



INTRODUCTION TO MINORITY ISSUES IN TURKEY – THE CONSTITUTION – MAKING PROCESS AND EU INTEGRATION

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Currently, Turkey stands between two worlds: Europe and the Middle East, or West and East. As Turkey prepares to join the European Union (EU), the country's problematic relationship with democracy needs to be re-examined. Under Turkey's current system, in operation for eight decades, the country has not been able to establish a stable democratic regime. Since the beginning of the republic, Turkey has created three constitutions. In addition, over the past 40 years, Turkey has faced four military coups or attempts thereof, the most recent in 1997. The EU is certainly not interested in the inclusion of a military state within its democratic structures. Yet, as it stands today, the formal democracy of Turkey is seriously weakened by its traditional reliance on a paternalistic military. Not only is the state of democracy in Turkey important in light of its EU application, it is also important internationally. If democratization can truly take hold and stabilize the country, Turkey could become a model state demonstrating the potential for congruency between democratic and Islamic values. Currently, the Turkish Parliament (TBMM) is trying to make up the Republic's first constitution, but the military will not take a stance on it. It is evident for Turkey that without the elimination of Turkish military power from civilian life there is no way to cure undemocratic problems within the country, for example, the recognition and protection of minorities.

Keywords: Minority issues, Turkey, Constitution.

Since its establishment in 1923 the Republic of Turkey has faced minority rights issues. In that year, the allies (France, the UK, Italy, Greece, etc.) and the new republic signed the "Treaty of Peace" in Lausanne, which included minority subjects. However, until today the parties of the treaty have accused Turkey of violating the Lausanne Treaty. Turkey has never accepted these allegations. Turkey argues that all people residing in the country are citizens, and the republic recognizes only non-Muslims as the minority via the Lausanne treaty. However, the republic does not discriminate against anyone based on religion, ethnicity, and language differences. Furthermore, Turkey claims it is a unified state. In addition, the constructors of the republic and their followers believe that discussing this issue in public will mean enemies are going to attack the unification of Turkey and will try to divide Turkey's land. In truth, Turkey has adhered to dogmatic taboos that have precluded discussions of the *Turkish Armed Forces*, *Minority Rights*, and *Secularism*.

As a known phenomena, Turkish democracy runs under a military umbrella. Minority issues are considered a forbidden subject in Turkey. No Turkish legal books deal with this issue justly. Only a handful of sociologists and political scientists have written about it (see, for example, Etnik Kimlik ve Azinliklar [Ethnic Identity and Minorities], Birikim Magazine, Volume 71/72, March-April 1995, 3rd ed., Istanbul). Even as such, these materials do not clearly explain problems of minorities. They are written within a regime, requiring that certain truths not be explored. Thus, writing about this topic could define

one as an enemy of the state. In December of 2004, the Commission of Human Rights of the Prime Minister's office prepared a report (only 16 pages!), entitled "Minorities of Turkey and Their Rights." However, before publishing the report, it was destroyed as a result of aggression from the military and Turkish Nationalists. Anyone who supported this study was declared a traitor of the country and a separatist. Turkey began (in October 2005) the process to accession into the EU which will eventually lead to full membership.

Minorities and their issues are hot topics around the world, however in Turkey it is more than that. When a person or people begin to discuss minorities or others in Turkey almost all nations believe that it is separatism and that it means only Armenians, Greeks and Jews of Turkey. This belief occurred because of historical events and religious faith. Even Turkish state tradition shares the same understanding as nations do. As a leading researcher in this area, Baskın Oran rightly observes why the Turkish state and nations believe or believed in this way; because of the Millet system, a political and ideological reason.¹ The Ottomans following Islamic law did not separate its citizens based on their race, nationality or citizenship. There are two kinds of citizens under Islamic law, (ra'iyye or teb'a) or Muslims and non-Muslims. In sum, current Turkish state follows Ottoman religious tradition on this topic even though it is against the secular system and its understanding.

Moreover, during the last two centuries of the Ottoman, Western states interfered with the internal problems of the Ottoman using the excuse of non-Muslim rights in the land, thus, still the nation of Turkey earned political belief when there were talks about non-Muslims. That is when separatism will come to the table (a political reason). Lastly, with the collapse of the Ottoman state only Anatolian land established a belief through the nation that religious minorities were separatist, but not Muslim minorities (an ideological reason).² Thus, the new republic's main frames are based on nationalism. The three main reasons being political, ideological and the millet system. Today, Turkey still believes that only non-Muslims are a minority of the country and Turkey also declared and made its beliefs accepted all over the world with the Lausanne treaty. With European Union accession Turkey has begun to push and has tried to strike down this belief and practice, however, it seems Turkey does not wish to sacrifice this traditional path.

It is true that "every dispute has its own unique history and circumstances that need to be taken into account in devising a fair and workable solution."³ In this paper, I will be aware and take into account the special conditions of Turkey without eliminating human rights standards. In previous and recent years, most of Turkish authorities argued that Turkey could not provide these standards (the UN and EU) to its own minorities because of its unique circumstances. However, the UN Human Rights Committee (General Comment No. 31; nature of the General Legal Obligation Imposed on States Parties to Covenant [ICCPR], dated on 26 May 2004) significantly remarked that:

"...the beneficiaries of the rights recognized by the covenant are individuals...rights of members of minorities (article 27) may be enjoyed in community with others-States parties are required on ratification to make such changes to domestic laws and practices as are necessary to ensure their conformity with the covenant.-A failure to comply with this obligation (article 2, to take steps to give effect to the covenant rights is unqualified and of immediate effect) cannot be justified by reference to political, social, cultural or economic considerations within the state."⁴

¹ Baskın, Oran, Türkiye'de **Azınlıklar: Kavramlar, Teori, Lozan, İç Mevzuat, İçtihat, Uygulama** [*Minorities in Turkey: Concepts, Theory, Lausanne, Domestic Law, Jurisprudence, and Practice*] (Istanbul, İletişim, 2005) at 48-9.

² Oran, at 48.

³ See Will, Kymlicka, **Multicultural Citizenship: A Liberal Theory of Minority Rights** (New York, Oxford, 1995) at 1.

⁴ See United Nations, ICCPR, Human Rights Committee, "General Comment No. 31 [80] Nature of the General Legal Obligation Imposed on States Parties to the Covenant: 26/05/2004. CCPR/C/21/Rev.1/Add.13. (General

In this short paper, I will follow a classical enumeration in order to discover minorities of Turkey and their rights. First, I will explore the ethnic minorities who are Muslims; Kurds, Gypsies (Romas), Caucasians Groups, Arabs, and Balkan Immigrants. Second, I will look at other religious minorities; Alewis, including Zazas, Armenians, Greeks, Assyrians, and Jews including the Dönmes. Linguistic minorities of Turkey fall under the category of either ethnic or religious minorities such as Kurds, Laz, and Zaza...etc. Now, I would like to touch briefly on these groups and their problems. I will provide numbers related to the population of minorities.

Minorities of Turkey

Since the Ottoman era Turks and Kurds have lived together in Anatolia. Being Muslim, like Turks, Kurds were treated like Turks or other Muslim groups in those centuries. However, after the establishment of the republic in 1923, founders of the country had changed the ideology of the land from Ottomanism to Turkification⁵ thus, it came out that any debate of minorities meant attacking the territorial integrity of Turkey and national unity. Like the others (referred to as minorities) Kurdish culture and identity came under attack then the founders of the country banned and denied all Kurdish language, identity and cultural rights. The current Kurdish population is 10 to 15 %. In other words, from 7 to 12 million Kurds live in Turkey. There is no trusted or secure statistic about these people. Until 1965, with the general census counting, it was possible to find out the numbers of ethnic minorities in Turkey.⁶ I think Turkey needs a new general census system which would provide a clear number of minorities in order to realize and solve their problems. Most of these Kurds are Sunni, a small amount are Alewi. Kurds of Turkey are still fighting against the limited use of their native tongue and cultural identity suppression. A few Kurdish separatists claim self-determination for the Kurdish population; however this issue should be explored in another study. In sum, the Kurdish issue is the main minority problem in Turkey.

Around 300 thousand to an half million Romas live in Turkey. Some are Christian, the majority is Muslim. Unfortunately, most of the Romas' living area has a higher crime rate than their neighbors. Turkish society owns a lot of prejudice about their life style and culture. The main problem of Romas in Turkey is that they likely live outside of mainstream society.⁷ Around the world Gypsies seem to have the same problem: how can they incorporate themselves without being assimilated into mainstream society?

Caucasian Groups include Circassians (around 800,000), Georgians (100,000) and Lazs (150,000).⁸ Circassians are originally from Russia, today around 1 million live in Turkey. Around the 1860s they immigrated to Turkey because of Russian persecution. Today, elder's of these people may be able to speak their mother languages. Almost all of them are Muslim, like the Turks, who follow the Hanefi school of Islam. Around 10,000 Georgians are Christian. Caucasian groups are assimilated into society because of their religious beliefs. There exist no claims made against authorities in terms of right to language or education.

Comments)" online: [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.C.21.Rev.1.Add.13.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CCPR.C.21.Rev.1.Add.13.En?Opendocument) (accessed April 5 2005).

⁵ See more Fatih Öztürk, **Constitutional Law Readings for Turkey**, (İstanbul, Filiz Kitapevi, 2008).

⁶ See more about general census and minorities in Turkey, Fuat Dündar, **Türkiye Nüfus Sayımlarında Azınlıklar** [*Minorities in Turkey's General Censuses*], (İstanbul, DOZ Yayınları, 1999).

⁷ See more Mustafa Aksu, **Türkiye'de Çingene Olmak** [*Being Gypsy in Turkey*] (Ankara, Anekdot Yayınevi, 2009). Ali Arayıcı, **Avrupa'nın Vatansızları Çingeneler** [*Europe's Stateless: Gypsies*], (İstanbul, Kalkedon Yayınları, 2008). Elena Marushiakova, Vesselin Popov, **Osmanlı İmparatorluğu'nda Çingeneler** [*Gypsies in the Ottoman Empire*], (İstanbul, Homer Yayınları, 2006).

⁸ See Aleksandre Grigorianz, **Kafkasya Halkları, Tarihi ve Etnografik Bir Sentez** [*Caucasian People: A Synthesis of History and Ethnography*], (İstanbul, Sabah Gazetesi Yayını, 1999).

Almost all of the Arab population is Alewis, who call themselves Nusayri.⁹ However, their Alewi beliefs are different from the Turkish version of Alewism. Their population stands at around 1 million. However, some nationalist authors believe that their ancestors were from Middle Asia who in essence was Turks. Because of their Alewi beliefs they are assimilated by Arab Alewis. Today, Nusayri have claims against assimilation or Turkicization and may be able to use the Arabic language solely in private spheres. Around 10,000 Arabs are Christian and they face problems from Kurdish Sunnis or Nusayri because they live in the same neighborhoods.

After the 1880s Balkan states began to have independence from the Ottoman states which gave rise to many Balkan immigrants.¹⁰ Many Muslims like Bosnians, Pomaks, and Albanians from this region escaped from persecution and immigrated to Anatolia. Their current situation is like the Caucasian group, they are almost assimilated into Turkish society. The estimated number for Balkan immigrants is around 2 to 3 million.

Alewis are the biggest religious minority group in Turkey.¹¹ Historically, their claims have been on the table since almost the establishment of the Ottoman state. During the Ottoman era, many hot fights occurred between state forces and Alewis. Most of the Alewis are ethnically Turks. Around 8 to 12 million Alewis live in Turkey. One third of Alewis are Kurds. Current Alewis of Turkey sometime claim societal prejudices which are produced from their religious belief. In addition, the state does not provide any support to establish or develop Alewi religious places of worship, whereas Sunni Turks receive all benefits from the state.

Some researchers believe Zazas are Kurds, while others believe that they are Turks.¹² However, modern Zazas have the same attitude as their ancestors did. A good guess is that from half million to 1 million Zaza speakers live in Turkey. Most Zaza speakers are Alewi but a minority is Sunni. Thus, Zazas will be examined under Alewis. Zazas actually fall under the category of linguistic minorities. However, in Turkey, with the exception of Kurds, there is no wide out crying about the use of mother language from other Muslim minorities.

Currently, around 100,000 Armenians reside in Turkey.¹³ Mainly they are Orthodox Christians. Their main claims are that they are not able to open enough educational institutions-legal status of Patriarchate-and that they may not be able to have their own charitable properties. However, very hot debates began between the Armenian Diaspora and Turkey in the 1915-18 events, thus, Armenians of the Western world

⁹ See Hüseyin Türk, **Nusayrilik: Anadolu'nun Gizli İnanç & İnanç Sistemleri ve Kültürel Özellikleri** [*Nusayris: Secret Belief of Anatolia & Belief Systems and Cultural Characteristics*], (İstanbul, Kaknüs Yayınları, 2010).

¹⁰ See Ahmet Halaçoğlu, **Balkan Harbi Sırasında Rumeli'den Türk Göçleri** [*Turkish Immigrations from the Balkan Region During the Balkan War*], (Ankara, TTK, 1995).

¹¹ See Orhan Türkdoğan, **Alevi-Bektaşî Kimliği** [*Identity of Alevi and Bektaşî*], (İstanbul, Timaş, 2004).
Catharina Raudvere, Elisabeth Ozdalga, Tord Olsson, **Alevi Identity: Cultural, Religious, and Social Perspectives** (İstanbul, Swedish Research Institute, 1998).
Elise Massicard, **The Alevis in Turkey and Europe: Identity and Managing Territorial Diversity**, (London, Routledge, 2012).

¹² See David McDowall, **A Modern History of the Kurds**, Third Ed., (London, I. B. Tauris Co. Ltd., 2004).

¹³ See Mehmet Perinçek, **100 Belgede Ermeni Meselesi** [*Armenian Issue on Hundred Documents*], (İstanbul, Doğan Kitap, 2007).
Yusuf Sarımay, **24 Nisan 1915'te Ne Oldu? & Ermeni Sevk ve İsyanının Perde Arkası** [*What Happened on April 24, 1915 & The Background of Armenian Expedition and Rebellion*], (İstanbul, İdeal Kültür Yayıncılık, 2012)
See Guenter Lewy, **The Armenian Massacres in Ottoman Turkey: A Disputed Genocide**, (The University of Utah Press, 2005).

made it be believed and declared that the Ottoman state committed an ethnic cleansing or genocide against Armenians and therefore Turkey should compensate victims' families. However, the Turkish nation or state never seemed to accept these claims.

There are no more than 5,000 Greeks left in Turkey.¹⁴ Their main issues are that they may not be able to have religious training institutions and that they may not be able to operate or own charitable properties- legal statues of Patriarchate. However, the Turkish state argues that if Greece provides full rights to Turkish minorities in Greece, that it will do the same for Greeks in Turkey.

Around 25,000 to 50,000 Assyrians live in Turkey.¹⁵ They are a forgotten nation. They are Christian, but not recognized as minority under the Lausanne Treaty. They have no legal status. The Turkish state denies them rights to have their own social and charitable institutions. Most of them immigrated to Western European countries in previous years. I have to note that during the Ottoman era (for six centuries) many different cultures and religious groups survived, however, interestingly, in the new republic regime within half a century almost all of these groups have been assimilated or have disappeared.

Around 30,000 Jews live in Turkey.¹⁶ Historically, Turks have protected Jews from persecution. Some nationalist or a few religious radicals in Turkey, like other world countries including Western democracies, have anti-Semitic ideas about Jews in Turkey. Turkish Jews declare every year that they do not have any problems living in Turkey as a minority group.

Dönmes are known as converts and there is no acceptable or trusted number about them.¹⁷ Dönme are the Jewish followers of Sabatay Sevi who declared himself a Messiah. Around 1660s religious Jewish leaders made accusations and complaints against him to the Sultan thus, he was sentenced to capital punishment. To save his own life he converted to Islam before the Sultan. After that he told his followers to go under ground and Sevi developed a belief system which had elements from Islam and Judaism. Neither Jews nor Muslims accept them into their society. They hide their identity to avoid discrimination among people. Thus, it is almost impossible to count their numbers. A rough guess would be about 100,000. However, they are known to be very successful in bureaucracy, politics, business and other professions.

¹⁴ See Jesse Russell & Ronald Cohn, **Greeks in Turkey**, (Bookvika Publishing, 2012).

Reene Hirschon, ed., **Crossing the Aegean: An Appraisal of the 1923 Compulsory Population Exchange between Greece and Turkey**, (NY, Oxford, Berghahn Books, 2006)

¹⁵ See Eyyüp Tanrıverdi, Ahmet Taşgım, Canan Seyfeli, **Süryaniler ve Süryanilik I, III, III, IV** (Ankara, Orient Yayınları, 2005).

¹⁶ See Erol Haker, **Bir Zamanlar Kırklareli'de Yahudiler Yaşardı** [*Once Upon A Time There Jews Lived in Kırklareli*], (İstanbul, İletişim Yayınları, 2002).

Stanford J. Shaw, **The Jews of the Ottoman Empire and the Turkish Republic**, (London, McMillan, NY University Press, 1991)

Avner Levi, **Türkiye Cumhuriyetinde Yahudiler** [*Jews in the Republic of Turkey*], (İstanbul, İletişim Yayınları, 2010).

¹⁷ See Cengiz Şişman, *The History of Naming the Ottoman/Turkish Sabbatians* in **Studies on Istanbul and Beyond**, Robert G. Ousterhout, (Penn, The Joukowsky Family Foundation & American Research Institute, 2007).

Abdurrahman Küçük, **Dönmeler (Sabayitiler) Tarihi** [History of Converters (Sabbatians)], (Ankara, Berikan Yayınevi, 2010).

Marc David Baer, **The Dönme: Jewish Converts, Muslim Revolutionaries, and Secular Turks**, (Stanford, California, Stanford University Press, 2009).

The Constitution-Making Process and EU Integration¹⁸

After winning the 2011 general election the current Prime Minister (PM) Erdoğan's Justice and Development Party promised to all of Turkey that his party would prepare and enact a new constitution that would not be intervened by military powers. PM Erdoğan: "With a civilian, participatory, liberating and democratic constitution, we will be making the democratization process permanent. In drafting the new constitution, the AK Party group will not leave the table. If we see that it isn't working, then we will see which party we can do it with and will welcome them to join us. We have always been reconciliatory and we will continue to be so, because, we continue to do what we do."¹⁹

Constitution-making processes require public participation, or at least demands a minority groups' involvement.²⁰ However, "the aim of Turkish policy is to stay within the boundaries of the Treaty of Lausanne and prioritize national security considerations over minority issues."²¹ Still, Turkey claims it does not have any minorities other than Armenians, Greeks and Jews.²² The EU has no common requirement for protection of minorities, even if there is a certain expectation from member states.²³ When we look at EU member states Germany, France, Italy, Slovakia, and Luxembourg deny having minorities or discriminating against them.²⁴ Lately, EU reports on Turkey argue that Turkey needs to provide efficient and sustainable regimes for minorities and should comply with Copenhagen criteria. The EU put Turkey under pressure to sign the Framework Convention for the Protection of National Minorities; however Turkey, has still not signed it. I think Germany, France, Greece, and other member states have given Turkey some bad examples. It is evident that the EU has no control on minority issues of member states.²⁵ At minimal, the EU expects Turkey to improve freedom standards for minority. To sum up, since 2000, the EU has demanded the following articles and Turkey has responded...²⁶

Solve the problems of internally-displaced persons (Kurds): Return to Village and Rehabilitation Project further implemented, A circular for facilitating the voluntary return of internally displaced persons, A strategy document, the Internally Displaced Persons Problem and Measures on Village Return and Rehabilitation Project, on August 17, 2005, The Law on Compensation of Losses Resulting from Terrorist Acts with 173,208 applications, With respect to Internally Displaced Persons, progress

¹⁸ See more about EU Integration, Yves Meny & Andrew Knapp, **Government and Politics in Western Europe: Britain, France, Italy, Germany**, Third Ed., (NY, Oxford University Press, 1998) at 354-85.

¹⁹ See "PM Erdoğan 'We will Draft the New Constitution'," dated July 1, 2012, available at: <http://english.sabah.com.tr/National/2012/04/23/pm-erdogan-we-will-draft-the-new-constitution> (accessed on July 1, 2012).

²⁰ See Jeffry Thomas, *Anayasa Yapmak ve Anayasayı Değiştirmek: Türkiye'nin Anayasal Reformu Üzerine Karşılaştırmalar ve Hukukun Üstünlüğü Perspektifleri* in **Yeni Anayasa İçin Yol Haritası**, ed. Fatih Öztürk, (İstanbul, Bion Matbaacılık, 2012) at 43.

²¹ See Şule Toktaş & Bülent Aras, *The EU and Minority Rights in Turkey*, 124-4 Political Science Quarterly (2009-10) at 697.

²² Ibid, at 699.

²³ Ibid, at 706.

²⁴ Ibid.

²⁵ Ibid, at 709.

²⁶ This section was drawn from "Is There A Puzzle? Compliance With Minority Rights in Turkey", by Gözde Yılmaz, No. 23, January 2011, KFG, The Transformative Power of Europe, Working Paper. Available at: http://userpage.fu-berlin.de/kfgeu/workingpapers/WorkingPaperKFG_23.pdf (accessed on July 2, 2012).

continued on the process of compensation, The process of compensation of losses due to terrorism continued to make progress.

Provide rights to non-Sunni Muslims (Alevi): Some improvements on the legal status of non-Sunni associations in 2003, The opening of the first Alevi Institute, A municipal council recognized a Cem House as a place of worship and applied mosque tariffs to its water charges, Three municipal councils recognized Cem Houses as places of worship and granted them the same financial advantages as mosques, Administrative courts in Antalya, Ankara, Izmir and Istanbul ruled that Alevi students should be exempted from attending the mandatory religion and ethics course

Eliminate the problems of religious foundations, Provide and implement property rights to/of religious foundations: Applications for the registration of foundations started to be received in 2003, Establishment of equal treatment for Mosques and Christian churches regarding free access to water, A Protestant church was established as an association in Ankara, The Protestant church in Diyarbakır was finally able to register as a place of worship in 2005, Further implementation in the registration of religious associations in 2006, The Bahai community's request to renovate its garden was approved, Official registration of the Association for Supporting Jehovah's Witnesses, 2,285 applications for registration of property, New foundations Law was adopted, Implementation of the Law on Foundations adopted in February 2008 proceeded smoothly.

Eliminate restrictions on broadcasting in other languages and implement them: Limited implementation in state television, Broadcasting in languages other than Turkish/limited, A radio station broadcasting programs on Christianity, Further implementation of broadcasting in languages other than Turkish, A new radio channel in Diyarbakır, Çağrı FM, received authorization to broadcast in Kırmanchi and Zaza Kurdish, Broadcast nationally, all day long, in languages other than Turkish on state television, TRT, In January 2009 TRT started operating channel TRT-6, broadcasting in Kurdish 24-hours a day, Four local TV and radio channels started broadcasting in languages and dialects traditionally used by Turkish citizens, Broadcast in Armenian began on TRT (TV) for half an hour twice a day, Applications for three dialects in Kurdish and Arabic radio stations were approved, The public radio network started to broadcast in Armenian in March 2009.

Eliminate restrictions on education in other languages and implement them: Private schools have started to teach languages other than Turkish - but limited implementation, Teaching in languages other than Turkish/limited, The Higher Education Board (YÖK) endorsed the application from a Turkish University (Artuklu University in Mardin) to establish a "Living Languages Institute" which would provide post-graduate education in Kurdish and other languages spoken in the country, Kurdish as a language course offered in Bilgi University, Istanbul.

Eliminate restrictions on the use of languages in the public sphere: Registration of names in languages other than Turkish /limited and varied, Governorships in several cities in the Southeast have started offering public services in Kurdish.

Revise the curricula in schools and remove discriminatory language from textbooks: Finalization of the redrafting the descriptions of Christian denominations in religious education textbooks.

Eliminate the problems in construction permits for places of worship: Istanbul's main synagogue was reopened, A complex comprising of a mosque, church and synagogue was opened, "the garden of religions" was opened in Belek.

Improve the situation of the Roma: The new Law on Settlement, which eliminates any discriminatory provisions against the Roma was approved by the Parliament.

Ensure the implementation of minority rights (non-Muslim minorities), Solve the problems of minority schools: The new Law on Private Education Institutions eased the limitations in schools where the language of education is not Turkish and in schools established by foreigners, including minority schools, Minority Circular published in 2010.

Improve the situation in the Southeast in terms of socio-economic development and cultural rights: Ensure the exercise of cultural rights of minorities: A plan for development of the Southeast was adopted, Contrary to previous years, the *Newroz* celebrations in March 2009 passed by peacefully overall. Governorates in the region gave permission for celebrations.

Eliminate the ban on training clergy (comprising the issue): The Ecumenical Patriarchate's applications for work permits were answered positively.

Solve the Kurdish Problem: A debate was launched by the prime minister and 34 PKK members as a peace activation group, who were not related to violent acts, were welcomed from base from a PKK base (Kandil Mountain) and not punished (2009), A wide-range public debate was initiated by Prime Minister Erdoğan to solve the Kurdish issue.

Turkey should, at minimum, provide legal status to religious foundations, remove the village guard system, amend the law of movement and residence of Aliens discriminating against Romas, provide opportunity to non-Muslim minorities to attain bureaucratic and military careers, provide opportunity to children to learn their mother tongues in public schools, and finally to recognize all minorities of the country.

During the constitution-making process regarding EU integration and what Turkey should do there is one realistic goal: Inserting an article to the new constitution declaring that Turkey recognizes and respects all of minorities and accepts minority rights as a group right. Another serious issue is after drafting the new constitution Turkey should definitely receive advice from minority groups' representatives in order to realize a healthy balanced constitution-making process. Turkey should not forget that public participation of constitution-making processes is widely accepted as an international right.²⁷

In sum, once more, without the elimination of military power from Turkish politics or civilian life, Turkey will not be able to cure minority problems in Turkey as is the same for other problems in the Turkish democracy. I am also aware that law alone cannot heal social problems. For centuries people have been inventing, changing, and discarding laws and legal systems in the hope that particular social problems could be resolved. Ignorance can only be defeated through education; however, like every problem in human life everything ultimately depends on human beings themselves and their actions. Education is the most effective vehicle regardless of whether or not we have a paralyzed social and political system or whether we have one operating with clockwork precision.

In 2012, at the foot of the EU door, Turkish democracy runs under status quo, and the elite is above the Turkish system, like Damocles' sword. I hope one day Turkey will be full of freedom of expression, respect for others' ideas and beliefs, acceptance of criticism from any one or group. People of Turkey are beginning to believe again, as they once did during Ottoman times, that diversity is not a crime; it is one of the greatest facets of life given to us to hold and cherish.

References

1. Alexandris, Alexis. *The Greek Minority of Istanbul and Greek-Turkish Relations, 1918–1974* (Athens: Center for Asia Minor Studies, 1983).
2. Aydin, Mehmet Akif. *Islam ve Osmanli Hukuku Arastirmalari [Researches of the Law of Islam and Ottoman]* (Istanbul: Iz, 1996).
3. Baderin, Mashood A. *International Human Rights and Islamic Law* (Clarendon: Oxford, 2005).
4. Bass, Gary Jonathan. *Stay the Hand of Vengeance* (Princeton, Oxford: Princeton University Press, 2000).
5. Berch Berberoglu (ed.). *The National Question: Nationalism, Ethnic Conflict & Self-Determination in the 20th Century*, (Philadelphia: Temple University Press, 1995).

²⁷ See more Christina Murray, “*Anayasa Yapımına Halkın Katılımı ve Gelecek*”, at 17-30 in *Yeni Anayasa İçin Yol Haritası*, ed. Fatih Öztürk, (İstanbul, Bion Matbaacılık, 2012).

6. Boyle, K. and Sheen, J. (eds.) *Freedom of Religion and Belief* (London and New York: Routledge, 1997).
7. Chaszar, Edward. *The International Problem of National Minorities* (Pennsylvania: Indiana University of Pennsylvania, 1988).
8. Cumper, P. and Wheatley, S. (eds.) *Minority Rights in the New Europe* (The Hague: Martinus Nijhoff, 1999).
9. Dorsen, Norman and Rosenfeld, Michel & Sajo, Andras and Susanne Baer (eds.). *Comparative Constitutionalism: Cases and Materials* (St. Paul: West Group, 2003).
10. Gotlieb, Yosef. *Self-Determination in the Middle East* (New York, Praeger, 1982).
11. Guler, Ali. *Osmanli Devletinde Azinliklar [Minorities in the Ottoman]* (Istanbul: Turan, 1997).
12. Hamidullah, Muhammed. *Islam Anayasa Hukuku [Constitutional Law of Islam]* (Istanbul: Beyan, 1995).
13. Kaboglu, Ibrahim (ed.). *Ulus, Ulusalustu ve Uluslararası Hukukta Azinlik Haklari: Birlesmis Milletler, Avrupa Birligi, Avrupa Konseyi, Lozan Antlasmasi [Minority Rights in National and International Law: The United Nations, the Council of Europe, the Treaty of Lausanne]* (Istanbul: Istanbul Barosu İnsan Haklari Merkezi, 2002).
14. Kelly, Paul (ed.). *Multiculturalism Reconsidered: Culture and Equality and Its Critics* (Malden, MA: Polity, 2002).
15. Kurt, Ismail and Tuz, Ali. *Turkiye’de Aleviler, Bektasiler, Nusayriler [Alewis, Bektasis, and Nusayris in Turkey]* (Istanbul: Ensar, 1999).
16. Kymlicka, Will. *Multicultural Citizenship: A Liberal Theory of Minority Rights* (New York: Oxford, 1995).
17. ----- (ed.). *The Rights of Minority Cultures* (New York: Oxford, 1995).
18. ----- and Norman, Wayne (eds.). *Citizenship in Diverse Societies* (Oxford: Oxford University Press, 2000).
19. Mehta, R. Sampat. *Minority Rights and Obligations* (Ottawa: Canada Research Bureau, 1973).
20. Onder, Ali Tayyar. *Turkiye’nin Etnik Yapisi: Halkimizin Kokenleri ve Gercekler [The Ethnic Structure of Turkey: The Ancestors of Our Nation and Truth]* (Istanbul: Pozitif, 2005).
21. Oran, Baskin. *Turkiye’de Azinliklar: Kavramlar, Teori, Lozan, Ic Mevzuat, Ictihat, Uygulama [Minorities in Turkey: Concepts, Theory, Lausanne, Domestic Law, Jurisprudence, and Practice]* (Istanbul: Iletisim, 2005).
22. Rehman, Javaid. *International Human Rights Law: A Practical Approach* (Harlow: Pearson Education, 2003).
23. ----- . *The Weaknesses in the International Protection of Minority* (The Hague: Kluwer, 2000).
24. Reyna, Yuda and Zonana, Moreno. *Son Yasal Duzenlemelere Gore Cemaat Vakiflari [According to Current Legal System; Non Charities of Groups]* (Istanbul: Gozlem, 2003). 2003.
25. Sekerci, Osman. *Islam Ulkelerinde Gayri Muslimlerin Temel Haklari [Basic Rights of Non-Muslim in Islamic Countries]* (Istanbul: Nun, 1996).
26. Sener, Cemal. *Turkiye’de Yasayan Etnik ve Dinsel Gruplar [Ethnic and Religious Groups in Turkey]* (?? 2004).
27. Sofuoglu, Adnan. *Fener Rum Patrikhanesi ve Siyasi Faaliyetleri [Fener Greek Patriarchate and Its Political Activities]* (Istanbul: Turan, 1996).
28. Soykan, T. Tankut. *Osmanli Imparatorlugunda Gayrimuslimler [Non-Muslims in the Ottaman Empire]* (Istanbul: Utopya, 2000).
29. Thornberry, Patrick. *International Law and Rights of Minorities* (Oxford: Clarendon, 1992).
30. ----- . *Minorities and Human Rights Law* (London: MRG, 1991).
31. ----- and Estebanez, Maria Amor Martin. *Minority Rights in Europe: A Review of the Work and Standards of the Council of Europe* (Brussels: Council of Europe, 2004).
32. Tierney, Stephen (ed.). *Constitutional Law and National Pluralism* (Oxford: Oxford University, 2004).
33. Turkdogan, Orhan. *Alewi Bektasi Kimligi [The Identity of Alewi and Bektasi]* (Istanbul: Timas, 1995).