorum. Kapitalizmin diğer veçheleri de militarizmin destekleyici unsurları. Bu anlamda şirketlerde, onları hiyerarşik yapılarında çalışmak da militarizmin devamıyla gelen bir şey. Bu anlamda bir şirketin hiyerarşik yapısı içinde çalışmayı reddetmeyi de vicdani reddin kapsamına koyabiliriz diye düşünüyorum. En azından benim kişisel tarihimde bu böyle oldu. Tabii ki şunu da eklemeyi geçemeyeceğim: hepimizin çok farklı ihtiyaçları, gereklilikleri, hayat içerisinde durabilmek için vermemiz gereken tavizler var. Hiçbirimiz tavizsiz yaşamıyoruz. Tamamen ilkeler doğrultusunda yaşamıyoruz. Hepimiz tavizler veriyoruz, vermek durumunda kalıyoruz. O yüzden kimsenin verdiği tavizleri ya da ilkesel sapmaları eleştirme anlamında demiyorum ama kişisel tarihimde çalışma hayatının reddi de aslında önemli bir unsurdur. O yüzden bir şirkette işe girmedim ya da bir memuriyetim olsun diye düşünmedim, bunları yapabilecek koşullara, imkanlara sahipken. Ama öte yandan şunu da eklemem lazım: bunları yapmayarak yaşayabilecek koşullara, imkanlara da sahiptim. Bana bu lüksü veren biraz da buydu. Bunun da farkındayım. Herkesin bu imkana sahip olmayabileceğinin de farkındayım.

¹³ Deklere ettim ve bitti gibi bir şey yapamıyorsun mesela. Bir bütün olarak, hayatın içerisinde seninle yürüyen bir şey artık. O sana bir perspektif kazandırıyor. Bu sadece politik argümanların değişmesi değil, aynı zamanda gündelik hayata yaklaşımın, reflekslerin, kabul ve ret ölçülerin...

The commonality in these approaches is that CO is defined as the attitude of protecting, transforming, and constructing personal space with a secular approach. Additionally, CO as a personal position is similarly justified by Ertan and Osman on the basis of religion:

I have a lifestyle. I live the way I know right, the way I say, 'This is how it should be done.' I have a lifestyle. It is not an easy thing to walk that line in life. Sometimes, a person can make some mistakes that are inconsistent with himself, his thoughts, and his beliefs. However, in general, I try to live like this. I have four children; there were two at that time. I did not send my children to school either.

This is how I live. This is how I do my trade. Sometimes, I see that I am very successful, but then things go wrong. Why is it going bad? Because I do not surrender to the correct mathematical calculations of the existing market conditions.

It's not about conscientious objection. The point is to do something that I know is right, that I feel good about, and that I don't see myself as contradictory. I have never been unhappy in my life because I try not to contradict myself. (Ertan)¹⁴

We live according to what is written in the holy scripture. For example, he says, 'You will not fight, and you will not learn war.' Military service is also a martial art. They teach you to kill and to use weapons. I said I did not want to take that training. (Osman)¹⁵

Vicdani retçi olmak aslında bir yerden de toplum, aile, sistem, devlet tarafından kurulan benliğine bir ret çekip bu kez birey olarak senin durduğun yere bir şeyler katmaya çalışman. Bu inşayı biraz kendi inisiyatifinle geliştirmeye çalışman. Bu anlamda vicdani ret, bana göre, bir bireyin kendisini yeniden inşası.

¹⁴ Benim bir yaşam tarzım var. Doğru bildiğim, 'bu böyle yapılmalı' dediğim şekilde yaşıyorum. Bir yaşam biçimim var. Hayatta o çizgiyi dosdoğru yürütmek çok kolay bir şey değil. İnsan bazen kendiyle, düşünceleriyle, inançlarıyla çelişkili bazı hatalar yapıyor. Ama genel hat itibarıyla ben böyle yaşamaya çalışıyorum. 4 tane çocuğum var, o dönem iki taneydi. Çocuklarımı okula da göndermedim.

Böyle yaşıyorum. Ticaretimi böyle yapıyorum. Bazen bir bakıyorum çok başarılı oluyorum, sonra işler kötü gidiyor. Niye kötü gidiyor? Çünkü varolan piyasa koşullarının doğru matematik hesaplarının içerisine teslim olmuyorum.

Mesele vicdani ret değil. Mesele doğru bildiğim, kendimi iyi hissettiğim, kendimi çelişik olarak görmeyeceğim bir şey yapmak. Ben hayatımda hiç mutsuz olmadım. Çünkü kendimle çelişik yaşamamaya çalışıyorum. (Ertan)

¹⁵ Bizler kutsal kitapta ne yazıyorsa ona göre yaşıyoruz. Mesela 'savaşmayacaksın ve savaş öğrenmeyeceksin' diyor. Askerlik de bir savaş sanatı. Sana adam öldürmeyi, silah kullanmayı öğretiyorlar. Ben o eğitimi almak istemiyorum dedim. (Osman)

Although there are differences in all these approaches to CO in terms of the areas of application and the arguments put forward in justification, what is common is the conceptualization of CO in terms of the metamorphosis of the relationship that the individual establishes with himself/herself in the first stage. As a COr, the person determines his/her own standing. The demand for social/political transformation is not strong at this stage. The clearest example of this, apart from the quotes quoted, is CO not through a joint statement; everyone is declared with their own, that is, their unique statement. The state of CO, before it becomes a collective opposition, is to determine one's stance against something. This 'thing' being resisted can be different for everyone. For example, for Ertan, Allah is accepted as the sole and absolute authority, and any claim to power that seems to rival this absolute authority is rejected. On the other hand, Arjen refers to the self-power of humans for secular reasons without referring to a mystical being.

The stage passed after determining one's own position is a call to others. However, it should be noted that not every COr has to make a call. It may be enough for him to protect his self and to protect himself from various impositions/forces that will put him in conflict with what he thinks/believes.

4.1.3. Conscientious Objection as an Act of Making a Promise and a Call
Eleven of the interviewees expressed their CO with the statements they made in the public arena.¹⁶ At first glance, it can be thought that there are two reasons why such a method is preferred. The first reason is that the COr publicly declares his loyalty to his position and thus declares that he will remain true to his word.

¹⁶ Boran sent the declaration of CO to the website savaskarsitleri.org via e-mail and asked for it to be published. Osman, on the other hand, does not call himself a COr.

the promise is a *shen* and a *hashty/omang*. While I was making my statement, I first invited my friends/comrades who will witness this responsibility, who are important to me in my personal life, and who see my other responsibilities and say, 'What are you doing' when I do not fulfill my responsibilities.

However, CO statements have not always been limited to the act of making a promise/declaring that they have assumed responsibility. It has also been

This is what the conscientious objection and the antimilitarist movement claim: if you do it individually and society is convinced of it, you and society will be transformed.¹⁸

¹⁸ Vicdani ret ve anti-militarist hareketin iddia ettiği şudur: bireysel anlamda bunu yaparsan ve toplum buna ikna olursa başkalaşırsınız.

Similarly, this togetherness and perhaps even intertwining can be better understood by examining the conscientious aspect of CO for Kemal:

The expression ‘conscience’ in the concept of conscientious objection should not deceive us; the political conditions and the reactions to these conditions shape the conscience of the individual who rejects it. In this sense, our actions are not independent of politics. For this reason, conscientious objection is primarily a stance against the politically imposed; however, I think of it as a call to social transformation and nonviolent organization according to what I propose politically instead of the imposition I reject.¹⁹

Thus, CO can be thought of as making a call by declaring one's insistence on preserving and preserving one's own self-worth. This call is expressed through the disclosure of the distortion/falseness of the existing (values, social/political life, etc.). The dimensions of this disclosure are varied. For example, CO as a struggle for rights for Ayhan reveals the flaws of the current order regarding freedom of expression and aims to eliminate these flaws:

In order to remove these barriers to freedom of expression, we put forward ideas that may be seen as marginal and goofy so that we can talk to people comfortably and express our thoughts. It is important to think and express something. This is a much more important issue than the military. To oppose with conscientious objection, to come up with theoretical things like ‘my friend, there is a greater God than you, there is a citizen greater than you, if I exist, you exist’... I think this is very important.²⁰

¹⁹ Aslına vicdani ret kavramındaki ‘vicdan’ ifadesi bizi aldatmamalı, reddeden bireyin vicdanını da içinde bulunduğu politik koşullar ve bu koşullara verdiği tepkiler şekillendiriyor. Bu anlamda edimlerimiz politikadan bağımsız değil. Bu nedenle vicdani reddi, öncelikle politik anlamda dayatılana karşı duruş olarak; bununla birlikte, reddettiğim dayatmanın yerine benim politik anlamda ne önerdiğime göre de toplumsal dönüşüme ve şiddetsiz örgütlenmeye çağrı olarak düşünüyorum.

²⁰ İfade özgürlüğünün önündeki bu engelleri kaldırmak için belki marjinal ve uçuk kaçık görülecek fikirleri ortaya koyuyoruz ki insanlarla rahatça konuşabilelim, düşüncelerimizi ortaya koyabilelim diye. Bir şeyi düşünüp ifade etmek önemlidir. Bu askerlikten çok daha önemli bir meseledir. Vicdani retle karşı çıkmak, karşınızda devasa bir Leviathan da olsa ‘arkadaşım, senden büyük Allah var, senden büyük vatandaş var, ben varsam sen varsın’ gibi teorik şeylere dayanarak ortaya çıkmak... Bunun çok önemli olduğunu düşünüyorum.

Apart from that, the call and disclosure may involve a more radical opposition. As a matter of fact, Ali defines CO as a more fundamental criticism of the social and political system as follows:

To reject all uniforms, including those dressed on our bodies. I mean it all, from gender to boiler suits, from military uniforms to gender regimes shaped as male-female. To say how free and diverse life can be. The institution of the family, monogamy, or heteronormativity all have several centuries of history. However, it is as if what has been imposed on us has come and gone like this since eternity.²¹

The most important conclusion that can be drawn from all these definitions is that CO is not formulated as a form of objection limited to the rejection of compulsory military service. All matters other than this proposition (whether CO is an act of CD, what the scope of the refusal is, its justification, etc.) may differ from person to person. This is an issue inherent in the notion of CO. Each person writes his own statement. Thus, each self relates to the world and to itself differently. It is unique. Everyone constructs their own truth. However, CO is a common form of objection expressed by different people who have gone through different socialization processes, have different political/social affiliations, and try to build their lives on different values. This form of rejection is also formulated as an objection shaped in the context of the relationship established with life itself. I have discussed approaches to defining this form of objection in this section. In the next section, I will explore the interviewees' perceptions of antimilitarism.

²¹ Bedenimize giydirilenler dahil olmak üzere bütün üniformaları reddetmek aslında. Toplumsal cinsiyetten işçi tulumuna, asker üniformasından erkek-kadın şeklinde biçimlendirilmiş cinsiyet rejimine kadar hepsini kastediyorum. Hayatın ne kadar özgür ve çeşitli olabileceğini söylemek. Aile kurumu, tek-eşlilik ya da heteronormativite tüm bunların aslında birkaç yüzyıllık tarihi var. Ama bize empoze edilen sanki ezelden beri böyle gelmiş böyle gidiyor.

4.2. 'Dirty Peace': Militarism

The emergence of CO in the case of Turkey has been with the rejection of compulsory military service, as described in Chapter 2. As highlighted in the previous section, objectors defined CO as more than an objection to conscription. One of the first aspects of this issue is militarism and militarist institutions. Therefore, the CO's approach to militarism is one of the most important aspects of his/her objection. In this section, the interviewees' conceptualizations of militarism will be discussed. Militarism will be examined under two headings: militarism as the organization of society and militarism as the organization of violence. These categories are closely related and even complementary to each other. The reason for choosing such a categorical evaluation is not to underline that militarism is conceptualized as two separate forms but to emphasize the two aspects of militarism that were highlighted by the interviewees.

4.2.1. Militarism as the Organization of Society

The most crucial question about militarism concerns its definition and scope. In his seminal text on this subject, Alfred Vagts (1967) defines militarism as follows:

Militarism ... presents a vast array of customs, interests, prestige, actions, and thought associated with armies and wars and yet transcending true military purposes... Its influence is unlimited in scope. It may permeate all society and become dominant over all industry and arts (Vagts, 1967, p. 13).

Following this approach, we can underline that militarism is not only represented by those who wear military uniforms but spreads to all areas of social life; that is, civilian people play a very important role. Vagts (1967) calls this situation "civilian militarism." This concept is detailed by him as

the unquestioning embrace of military values, ethos, principles, attitudes; as ranking military institutions and considerations above all others in the state; as finding the heroic predominantly in military service and action, including war—to the preparation of which the nation's main interest and resources must be dedicated, with the inevitability and goodness of war always presumed (Vagts, 1967, p. 453).

According to this definition, militarism can be considered as a social and political organization, a principle of organization. İlkey expressed the place and scope of this organizing principle in his personal history as follows:

I live here next to the school; the children still sing the marches. They have school numbers; they have classes. They have weekly missions. Actually, my first approach to anti-militarism was through education. 'There's something wrong with this education thing,' I was beginning to think. I thought that 'Why do I have my elementary school number, why is it coded to me?' I have been wearing uniforms since I was seven years old. There was a uniformist, militaristic order in all social structures. I was disturbed about it. Actually, for me, militarism is a uniform mentality in which the state has authority, shapes you, molds you, and shows everyone as one in that mold. School, education, the army, etc., are part of it. In addition, it is something that injects the perception of the nation-state into individuals since childhood. When it takes you and puts you in a uniform since childhood and then takes you to the army, you cannot say, 'I existed.' You spend a third of your life as part of a military order. Institutions are like that. It wants you to shave; it wants order. This layout is actually a very uniform layout. It's not a matter of organization, discipline, about how you do your job. This has nothing to do with work discipline. A reactionary mentality, a state. Antimilitarism is to be against it. The most pompous form of militarism is the army. It brings you to the point where you can put a gun in your hand and have someone killed.²²

²² Şurada okulun yanında yaşıyorum, hala çocuklara marşlar okutuluyor. Okul numaraları var, sınıfları var. Haftalık görevleri var. Benim aslında anti-militarizme ilk yaklaşmam eğitim üzerinden oldu. 'Bu eğitim meselesinde bir sıkıntı var,' diye düşünmeye başlamıştım. 'Neden benim ilkokul numaram var, bu bana neden kodlanmış?' diye düşündüm. Yedi yaşımdan beri üniforma giyiyorum ben. Tüm toplumsal yapılarda tek-tipçi, militer bir düzen vardı. Ben bundan rahatsızdım. Aslında benim için militarizm, devletin otoritesinin olduğu, seni biçimlendiren, kalıba koyan ve o kalıpta herkesi bir gibi gösteren bir tek-tipçi zihniyet. Okul, eğitim, ordu vs bunu bir parçası. Ayrıca, ulus-devlet algısını, bireylere çocukluktan beri enjekte eden bir şey. Seni alıp, çocukluktan beri üniforma giydirip sonra da askere götürdüğünde, sen "ben var oldum" diyemezsin. Sen yaşadığın hayatın üçte birini militer bir düzenin parçası olarak geçiriyorsun. Kurumlar da böyle zaten. Tıraş olmanı istiyor, düzen istiyor. Bu düzen aslında çok tek-tipçi bir düzen. İşini nasıl yaptığınla alakalı bir tertip, disiplin meselesi değil. Bunun iş disipliniyle alakası

Militarism is defined by him as an organizing principle that contiguates every aspect of political and social life. It is noteworthy that it is emphasized that this principle was not implemented by force. A person is formed as a part of society from an early age. In other words, consent is constantly reproduced. Kemal underlined this ideological aspect of militarism with different examples and with a broader approach:

Everyone wants to be safe. This means having easy access to the means by which a person can reproduce and transform himself and establish and maintain organized solidarity. Militarist society is a society where these tools are organized for more security; the society is reorganized to consent to this, military education and ideologies for this are formalized in schools, art is uniformized with heroic stories and foundation mythologies, the right of citizenship is possible by handing over the body when necessary as commanded by the state. The expression 'Peace is the product of preparation for war' on a sign in the garden of Eskişehir 1st Tactical Air Force Command (*Eskişehir 1. Taktik Hava Kuvvetleri Komutanlığı*) is an excellent example of this.²³

The point emphasized in the last sentence, underlining the importance of militarism in peacetime, is very crucial. This emphasis implies something else as much as emphasizing that militarism is a principle of organization mobilized in peacetime: the expectation and anxiety created by militarism that war will undoubtedly occur one day. If war is, of course, the 'inevitable' one that will one day be encountered, it is necessary to organize in peacetime to be victorious from it. The point Kemal emphasized can be considered in this context. By creating the

yok. Tek-tipçi bir zihniyet, bir hal. Antimilitarizm de bunun karşısında olmak. Militarizmin en gösterişli hali de ordu işte. Eline silah verip birini öldürtebilecek kıvama getiriyor seni.

²³ Herkes güvende olmak ister. Bu ise kişinin kendini yeniden üretilip dönüştürebileceği, örgütlü dayanışmayı kurup sürdürebileceği araçlara rahatça ulaşabilmesi demek. Militarist toplum, bu araçların daha çok güvenlik için organize edildiği, toplumun buna rıza gösterecek şekilde yeniden düzenlendiği, okullarda askeri eğitimin ve buna yönelik ideolojilerin resmiyet bulduğu, sanatın kahramanlık hikayeleri ve kuruluş mitolojileri ile tektipleştiği, vatandaşlık hakkının gerektiğinde bedenini devletin emrettiği şekilde teslim etmekle mümkün olduğu toplum. Eski adıyla Eskişehir 1. Taktik Hava Kuvvetleri Komutanlığı'nın bahçesindeki bir tabelada yazan 'Barış, savaşa hazırlığın ürünüdür' ifadesi bunun güzel bir örneği.

prospect of war, militarism seizes the power to determine how social and political organization will be in peacetime. Wartime is when violence is most visible in its complete naked form. The main question that can be derived from here is this: Is violence a tool used only in times of war for COs? I will try to answer this question in the next section.

4.2.2. Militarism as the Organization of Violence

Another prominent aspect of anti-militarism is that it is an organized form of violence. The most critical discussion on this issue is about the difference between individual violence and organized violence. In the chapter where *Amargi* is examined (Chapter 3), I mentioned that similar discussions were carried out in the magazine. Both the people I interviewed, who contributed to the magazine, and the people who announced their refusal for different reasons at different times also underlined this distinction. Özkan emphasized the theoretical consequences of not making such a distinction and the ideological aspect of militarism as organized violence with the following statements:

When we get to the point of organized violence, unorganized violence... In my opinion, when he tries to implement nonviolence in a moral sense, in a total sense, I think a moral totalitarianism will arise out of it because there is violence in human existence, in one way or another, in his daily life. Some view individual violence as certain to evolve into organizational, institutional, or militarism. This is the general defense of militarism. It is like rationalizing the law. Well, we had a fight between us, we could not solve our problem. 'It is trying to figure it out,' they say. There is institutional violence there from the moment it tries to solve it because it is doing it for me. Is this an imperativeness? When you look at the violence between people, it seems like a necessity. In fact, it is not. Social history has proven this over and over again. There are millions of examples. This has perhaps evolved into a

different perception with modern states; it has evolved into 'not possible without it.'²⁴

The distinction emphasized in this approach is the disclosure of one of the most essential characteristics of militarism. It should be noted that the organized nature of violence does not refer to a quantitative feature. It was emphasized by interviewees that there are two things that make militarism organized violence: its ideological aspect and hierarchical structure. Underlining this distinction, Ali argued that arguing that there are military elements in two examples of violence points to a paradox:

Our concern was to go beyond what we could call the paradox of violence. In fact, we were also opposed to the approval of the use of institutional violence for any reason due to deadlocks. ... I think that it is problematic to describe some methods used by the resistance as violence. For example, in Gezi... You are under attack, you respond. I do not think this should be considered violence because when it is called that, the border between is blurred. The discussion goes like this... We used to get bored of answering those questions before; now, we face the same questions again. One says we came out of here; someone attacked us. What would you do? Will you leave it unanswered? No, of course. Philosophical discussion is not like that. You can do anything if you have not given up on your life. Then what shall we say about the woman who cut off the head of the man who raped her and put it in the village square in Yalvaç district of Isparta? Because that woman actually says to society: 'I have been through something in front of all of you. I have told you this many times. However, I could not overcome it. What did you do? You sat in coffee shops. You just talked about it and messed it up in my life. Here is your masculinity.' I am trying to bring the subject to: in some cases, calling the situation violence does not fully explain what we are discussing. This is what I call

²⁴ Örgütlenmiş şiddet, örgütlenmemiş şiddet noktasına geldiğimizde... Benim düşünceme göre, şiddetsizliği ahlaki olarak tam anlamda, total anlamda hayata geçirmeye çalıştığında buradan bir ahlaki totalitarizm doğacağını düşünüyorum. Çünkü insanın şu ya da bu şekilde varoluşunda, günlük hayatında şiddet var. Bazıları bireysel şiddetin örgütsel, kurumsal ya da militarizme evrilmesine kesinmiş gibi değerlendiriyorlar. Militarizmin genel savunusu budur aslında. Hukukun rasyonelize edilmesi gibi aslında. E biz aramızda kavga ettik, çözemedik sorunumuzu. 'O çözmeye çalışıyor' diyor. Çözmeye çalıştığı andan itibaren orada kurumsal bir şiddet var. Benim adıma yapmış oluyor çünkü. Bu bir zorunluluk mu? İnsanların kendi arasındaki şiddete baktığında bir zorunluluk gibi görülüyor. Oysa ki değil. Toplumsal tarih de bunu defalarca kanıtlamış durumda. Milyonlarca örneği var. Bu ancak belki de modern devletlerle beraber başka bir algıya evrilmiş durumda, 'bunsuz olmaz'a evrilmiş durumda.

the violence paradox: Explaining the violence you use with the understanding of the other person's violence.²⁵

It is difficult to argue here that there is a situation where horizontal organization of violence is possible or blessed. The difference in violence in the examples given is related to the other meanings that the use of organized violence brings. For example, the violence perpetrated by the raped woman is not an end in itself. It becomes a necessary means of another purpose. It is limited to the protection of life itself. However, in militarism, violence is naturalized. It has no form that suddenly appears and then disappears; it is permanent, and its continuity is intended. For this purpose, it is organized hierarchically. It is tried to ensure the continuity of violence by shaping it as a subordinate-superior relationship. CO can be considered as an anti-militarist attitude, interrupting this continuity. According to Kemal:

Anti-militarism takes the demand for the cessation of wars one step further and acts with the dream of a society in which there is no war environment and violence is not organized. With the rhetoric of 'no to dirty peace' against the old slogan of 'no to dirty war,' it is emphasized that security cannot be ensured in an environment of sociality where armies maintain their existence and hands are on the trigger.²⁶

²⁵ Şiddet paradoksu diyebileceğimiz şeyin dışına çıkmaktı bizim derdimiz. Herhangi bir nedene dayanarak kurumsal şiddet kullanımının açmazlar dolayısıyla onaylanmasına da aslında karşı çıkıyorduk. ... Direnişin başvurduğu bazı yöntemleri şiddet olarak nitelemenin de sorunlu olduğunu düşünüyorum. Gezi'de örneğin... Saldırı altındasın, karşılık veriyorsun. Bunun şiddet olarak nitelendirilmemesi gerektiğini düşünüyorum. Çünkü öyle adlandırıldığında aradaki sınır bulanıyor. Tartışma da bunun üzerine şöyle çıkıyor... Biz o sorulara cevap vermekten daha önce de sıkılıyorduk, şimdi aynı sorularla yine karşılıyoruz. Diyor ki, şuradan çıktık, birisi saldırdı bize. Sen ne yaparsın? Karşılıksız mı bırakacaksın? E hayır tabii ki. Felsefi tartışma böyle olmaz zaten. Canından vazgeçmemişsen bir şey yapabilirsin. O zaman biz Isparta'nın Yalvaç ilçesinde kendisine tecavüz eden adamın kellesini kesip getirip köy meydanına koyan kadın için ne diyeceğiz? Çünkü o kadın aslında, bir topluma diyor ki: 'Sizin hepinizin gözünüzün önünde ben bir şeye uğradım. Bunu defalarca söyledim de size. Benim gücüm yetmedi buna. Ama siz ne yaptınız? Oturdunuz kahvelerde, sadece konuştunuz ve benim hayatımın içine ettiniz. Buyurun sizin erkekliğiniz.' Konuyu şuraya getirmeye çalışıyorum: bazı durumlarda karşı karşıya kalman duruma şiddet demek tartıştığımız şeyi tam açıklamıyor. Şiddet paradoksu dediğim şey şu: Kendi kullandığın şiddeti karşındakinin şiddet kavrayışıyla açıklamak.

²⁶ Bunun karşısında anti-militarizm, savaşların durması talebini bir adım öteye götürerek, savaş ortamının oluşmadığı, şiddetin örgütlenmediği toplum düşüyle hareket eder. Eskinin 'kirli savaşa hayır' sloganına karşı 'kirli barışa hayır' söylemiyle, orduların varlığını koruduğu, eller tetikte

As can be seen, it is not stated here that the aim is to eliminate violence completely. The hierarchical and organized form of violence is objected to.

4.3. Different Conscientious Objections

As discussed in Chapter 2, CO has been introduced to the Turkish public by anarchists and anti-militarists. Tayfun Gönül, the first CO, describes himself as an anarchist (see Gönül, 2014). *SKD* (War Resisters Association, *Savaş Karşıtları Derneği*) and *ISKD* (Izmir War Resisters Association, *İzmir Savaş Karşıtları Derneği*), where anti-militarist political discourse was developed, and legal struggle was carried out to eliminate the rights violations faced by COs, were established at the call of anarchist groups. While it was a form of action known only by these groups and preferred by people who defined themselves as anarchists/antimilitarist for a long time, over time, it took the form of an objection voiced by people from different social circles and who adopted different political positions. One of the most important developments that led to such a transformation is Osman Murat Ülke's statement of CO and the subsequent events. Ülke took an active role in *ISKD* (Izmir War Resisters Association, *İzmir Savaş Karşıtları Derneği*), which was founded in 1994. For this reason, he was tried and acquitted of the crime of 'to alienate the people from military service.' In this trial, it was understood that Ülke did not do his military service, and it was decided to hand him over to the military service branch. Ülke, who was given the necessary documents and asked to surrender to the recruiting office, did not do this and burned the documents on 1 September 1995, World Peace Day, and declared his CO. Following these events, he was tried many times and convicted of the same

hazır beklenen toplumsallık ortamında güvenliğin sağlanamayacağı vurgulanır.

crime. The fact that Ülke's situation was frequently mentioned in the national press enabled a large part of the public to meet the concept of CO (Esmer, 2012, pp. 141-145). In 2007, Enver Aydemir's declaration of CO on religious grounds marks an essential break in both showing this transformation and the contribution of the Ülke case to making CO known from different social circles.

However, CO has not only remained as a form of objection that concerns wider masses, with the adoption of some people from different social/political circles; it was also qualitatively differentiated by women and LGBTIQ+s who took part in the anti-militarist movement in a similar process. The CO statement of Mehmet Tarhan in 2001, who refused even though homosexuals were legally granted the 'right' to be exempt from military service, and the statements of CO by five women (İnci Ağlagül, Nazan Askeran, Ebru Topal, Direk Yurtsever, Hürriyet Şener) who were not legally obliged to serve in the military in 2004 were critical interventions regarding the content of the concept (Başkent, 2011a, pp. 19-20, pp. 28-30).

In this section, I will analyze how the two important interventions mentioned above regarding the concept of CO were received by the objectors in Turkey. Such an analysis provides important data relevant to the objectors' understanding of the concept. The reasons for the objections of COs who are not legally required, their conceptualizations of CO, and the approach of other objectors to these people provide data on whether the concept is limited to the denial of compulsory military service. Additionally, the approach of others to those who explain their

CO on different grounds illustrates the rationale for CO to emerge as a common form of action for all.

4.3.1. Objections of Non-Obligated

CO in Turkey emerged as the rejection of compulsory military service (see

Chapter 2). Hence, between 1990 and 2001, they were considered only as

disclaimers by adult heterosexual men. Mehmet Tarhan's statement in 2001 and

the statements of five women in 2004 led to the questioning of the limited

approach to CO that had continued until that time. It should be noted that

LGBTIQ+s who think like Mehmet Tarhan and are defined as 'male' by the state

had and still have the opportunity to be exempt from military service. The issue

defined as "severe psychosexual disorder" regulates the exemption of LGBTIQ+s

from military service, which was regulated in section C of article 17 under the

title of List of Diseases and Malfunctions of Turkish Arms Forces Health

Capability Regulation No. 86/11092 (*Türk Silah Kuvvetleri Sağlık Yeteneği*

Yönetmeliği, 1986). No change was made in the issue regarding the amendment

made in the law in 2016; it was named "sexual identity and behavior disorder"

(*Türk Silah Kuvvetleri, Jandarma Genel Komutanlığı ve Sahil Güvenlik*

Komutanlığı Sağlık Yeteneği Yönetmeliği, 2016). However, the ways to obtain this

exemption are physically and psychologically very uncomfortable and hurtful.

Exemption from compulsory military service depends on the state's identification

as a 'patient' through a medical examination (Çınar, 2014, p. 259). Because of

such a requirement, the attitude of LGBTIQ+ COs has hardly been questioned by

other objectors. Temmuz explains the reason for this situation as follows:

First of all, the conscientious objection statements of our friends from within the LGBTI+ movement were very meaningful for us from the very beginning. There is a very serious humiliation towards them, and there is a situation of harming human dignity. It was certainly very meaningful for them to express their conscientious objection by not accepting that. This has never been questioned among conscientious objectors.²⁷

The situation of female COs, however, is quite different. They are not obliged to do their military service in accordance with the Military Service Law No. 1111, which was in force in the years they voiced their objections, and the provisions of Law No. 7179 on Recruitment, which is currently in effect.²⁸ Therefore, women's statements of CO seem confusing when CO is conceptualized as a rejection of conscription. As a matter of fact, this 'strangeness' was not quickly resolved among COs at that time. According to Temmuz:

We had a period in which we seriously discussed this process with them and tried to understand/make sense. To be honest, it wasn't something I could understand at first, either. Why? Because there is no such obligation. We also discussed among ourselves: Is it a question of women instrumentalizing themselves in order to bring the feminist movement to the fore? Good thing we discussed them in time. Fortunately, our female comrades expressed their position regarding this issue to us with very clear and concise statements at that time. Thus, we understood their issue much better.²⁹

²⁷ Öncelikle LGBTI+ hareketi içinden gelen arkadaşlarımızın vicdani ret açıklamaları baştan beri bizim için çok anlamlıydı. Onlara dönük çok ciddi bir aşağılama var ve insan onurunu zedeleme durumu söz konusu. Bunları kabul etmeyerek vicdani retlerini açıklamaları kesinlikle çok anlamlıydı. Bu, vicdani retçiler arasında hiç sorgulanır bir şey olmadı.

²⁸ Article 1 of Law No. 1111, adopted in 1927, contains a general provision regarding those who are obliged to do military service: "Every man who is a citizen of the Republic of Turkey is obliged to do military service in accordance with this law." This law was abolished in 2019, and the same provision was preserved in the law that was adopted instead: "Every man who is a citizen of the Republic of Turkey is obliged to do military service" (*Askeralma Kanunu*, 2019).

²⁹ Onlarla bu süreci ciddi ciddi tartışıp anlamaya/anlamlandırmaya çalıştığımız bir dönem yaşadık 2002-2003 yıllarında kadın ret açıklamaları gelmeden önce. Açık söyleyeyim, benim de en başta anlayabildiğim bir şey değildi. Neden? Çünkü böyle bir yükümlülük yok. Şunları da tartıştık kendi içimizde: acaba burada kadınların kendilerini, feminist hareketi ön plana çıkartmak için araçsallaştırması mı söz konusu? İyi ki bunları zamanında etraflıca tartıştık. İyi ki kadın yoldaşlarımız o dönemde bize bununla ilgili nerede konumlandıklarını çok net ve özlü beyanlarla ifade ettiler. Böylece onların meselesini çok daha iyi kavradık.

The first question these statements raise is: What was “their issue”? Kumru underlines that the reasons for her refusal are closely related to her conceptualization of militarism:

Almost from the moment I was introduced to the concept of conscientious objection, this thing has always seemed strange to me: Military service and militarism are not just men's issues. Of course, it is an issue that most burningly concerns men in our country. However, in fact, its direct interlocutors are all segments of society. In fact, almost all of life because there is not only one aspect of military service. Going to the military, joining the war, getting military training, getting weapons training, all of this has a background. There is also the invisible part of the iceberg. War is the most obvious. However, really, the existence of the army, the existence of militarism, its reflection on life, and the fact that it shapes all daily life in some way and is somehow changing/transforming it towards militarism and that we are really becoming military societies... There is also such a side in the background of militarism. It has an aspect that affects the environment and animals. It has an aspect that affects people, women, and children. It has an aspect that affects daily life. It was something about questioning them actually in my mind.³⁰

Similarly, Merve emphasizes that CO is an invitation to anti-militarism and states that this is the reason behind the attitude of female COs:

Conscientious objection is not a rejection of compulsory military service. It is a total anti-militarist call. It is to reject the system and war.³¹

³⁰ Neredeyse vicdani ret kavramıyla tanıştığım andan itibaren bana hep şu şey garip gelmiştir. Askerlik ve militarizm sadece erkekleri ilgilendiren bir konu değil. Tabii ki en yakıcı şekilde erkekleri ilgilendiren bir konu ülkemizde. Ama aslında doğrudan muhatapları toplumun her kesimi. Hatta neredeyse canlı yaşamın tamamı. Çünkü askerliğin tek bir yönü yok. Askere gitmek, savaşa katılmak, askeri eğitim almak, silah eğitimi almak, tüm bunların bir arka planı var. Bir de görünmeyen kısmı var buzdağının. Savaş, en belirgin yanı. Ama gerçekten ordunun varlığı, militarizmin varlığı, hayata yansımaları ve tüm gündelik yaşamı bir şekilde biçimlendiriyor olması ve bir şekilde militarizme doğru değiştiriyor/dönüştürüyor olması ve gerçekten asker toplumlar haline geliyor olmamız... Bir de militarizmin arka planında böyle bir yanı var işte. Çevreyi, hayvanları etkileyen bir yönü var. İnsanları, kadınları, çocukları etkileyen yönü var. Gündelik yaşamı etkileyen yönü var. Bunların aslında sorgulanmasıyla ilgili bir şeydi benim kafamdaki.

³¹ Vicdani ret zorunlu askerliğin reddi değildir. Topyekün anti-militarist bir çağrıdır. Savaşı, sistemi reddetmektir.

Therefore, it is possible to say that women's statements of CO have content that problematizes the meaning of the concept limited to the rejection of compulsory military service and can also be considered as a call for a redefinition of the concept. This approach has been interpreted in different ways by COs with military obligations. None of the interviewees consider women's statements of CO as a negative development. However, they make sense of it in different ways.

4.3.1.1. Women Conscientious Objectors as Manifestation of Their Existence

The most important feature of women's refusal statements being evaluated by other COs as revealing their ignored subjectivity is as follows: COs who are obliged to do military service do not see these explanations as meaningful because they are related to them; they see their objection as valuable itself. In other words, the fact that it is an inspiration or support for them is not the highlight of women's rejection statements. The highlight is that women's disclosures are valuable just because they are about women. İlkay underlined this point, emphasizing the importance of women's declarations of CO:

I think it is important for women to say, 'You do not want me, I do not want you anyway, I know you are a military institution, I reject you,' and establish their own positions. Here, it is not the case: the army wants someone, but she does not. No. An individual should be able to freely express his or her rejection in any situation where he or she does not want to be a part of military institutions.³²

What is emphasized in these statements is the dexterity of women in making themselves interlocutors. Their explanations emphasize the will of those who are

³² Kadınların, 'sen beni istemiyorsun, zaten ben de seni istemiyorum, senin militer bir kurum olduğunu biliyorum, seni reddediyorum' deyip kendi pozisyonları tesis etmeleri bence önemli. Burada durum şu değil: ordu birini istiyor, ama o istemiyor. Hayır. Bir bireyin, militer kurumların bir parçası olmak istemediği, içinde bulunmak istemediği her durumda reddini özgürce açıklayabilmeli.

ignored and not addressed to reveal their own strength. However, this claim of the state, which asserts that it has the power to recognize some and who do not, would be rendered futile. Hence, their rejection statements are considered manifestations of their own existence, not to the extent that it relates to the political positions of other objectors.

4.3.1.2. Women Conscientious Objectors as a Source of Inspiration

According to another approach, the statements of female COs are inspirational. It

made it possible to reconsider the definition of CO. Temmuz emphasized this point:

Women's statements of rejection are one of the clear manifestations of the idea that conscientious objection cannot be limited to compulsory military service because militarism is not something that exists only in the army or in the barracks. Apart from that, we are faced with a specter that imposes itself on us in all areas of society, business life, and family life. ... The women's statements were a response to the point that we reject the pressure that militarism puts on our lives. I can say that it has broadened our horizons a lot.³³

It should be noted that the existence of CO women did not only make us rethink what CO is. It has transformed the CO movement itself. Arjen highlighted this aspect of women's rejection statements:

The fact that women are conscientious objectors has the power to broaden the perspective of conscientious objection. Conscientious objection would also remain a male domain in Turkey. If it was only based on those who are obliged to do military service, it would still be an area of masculinity. Women's intervention in it made it not a male domain. I think

³³ Vicdani reddin aslında sadece zorunlu askerlik hizmetiyle sınırlı olamayacağı fikrinin çok net tezahürlerinden birisidir kadınların ret açıklamaları. Çünkü militarizm sadece orduda, kışlada var olan bir şey değil. Onun dışında da toplumun bütün alanlarında, iş yaşamında, aile yaşamında bize kendini dayatan bir heyula ile karşı karşıyayız. ... Militarizmin hayatlarımıza kurduğu baskıyı reddediyoruz noktasında yapılan bir çıkıştı kadınların açıklamaları. Bizim de ufkumuzu çok genişletti diyebilirim.

that's one of the important things. As such, discourse, organization, forms of action, family relations, and working styles began to transform completely.³⁴

The CO statements of women transformed the perception of CO in Turkey. It has been declared that compulsory military service is only one aspect of militarism that is opposed, and it is emphasized that militarist elements can be detected in all areas of life. In addition to this, it has made it possible for COs themselves to reconsider their approach to their understanding and agency. This intervention of women is evaluated by the COs interviewed as a positive intervention for various reasons.

4.3.2. Different Grounds for Objection

Enver Aydemir's declaration of CO in 2007 points to an essential break in terms of CO in Turkey. Aydemir's grounding of his rejection on Islamic grounds showed that CO may not be a form of action embraced only by anarchist/anti-militarist circles. The most critical area of discussion created by this transformation has been how important the basis on which a person justifies his or her CO is.

According to Arjen:

When an individual declared his conscientious objection, 'I am a Kurd; I will not be a part of this army because this army is an enemy to the Kurds,' a debate started within the anti-war movement. Especially the rejection of those who define themselves as Muslim or nationalist on these grounds caused a serious discussion.³⁵

³⁴ Kadınların vicdani retçi olması, vicdani reddin perspektifini genişleten bir güce sahip. Vicdani ret de bir erkek alanı olarak kalabilirdi Türkiye'de. Sadece askerlik ile yükümlü kimseler üzerinden yürünseydi yine bir erkeklik alanı olacaktı. Kadınların buna müdahalesi bunu bir erkek alanı olmaktan çıkardı. Bence önemli olan şeylerden biri bu. Böyle olunca söylem, örgütlenme, eylem biçimleri, aile ilişkileri, çalışma biçimleri tamamen dönüşmeye başladı.

³⁵ Bir birey çıkıp da 'ben Kürdüm, bu ordunun bir parçası olmayacağım, çünkü bu ordu Kürtlere düşman bir ordudur' şeklinde vicdani reddini açıkladığında savaş karşıtı hareket içinde bir tartışma başladı. Hele hele kendisini Müslüman ya da milliyetçi olarak tanımlayanların bu gerekçelerle reddini açıklaması çok ciddi tartışmaya sebep olmuştu.

Even though these discussions took place among COs at that time, the general attitude of the people I interviewed was that the person who refused compulsory military service deserved support, limited to this request. In other words, the grounds on which a person refusing compulsory military service bases their refusal, being limited to this narrow definition of CO, has no meaning. According to Kemal:

There is categorically no difference between the statements of a racist, 'I only serve the purebred Turkish army, not the current army,' or a communist, 'I only serve the socialist army.' Rejection is right for everyone.³⁶

Arjen explains the logic of such an evaluation as follows:

We are not the state. We are not an official institution. We cannot have a criterion to determine what someone's conscientious objection fits and what does not. What is valid for us is that that individual expresses his/her attitude towards compulsory military service. I stand side by side with every individual who makes this clear.³⁷

Kumru, on the other hand, does not base her stance on this issue, only on the issue of CO. With a broader perspective, she thinks that the possibility of a common struggle against necessity can be created by accepting differences. Giving an example from her experience in the years she was involved in the movement, she explained her stance as follows:

There was an organization called the Antimilitarist Initiative in Istanbul. I was also a part of it. For example, we had a few

³⁶ Bir ırkçının 'sadece safkan Türk ordusuna hizmet veririm, şu anki orduya değil' ya da bir komünistin 'sadece sosyalist orduya hizmet ederim' çıkışları arasında kategorik olarak fark yok. Reddediş herkes için haktır.

³⁷ Biz devlet değiliz. Resmi bir kurum değiliz. Birilerinin vicdani reddinin ne uyup neye uymadığını belirleyecek bir kriterimiz olamaz. Bizim için geçerli olan o bireyin zorunlu askerlik karşısındaki tavrını açık etmesidir. Bunu açık eden her bireyle yan yana dururum.

fundamental principles. One of them was that we were making decisions by consensus. Another is that we do not use violence when we are in unity of action. There were a few very basic principles like this, and I think that was enough. It was sufficient. There was no need for such big rules or huge rejections or very sharp lines.³⁸

On the other hand, as I mentioned above, most of the interviewees underlined that the support to be provided is limited to the rejection of the obligations. Temmuz emphasized this distinction persistently and stated the following:

When we take conscientious objection in a narrow sense, when we see it as against conscription, yes, we can find all these rejection explanations acceptable. In a broad sense, we can say that some explanations are troubling when we see them as the rejection of militarism. At this point, I am somewhere in the middle. Any statement of refusal against the generally imposed order and against compulsory military service is valuable and must be tolerated. However, with the explanations of conscientious objection that I find problematic in terms of antimilitarist thought, I have to fight my own mind. We cannot accept the sameness everywhere. However, yes, they also need to be supported in the context of conscription.³⁹

To sum it up, for most of the interviewees, the reasons for a person's refusal to serve are irrelevant. The rationale underlying this approach is that it is subjectively justified to object to an action that hurts one's conscience but is compelled to perform. In other words, the support of the refusal put forward on different grounds depends on its rejection of imperativeness. The issue is not the

³⁸ Antimilitarist İnişiyatif adlı bir oluşum vardı İstanbul'da. Ben de onun bir parçasıydım. Mesela bizim birkaç tane çok temel ilkemiz vardı. Bunlardan bir tanesi, karar alırken konsensusla karar alıyor olmamızdı. Bir diğeri, eylem birliği içindeyken şiddet kullanmıyor olmamızdı. Bu gibi çok temel birkaç ilke vardı ve bu çok yeterliydi bence. Çok yeterliydi. Öyle çok büyük kurallara ya da çok büyük reddedişlere, çok keskin çizgilere ihtiyaç yoktu.

³⁹ Vicdani reddi dar anlamıyla ele aldığımızda, zorunlu askerliğe karşı olarak gördüğümüzde, evet, bütün bu ret açıklamalarını kabul edilebilir bulabiliriz. Geniş anlamda, militarizmin reddi olarak gördüğümüzde ise bazı açıklamaların sıkıntılı açıklamalar olduğunu söyleyebiliriz. Ben bu noktada ikisinin arasında bir yerdeyim. Genel olarak dayatılan düzene karşı ve zorunlu askerlik hizmetine karşı yapılan her ret açıklaması kıymetlidir ve hepsiyle dayanışılması gerekir. Ancak, antimilitarist düşünce açısından problemlili bulduğum vicdani ret açıklamalarıyla da benim kendi içimde fikrîsel kavgamı vermem gerekir. Her yerde de aynılaşmayı kabul edemeyiz. Ama evet, zorunlu askerlik bağlamında onların da desteklenmesi gerek.

conscription itself; the issue is imperativeness. Therefore, it is possible to draw the following conclusion: the attitude of the person who objects to an obligation on different grounds at different times can be considered CO.

4.4. Is the Suggested Solution Making Legal Regulation?

In this section, I will examine the approaches of COs in terms of solving the problem through legal regulation. As can be understood from its name, it is underlined that there is a 'problem' with the act of CO. This problem is defined differently by each objector (see Chapter 3 and Chapter 4). Therefore, the solutions are also different. In this section, I will examine whether the recognition of CO as a right by a legal regulation is seen as an adequate solution by COs.

The first objection of the CO activists in Turkey, as stated in the previous sections, is about compulsory military service. Therefore, the first problem to be solved is to eliminate this obligation or to make the necessary arrangements so that people can avoid such a task. As a matter of fact, in many countries around the world, the right of CO has been granted to citizens as a solution (see Cinar, 2014). However, in Turkey, every Turkish man is obliged to do military service and does not have the right to CO (*Askeralma Kanunu*, 2019). In some studies, this shortcoming has been emphasized, and it has been suggested that legislation be made to solve the CO 'problem' in Turkey (see Cinar, 2014). For COs, on the other hand, it is very difficult to say that the 'solution' can be achieved through legal regulation alone, at least in line with the data obtained in this research.

Ertan, one of the objectors interviewed, stands in a different place from the others.⁴⁰ For him, since CO is an individual attitude as a reflection of the principles that guide his own life, reforms on this issue should also be welcomed. He did not specify what the possible disadvantages of these reforms were.

On the other hand, others think that legislation on this issue would be a positive step both for themselves and for other people who do not want to join the military. İlkey explained the reason for this understanding not only about the right to CO but from a broader perspective as follows:

I don't know if it is an adequate solution, but I think it is important. I always think that individual freedoms and spaces need to be constantly expanded. This is progress. For me, it is a question of individual freedom. No structure should restrict an individual's individual freedom for a certain period of time. Any situation where freedom can be taken one step further is precious to me. That's why a legal regulation should be made. It is important. Is it enough? Not. However, let it be made. Then, let's think about how we can do more. In total, my approach is this: You already ask for a lot of things from me; for example, you get taxes. All situations in which this pressure exerted by the state on the individual gradually recedes are positive.⁴¹

Others, thinking like İlkey, agree that legislation would be a positive step, but they think that requests on this issue should be handled more carefully. This is because, for many, the fundamental issue is not the denial of conscription but the demilitarization of society:

⁴⁰ Only Osman did not express his opinion on this issue.

⁴¹ Yeterli bir çözüm mü, bilmiyorum ama bence önemli. Ben hep şunu düşünüyorum: bireysel özgürlüklerin ve alanların, sürekli genişlemesi gerekiyor. Bu bir ilerlemedir. Benim açımdan mesele, bireysel özgürlük meselesidir. Hiçbir yapının, bir bireyin bireysel özgürlüğünü belli bir süre zarfında kısıtlamaması gerekiyor. Özgürlüğün bir adım ileri taşınabildiği her durum, bence önemlidir. Bu yüzden bir yasal düzenleme yapılсын. Önemlidir. Yeterli mi? Değil. Ama yapılсын. Sonra da daha fazlasını nasıl yapabiliriz, bunu düşünelim. Totalde benim yaklaşımım şu: benden zaten birçok şey istiyorsun, vergi alıyorsun mesela. Devletin bireyin üzerinde uyguladığı bu baskının yavaş yavaş gerilediği tüm durumlar olumludur.

Of course, instead of six months of compulsory military service, we want the individual to carry out a civilian activity for six months. However, I do not think this will remove our core area of conflict because our main area of conflict is the demilitarization of Turkey. (Arjen)⁴²

Ayhan also emphasized that legal regulation is not an adequate solution:

What will it solve? The abolition of compulsory military service is a step towards the abolition of slavery and drudgery. On the other hand, people will continue to use the toys of an arms company to play, thinking that they are saving the country. They will kill people for stupid politics again. People will continue to be exploited. However, at least a good door will be opened for the oppressed. At least you won't have to pay a tribute of 100 thousand Turkish liras. You will at least partially be freed from this slavery. This is something like that.⁴³

The abolition of the law regulating compulsory military service and/or the recognition of the right to CO is not considered an adequate solution. Moreover, for some objectors, recognizing the right to CO even has disadvantages. Özkan summarized the approach of the people involved in the struggle in the 1990s to this issue as follows:

On the one hand, it is right to strengthen the state and the civil sphere in line with fundamental human rights, but on the other hand, it also has the effect of destroying its own existence or core areas. It is a binary thing. For example, we were carrying out a very strong legal struggle with SKD (War Resisters Association, *Savaş Karşıtları Derneği*) against the military judiciary. In fact, it was one of our priority policies. However, it is not something to rely upon. Maybe that is one of the main differences there. Most of the objectors were total objectors anyway. Even if a conscientious objection law were enacted in

⁴² Altı aylık zorunlu askerlik hizmeti yerine altı ay bireyin bir sivil faaliyet yürütmesini isteriz tabii ki. Ama bunun bizim temel çatışma alanımızı ortadan kaldıracağını düşünmüyorum. Çünkü temel çatışma alanımız Türkiye'nin demilitarizasyonudur. (Arjen)

⁴³ Neyi çözecek? Zorunlu askerliğin kaldırılması bu köleliğin, angaryanın ortadan kalkması için bir adımdır. Buna karşın, yine insanlar vatani kurtardığını düşünerek, atıyorum bir silah şirketinin oyuncularını oynamak için kullanmaya devam edecekler. Yine saçma sapan siyaset için insanları öldürecekler. İnsan yine sömürülmeye devam edecek. Ama en azından, ezilenler açısından hayırlı bir kapı açılmış olacak. En azından 100 bin lira haraç vermek zorunda kalmayacaksınız. En azından kısmen bu kölelikten kurtulmuş olursun. Bu da böyle bir şey zaten.

Turkey, total objectors would still exist. We even made warnings about these issues. We said that there could also be things, in terms of taming, that would hinder the conscientious objection movement or the anti-war movement. We were warning them. However, on the one hand, we were also fighting for legal regulation. So we were fighting a two-way fight.⁴⁴

As an objector with a similar approach to Özkan, Temmuz underlines the negative consequences of legal regulation:

Legal regulation might give us at least some space. However, it also has several handicaps. This situation can also bring about more relaxation than necessary. Examples of this were evident in the European conscientious objection movement. With the introduction of the right to civil service in many countries, the conscientious objection movement gradually faded. Many chose to do civil service. Maybe it was a win in terms of people getting rid of compulsory military service, yes. However, if you look at conscientious objection from an antimilitarist perspective, as I do, this was actually a problem for the antimilitarist movement rather than a gain. This may also be due to the fact that the antimilitarist movement could not find other sufficiently effective means/areas of action/maneuvering areas apart from an effective discourse and tool such as conscientious objection. We must also criticize ourselves. There are people who do not equate antimilitarism with conscientious objection, block trains carrying weapons, and organize strikes with workers in the arms industry. However, these are very limited examples. In this sense, the antimilitarist movement did not sufficiently enrich its toolkit. Especially we remained in these lands as a struggle, perhaps completely indexed to the conscientious objection movement, we could not put other tools in front of us too much. In summary, the recognition of conscientious objection will be an achievement in one way. However, on the other hand, I think that it will cause the antimilitarist movement to fall asleep seriously.⁴⁵

⁴⁴ Bir tarafla insanın temel hakları doğrultusunda devleti, sivil alanı güçlendirmesi doğru bir şey; ama bir tarafla da kendi varlığını ya da öz alanlarını yok edici bir etkisi de var. İkili bir şey. Biz SKD ile mesela çok sağlam bir hukuk mücadelesi yürütüyorduk askeri yargıya karşı. Hatta öncelikli politikalarımızdan bir tanesiydi mesela. Ama bel bağlanan bir şey değil. Oradaki belki temel farklardan bir tanesi budur. Zaten retçilerin büyük bölümü total retçiydi. Türkiye’de bir vicdani ret yasası çıkmış olsa dahi total retçiler varlığını devam ettirecekti. Hatta bu konularda biz uyarılar da yapıyorduk. Vicdani ret hareketinin ya da savaş karşıtı hareketin önünü kesecek, ehilleştirme anlamında şeyler de olabileceğini söyledik. Bunların uyarılarını da yapıyorduk. Ama bir tarafta yasal düzenleme yapılması için de mücadele ediyorduk. İki yönlü bir mücadele yürütüyorduk yani.

⁴⁵ Yasal düzenlemenin yapılması bize en azından bir alan sağlayabilir. Ama bunun çeşitli handikapları da var. Bu durum gereğinden fazla rahatlamayı da beraberinde getirebilir. Bunun örnekleri Avrupa vicdani ret hareketinde çok net yaşandı. Pek çok ülkede sivil hizmet hakkının

To sum up, although the recognition of the right to CO to citizens is seen as a positive development by the majority of the interviewed objectors, it is not considered an adequate solution. This is because CO is not simply conceptualized as a rejection of conscription. For objectors like Ertan, it is a form of action that makes it possible to live in harmony with one's own values, while for those who define themselves as anti-militarist/anti-authoritarian, it is just one of the tools to struggle against militarism and authority. Therefore, arguing that the solution to the problem posed by CO is 'only' possible by the conversion or repeal of a law seems equivalent to considering only one dimension of the objections of the objectors.

4.5. Concluding Remarks

It is challenging to give a standard definition of CO for every objector. I have revealed this fact in the sections above. However, some partnerships can be determined. First of all, it is a common problem for everyone that the law regulating compulsory military service in Turkey has not been abolished yet.

However, even if this is done, they do not believe the world will be much better.

The source of this thought is the reasons they put forward while justifying their refusal and their conceptualization of CO. None of them thinks that CO is limited

getirilmesiyle birlikte vicdani ret hareketi giderek sönümlendi. Pek çok kişi sivil hizmet yapmayı tercih etti. İnsanların zorunlu askerlik hizmetinden kurtulması anlamında bu bir kazanımdı belki, evet. Ama vicdani reddi benim baktığım gibi, antimilitarist bir perspektiften bakıyorsanız bu aslında bir kazanımdan ziyade antimilitarist hareket için bir sorundu, bir problem teşkil ediyordu. Bunun da nedeni antimilitarist hareketin kendini vicdani ret gibi etkili bir söylem ve araç dışında yeterince etkili başka araçlar/eylem alanları/manevra alanları bulamamış olması da olabilir. Kendimize yönelik de bir eleştiri yapmak gerekir. Antimilitarizmi vicdani ret hareketiyle özdeş tutmayan, silah sevkiyatı yapan trenlerin yollarını kapatan, silah sanayinde çalışan işçilerle beraber grev örgütleyen insanlar var. Ama bunlar çok sınırlı örnekler. Antimilitarist hareket, bu anlamda, araç kitini yeterince zenginleştiremedi. Hele ki biz bu topraklarda belki de tamamen vicdani ret hareketine endeksli bir mücadele olarak kaldık, diğer araçları çok fazla koyamadık önümüze. Özetle, vicdani reddin tanınması bir yönüyle kazanım olacaktır. Ama bir yandan da antimilitarist hareketin ciddi anlamda uykuya geçmesine de neden olacaktır diye düşünüyorum.

to refusing conscription alone. It is just one dimension of a larger-scale call or other kind of dream of life. However, it is difficult to argue that they offer a detailed solution to the elimination of what they object to. It would be unfair to claim that they have such an obligation. They are revealing and making an invitation. They object to being compelled to do something for any reason. It cannot be said that they all demand a personal exemption while doing this. Many emphasize the importance of CO as the first step towards overthrowing the militarist order rather than asking for personal exemption.



CHAPTER V

CONCLUSION

Özkan summarized the approach towards COs in the 1990s: “We were not the village crazy, but we were seen as such.” This 'insanity' is the refusal to perform military service codified by the state as a compulsory duty. After all, the sultan had issued an edict; was it possible for the person to think that (s)he might act otherwise? For the crazies of the 1990s, something else was possible. Indeed, they did so. They introduced the concept of CO to Turkey and did not hesitate to say, 'We reject it.'

In this thesis, I have dealt with the problem of defining the concept of CO in Turkey. In this direction, I first discussed how the concept is defined in the literature and determined that it categorically differs from other objection forms (Chapter 2). In the same chapter, I critically reviewed the studies dealing with the case of Turkey. In the next chapter, I analyzed the journal *Amargi* and determined how CO was conceptualized and scoped by the first objectors in the process of its introduction to Turkey (Chapter 3). Finally, I tried to discover the rich content of the concept of CO in Turkey with the data obtained from semi-structured, in-depth interviews with COs (Chapter 4).

Some conclusions emerge from all these reviews. First of all, contrary to the common understanding in the literature (Sapmaz, 2012; Alkan & Zeybek, 2014; Üsterci & Çınar, 2008; Başkent, 2010; Altınay, 2004; Kesikli, 2013; Çınar, 2014; Rumelili et al., 2012; Çaltekin, 2022; Evren, 2012; Gürcan, 2007; Kılıç, 2019, Can, 2008; Üçpınar, 2008; Altınay, 2008; Kemerli, 2015; Kemerli, 2019a; Kemerli, 2019b; Durgun, 2019; Arslan, 2015; Ögünç, 2013), CO in Turkey is not a form of objection limited to the refusal of conscription. Although it is seen as a form of objection limited to the rejection of compulsory military service at first glance, the fact that military service in Turkey is a duty that must be fulfilled for adult men is only one aspect of their objections, both for the first objectors who emerged in the 1990s (as seen in the example of *Amargi*) and for those who announced their refusal in the 2000s.

Relatedly, the second consequence is that CO is conceptualized and justified differently for each objector. This issue can be thought of in the context of the distinction between CD and CO put forward by thinkers such as Arendt (1972), Rawls (1999), and Raz (2009). For them, CO is a moral objection, whereas CD is political as a collective action. The first is conceptualized as an effort to preserve one's own self. The other includes the demand for the improvement of collective life. The data obtained show that these distinctions are categorical and not impermeable.

CO in Turkey refers to the 'unscrupulous' character of the 'common conscience' determined in political and social life. Therefore, it does not have a purely moral character. It can be positioned somewhere between CD and CO. However, this

positioning needs to be revised because, in both forms of objection, the legitimacy of the existing order is accepted. On the other hand, it is difficult to argue that COs in Turkey accept the legitimacy of the current order. On the contrary, they prefer to be COs as a way of not recognizing the established order.

This point brings us to the third conclusion: Reform through legislation is not the desired solution because the source of the objection is not the law itself. What is contested is the 'secret contracts,' in other words, '*arkhe*,' that made it possible to make such a law. For Ranciere (2010b), the polis order is built on the '*arkhe*' that holds the community together. This principle determines who has a part in the community (Ranciere, 2010b, pp. 27-44). "The logic of *arkhe* thus presupposes that a determinate superiority is exercised over an equally determinate inferiority" (Ranciere, 2010b, p. 30). What I am implying by the phrase 'implicitly agreed upon' is basically this very principle that is supposed to hold the community together. The female CO rejects the putative binary gender system and patriarchy. Another objector (anarchist COs, for example) discloses that the political authority's claim to use force is unfounded and that the idea that a centralized apparatus can control power is merely an assumption. Therefore, CO in Turkey is a very political one in that it disrupts and exposes these assumptions. It is a radical objection of the non-partaker to the principle that determines how the share is to be distributed (Ranciere, 2010b, p. 30).

The fact that it is not limited to the rejection of compulsory military service and includes a more radical criticism makes us think that CO can be a form of objection that can be applied in other fields. In this regard, the first step has often

been determining what conscience is (see Schinkel, 2006). One consequence of this approach is to think that it has the power to determine what is 'conscientious.' Instead of adopting such an approach, I suggest bringing the notion of 'objection' forward. This has two significant consequences. First, the misconception that the rejection of military service as the 'art of killing people' is a more 'conscientious' attitude is dispelled. This fallacy implicitly means perpetuating the artificial distinction between morality and politics. The second result makes it possible for the idea of rejection to be developed in other 'less conscientious' areas of social and political life. For example, the political meaning of a group's refusal to be vaccinated during the COVID-19 pandemic can be better analyzed. Otherwise, the person sees himself as the authority to determine what is conscientious. It should be noted that I am not presenting a politically correct argument that every refusal is acceptable. This was not the aim of this thesis. This thesis sought the possibility of analyzing other forms of objection by revealing the rich conceptual expansions of the notion of CO in Turkey.

There is a long way to go. Studies addressing the problem of defining CO in Turkey need to increase quantitatively, and at the same time, more qualified studies should be put forward. There is a need for studies that analyze the attitudes of people who refrain from performing an action for which they are obliged in other areas of political and social life. For example, there is a need to analyze the objections of people who are against the vaccine. It can be argued that even the studies on CO as a rejection of compulsory military service are limited. Nadire Mater's book (2012), *Mehmedin Kitabı*, occupies a special place in this regard. Similarly, there is a need to hear the voices of soldiers or those around them. The

reason why all these are identified as a need is not to hope for the realization of intellectual satisfaction. Also, it is to reveal the academy's political character and seek ways of alternative political struggle.



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APPENDICES

A – LIST OF INTERVIEWEES

Name (Pseudonym)	Legal Status	Date of Declaration of Conscientious Objection
Özkan	Obligated	1990
Ali	Obligated	1993
Kemal	Obligated	2003
Kumru	Exempted	2004
Arjen	Obligated	2005
Ertan	Obligated	2007
Temmuz	Obligated	2008
İlkay	Obligated	2010
Boran	Obligated	2013
Ayhan	Obligated	2013
Merve	Exempted	2015
Ulaş	Obligated	2015
Osman	Obligated	-

B – INTERVIEW QUESTIONS

Personal information: Name (each participant in the study can be assigned a code name).

Part I- Personal Experience/Political Atmosphere

1. When did you declare your conscientious objection?
2. Could you tell us your reasons for explaining your conscientious objection?
3. How would you evaluate the political atmosphere of the process in which you announced your conscientious objection?
4. Who was the text in which you explained your conscientious objection targeted?
5. After you announced your refusal, what kind of reactions did you encounter from your environment (both in terms of your acquaintances and the citizens around you in general)? Who/how did (s)he react?
6. How does being a conscientious objector affect your daily life?
7. What was the state's reaction after you announced your conscientious objection?

8. (For those living abroad) How long have you been living abroad? Does living abroad have anything to do with being a conscientious objector?

Part 2- Definition

9. How do you define conscientious objection?

10. Is conscientious objection an act of civil disobedience?

11. Can the treatment faced by the conscientious objector be termed "civil death"?

12. Do you think conscientious objection corresponds to an objection limited to conscription?

13. Can deserters or "pink report" holders be included in an objection category?

Part 3- Antimilitarism

14. How do you define antimilitarism?

15. What do you think is the relationship between conscientious objection and antimilitarism?

16. Is conscientious objection always an antimilitaristic act?

Part 4- Different Reasons for Being a Conscientious Objector

17. Does a person who is legally obliged to do military service and who declares his objection decide to do his military service after a certain period of time, does it change your view of that person?

18. What do you think about the declaration of conscientious objection by those who are not legally obliged to do their military service?

19. Do you think the grounds on which a person who declares his/her conscientious objection bases his/her rejection are important? To what extent do these reasons affect your willingness to cooperate with him? Is your solidarity/support willingness determined in line with identity/demand/ideological partnership? For example, is it important for someone who declares their conscientious objection to base their reasons on Islamic values, be a woman, be a LGBTIQ person, or be a man?

Part 5- The "Movement" of Conscientious Objection

20. Is it possible to identify a conscientious objection movement that represents the collective and organized will of conscientious objectors in Turkey?

21. (If you consider conscientious objection as a movement) When you consider the historical course of the conscientious objection movement, what are the turning points that you think are important to underline?

22. (If you consider it as a movement) Is the conscientious objection movement a dampened movement? So, why do you think it followed such a path? If it's not a dampened movement, could you elaborate a little more on your thinking?

23. What are your observations on the relationship between conscientious objection and other social movements in Turkey?

Part 6- Solution

24. Is a legal regulation regarding conscientious objection an adequate solution for you?

25. What kind of change are you requesting? Can professional army or paid military service be a solution to the problem?

Part 7 - Citizenship

26. How do you define citizenship? What do you think it means to be a citizen?

27. What does being a citizen in Turkey mean to you? Do you consider yourself as an equal citizen?

28. (If you have an objection to the definition of citizenship in Turkey) Is it possible to reorganize or define citizenship rights and freedoms as a solution?

Part 8- State

29. How do you define the state?

30. What is your approach towards some practices that the state has put into practice with the claim of eliminating inequalities in the social and political sphere (for example, the welfare state)?

C – TURKISH VERSION OF TAYFUN GÖNÜL’S CONSCIENTIOUS OBJECTION DECLARATION

1990'ların dünyasında özgürlük arayışlarının giderek artacağıının ipuçları var. Özgürlük ve tabular, birbirleriyle asla bağdaşamayacak iki kavram. Yıkılması gereken tabuların başında da ordu ve militarizm geliyor. Militarizm, bütün insan ilişkilerinde tahakkümü ve sistematik şiddeti meşru gören, olumlayan, toplumun bütün dokularına sinmiş bir hastalık. Bu yüzden insanlık özgürlük arayışında militarizmle hesaplaşmak zorunda.

Ordu, Türkiye'de bir tabu. Üstelik şimdiye kadar pek dokunulmaya cesaret edilemeyen bir tabu. Hepimiz askeri marşlarla, cafcıflı bayram kutlamalarıyla büyüdük. Kendi tarihimizi, fetihçi, asker bir millet olduğumuzu ve bunun erdemlerini vazeden, resmi tarihin ağzından öğrendik. Ordu, bütün politik çekişmelerin ötesinde saygın bir konumdaydı.

12 Eylül'le birlikte ordunun bu konumu sarsıldı. Sivil politik güçler kendi açılarından militarizmi eleştirmeye başladılar. Kuşkusuz bu eleştiri ordunun darbe yapma geleneği ile sınırlıydı.

Ancak, artık ortada çok daha önemli bir gerçek var. Militarist değerler, basında açıkça dile gelmese de, yer yer alay konusu olmaya başladı. Gençler artık geniş ölçüde askere gitmek istemiyor.

Askere gitmeyen erkek sayılmadığı dönemler geride kalmak üzere. İnsanlar artık askerlikten kurtulmanın yolları üzerinde ciddi ciddi kafa yoruyorlar.

Dünyanın bütün orduları, kendi varlık nedenlerini yurt savunması kavramının arkasına gizlenerek meşrulaştırırlar. Herkes savunmadaysa kim saldıracaktır, o zaman? Gerçek ise ordunun sistematik şiddet ve yok etmeye yönelik bir örgütlenme olduğudur. Her ne kadar güç dengeleri ve hükümet politikaları zaman zaman frenleyici olsa da her profesyonel askerin kafasında bir fatih olmak yatar. Bu yüzden, kalıcı bir dünya barışı orduların olduğu koşullarda mümkün değildir.

Savaş gerekçesiyle varlığını meşrulaştıran ordunun asıl işlevi ise "barış" dönemine ilişkindir. Ordu, bir ülkedeki statükoyu korumakla yükümlüdür her şeyden önce. Statüko ise, o toplumdaki tahakküm ilişkilerinin bütünüdür. Yönetenlerin yönetilenler, mülk sahiplerinin mülksüzler, erkeklerin kadınlar, egemen ulusun diğer uluslar üzerindeki tahakkümüdür statüko.

Ve en sonu ordu bir eğitim kurumudur. Herkese üniforma giydirir, kişisizleştirir. Emirlerle mutlak itaati öğretir. Kendi astlarına emretme yeteneği kazandırır. Var olan makinenin çarklarının dönmesi için kişiyi kendi yaşamından vazgeçecek ölçüde duygusuzlaştırır, mantıksızlaştırır, robotlaştırır. Otoritelerin tanımladığı bir "düşmanı" yok etmeyi, farklı olana nefretle bakmayı öğretir.

İnsanların özgürlük arayışı, "Ben devletim, canımın istediğini yaparım" demeyi giderek güçleştiriyor.

Eğer bir "vicdan hürriyeti" varsa, insanlar başkalarına doğrudan zarar vermemek koşuluyla kendi vicdani kanaatlerine aykırı davranmaya zorlanamazlarsa ve devletler de bu "hürriyeti" kabul etmişlerse, artık kendi ordularını oluşturma'nın "zorunlu askerlik hizmeti" dışında yollarını bulmak zorundalar.

Askerlik yapmanın, orduya katılmanın kişinin vicdani kanaatlerine aykırı olduğu durumda hiçbir güç bu kişilere "zorunlu askerlik" yükümlülüğünü dayatamaz.

Özellikle İkinci Dünya Savaşı'ndan sonra yaygınlaşan ve giderek insan haklarının ayrılmaz bir parçası olan bu hakka "Vicdani red" hakkı diyoruz. Vicdani red hakkı doğal hukukun gereğidir ve Türkiye Cumhuriyeti Devleti imzaladığı İnsan Hakları Bildirgesi'yle ve 1982 Anayasası ile bu hakkı zımnen kabul etmiştir.

Eğer bu kabulünde samimiye yapması gereken zorunlu askerliği öngören yasa ve yönetmeliklerini değiştirmektir.

Kişinin vicdani kanaati çok değişik etkenlerle oluşabilir. Örneğin kimileri Hristiyan, Budist, Taoist, Yehova Şahidi olduğu için dini inancı gereği eline silah almayı ve askeri bir örgütte yer almayı reddedebilir. Ya da din dışı bir nedenle, politik olarak, şiddetin her türüne karşı bir pasifist, tahakkümün bütün biçimlerine ve kurumlaşmış şiddete karşı bir anarşist olabilir. Kendini Allah'ın askeri sayan bir radikal Müslüman olabilir ve laik devlete hizmet etmek istemeyebilir. Veya burjuva ordusuna karşı çıkan bir devrimci sosyalist, egemen ulus ordusunu sömürgeci bir kuvvet olarak niteleyen bir başka ulusun bireyi olabilir.

Böylesi radikal politik ve dini inançları da olması gerekmez. Ordunun varlığını gerekli ve yararlı gören, ancak kendi kişiliğinin askerlikle bağdaşmadığını ordunun profesyonellerden oluşması gerektiğini düşünen bir liberal, bir sosyal demokrat hatta bir muhafazakâr olabilir.

Ayrıca, vicdani kanaat, tamamen pratik nedenlerden de kaynaklanabilir. Kişi belki sevgilisinden ayrılmak, ya da bilimsel kariyerine ara vermemek, kurduğu işi yarıda bırakmamak istiyordur.

Ve bütün bu insanlar, bu toplumda yaşamaktadır. Yok sayılamazlar. TC Devleti şu anki uygulamasıyla bu insanları yok saymakta ve "zorunlu askerlik hizmetiyle" onları vicdani kanaatlerine aykırı davranmaya zorlamaktadır. Bu ağır bir insan hakları ihlalidir.

Benzer düşünenleri bu insan hakları ihlaline karşı DİRENME HAKKINI kullanmaya çağırıyoruz. Kampanyada bundan sonra bir yandan militarizmin teşhiriyle birlikte askerlikle ilgili yasa ve yönetmelikleri değiştirmeye yönelirken diğer taraftan mağdurlar arasındaki somut dayanışmayı yaratmaya ve geliştirmeye çalışacağız.