THE CURRENT ENVIRONMENT FOR CIVIL SOCIETY IN TURKEY

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COMPARATIVE NONPROFIT SECTOR PROJECT

JOHNS HOPKINS UNIVERSITY CENTER FOR CIVIL SOCIETY STUDIES

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PREFACE

This is one in a series of working papers produced under the Johns Hopkins Comparative Nonprofit Sector Project (CNP), a collaborative effort by scholars around the world to understand the scope, structure, financing, and role of the nonprofit sector using a common framework and approach. Begun in 1991 in 13 countries, the project continues to expand, currently encompassing more than 40 countries.

The working papers provide a vehicle for the initial dissemination of the CNP work to an international audience of scholars, practitioners, and policy analysts interested in the social and economic role played by nonprofit organizations in different countries, and in the comparative analysis of these important, but often neglected, institutions.

Working papers are intermediary products, and they are released in the interest of timely distribution of project results to stimulate scholarly discussion and inform policy debates. All of these Working Papers are available at **ccss.jhu.edu**.

The production of these Working Papers owes much to the devoted efforts of our project staff. The present paper benefited greatly from the contributions of Senior Research Associate Wojciech Sokolowski and CNP Project Manager Megan Haddock. On behalf of the project's core staff, I also want to express our deep gratitude to our project colleagues around the world and to the many sponsors of the project over its lifetime.

The views and opinions expressed in these papers are those of the authors and do not necessarily represent the views or opinions of the institutions with which they are affiliated, the Johns Hopkins University, its Institute for Health and Social Policy and Center for Civil Society Studies, or any of their officers or supporters, or the series' editors.

We are delighted to be able to make the early results of this project available in this form and welcome comments and inquiries either about this paper or the project as a whole.

Lester M. Salamon
Project Director

THE CURRENT POLICY ENVIRONMENT for CIVIL SOCIETY in TURKEY

by
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1. Introduction

The relationship between the state and civil society in Turkey has been rather troublesome and problematic throughout the course of history. The strong state tradition, years of military tutelage, and national security concerns among political elites and state bureaucracy positioned the state as having a suspicious and mostly hostile attitude towards civil society. The national security concerns arise from the conviction that, due to its geopolitical, strategic position, and political and economic potentials, Turkey is under continuous attack by external and internal forces who do not want Turkey to develop and prosper within its region, and who want a divided and disempowered Turkey. While in the early Republican years the major internal enemies were counter-revolutionary reactionaries and ethnic minorities, in the following decades the communist threat was considered the main external and internal enemy.

The 1980 military junta seemed to consider every societal force (associations, foundations, trade unions, political parties, press, intellectuals, leftist and rightist organizations) as a threat to the state's well-being. Following this insight, the post-1980 legal, constitutional, cultural, administrative, and political order was oriented towards militarization and the reordering of society in line with authoritarian principles. In the 1990s, with the rise of the Kurdish nationalist movement and the resulting armed conflict, the Kurds were depicted as the biggest threat to the unity of Turkish society and the well-being of the state. The state both denied the Kurdish identity and struggled to neutralize the Kurdish opposition from within its borders. Within this "struggle," the Turkish state did not hesitate to form illegal units and conduct unlawful acts—including committing systematic harassment of Kurdish political activists, pressuring civil society organizations, and engaging in systematic torture and extrajudicial executions. Under the conditions of a "state of emergency" in Kurdish regions and the authoritarian judicial regime sustained by State Security Courts (DGM-Devlet Güvenlik Mahkemeleri),[3] the 1990s were characterized by the systematic oppression of civil society in Turkey. Paradoxically, the 1990s were the years in which autonomous civil society organizations (CSOs) started to flourish in order to stand against state oppression and arbitrary rule. The formation of the Human Rights Association (İHD-İnsan Hakları Derneği) in 1986 and the Human Rights and Solidarity Association for the Oppressed (Mazlum-Der) in 1991—Turkey's most important human rights advocacy organizations—illustrate this fact.

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[1] Akdeniz University, Communication Faculty, Department of Public Relations, Antalya, Turkey.
[2] Anadolu University, Economics and Administrative Sciences Faculty, Department of Economics, Eskişehir, Turkey.
[3] As special courts the DGMs were formed after the 1980 military intervention and with the 1982 Constitution, in order to try cases of crimes against the security of the state. DGMs were closed with the constitutional reforms of 2004.

In the second half of the 1990s, with the local and national electoral victories of the Islamist Welfare Party (RP-Refah Partisi), political reaction (*irtica*), and Islamism became other crucial threats to the security of the state and the principle of secularism. After the RP became the coalition partner, a military-led campaign was launched against the Islamist political party, CSOs, private firms and even Islamist intellectuals. After the meeting of the National Security Council on 28 February 1997, the government was forced to accept a series of measures against Islamist establishments, and in the following months the government coalition was abolished with the resignation of Prime Minister Erbakan (head of the RP) in June 1997.

A series of crises in the 1990s and Turkey's EU accession process changed the overall perception regarding both the strength and capacity of the state and the role of civil society.[4] Moreover, the second United Nations Conference on Human Settlements (Habitat II), held in Istanbul in June 1996, and Turkey's involvement with Local Agenda 21[5] underlined the need for establishing ties between civil society and public authority. The 12th article of the Istanbul Declaration on Human Settlements noted that:

> "Recognizing local authorities as our closest partners, and as essential, in the implementation of the Habitat Agenda, we must, within the legal framework of each country, promote decentralization through democratic local authorities and work to strengthen their financial and institutional capacities in accordance with the conditions of countries, while ensuring their transparency, accountability and responsiveness to the needs of people, which are key requirements for Governments at all levels. We shall also increase our cooperation with parliamentarians, the private sector, labour unions and non-governmental and other civil society organizations with due respect for their autonomy."[6]

Following these objectives, the main purpose of the Local Agenda 21 was to empower and encourage associations, foundations, chambers of occupations and trade unions, institutions of the private sector, academic institutions, media and publishing organizations, local administrations, citizens, and local community members to achieve sustainable development practices.[7] The project, which was realized under the structure and support of the United Nations Development Program (UNDP) Permanent Representation in Turkey in 1997 emphasized:

> "…the comprehension of governance based on participation and partnerships within the framework of 'global partnership,' which is the basis of Agenda 21. Within this framework, taking lasting steps for the development and establishment of a democratic and participative administration as a comprehension of 'governance' supported by the 'facilitating' and 'feasible' role of local administrations, based on the power of the community and encouraging local interest groups and 'equal partnerships.' "[8]

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[4] Burak Özçetin, Ulaş Tol, M.Ali Çalışkan, and Mustafa Özer, "Major Periods of Civil Society Sector Development in Turkey," *Working Papers of the Johns Hopkins Comparative Nonprofit Sector Project*, No. 52 (Baltimore, MD: Johns Hopkins University Center for Civil Society Studies, 2014). Available at: http://ccss.jhu.edu/publications-findings/?did=427.

[5] A voluntarily implemented action plan of the United Nations with regard to sustainable development. See: https://sustainabledevelopment.un.org/index.php?page=view&nr=23&type=400.

[6] United Nations, "Istanbul Declaration on Human Settlements," General Assembly Resolution 51/177 (December 16, 1996) and General Assembly Resolution 53/242 (July 28, 1999), available at: http://www.un.org/documents/ga/res/51/a51r177.htm and http://www.un.org/earthwatch/about/docs/ga53_242.htm.

[7] Reyhan Genli Yiğiter and Funda Yirmibeşoğlu, "Local Agenda 21 and Practices in Turkey," *ERSA conference papers* ersa03p442 (Belgium: European Research Science Association, 2003). Available at: http://www-sre.wu-wien.ac.at/ersa/ersaconfs/ersa03/cdrom/papers/442.pdf.

[8] Ibid, 7.

In addition to these developments, the electoral victory of the pro-European Union (EU) and reformist Justice and Development Party (AK Party-Adalet ve Kalkınma Partisi) in the 2002 General Elections meant the enlargement of the civil sphere. In its first years of political power, the AK Party enthusiastically supported the EU accession process and struggled to limit the military's powerful presence and involvement in politics.

The EU accession process deserves special focus since it is the major impetus behind the AK Party Government's[9] approach towards civil society in Turkey. By the end of 2002, approval of Turkey's EU candidate status encouraged the AK Party government to take courageous steps towards democratization of the state and improvement of civil society relations.

The 2003 National Program[10] for Turkey's EU accession process specifically underlined the urgent need to develop the state-civil society dialogue and remove obstacles for freedom to organize. The national program consisted of chapters on:

1. Freedom of thought;
2. Freedom to form associations, organize peaceful meetings, and civil society;
3. Prevention of torture and ill-treatment of detainees;
4. Educating public officers on human rights issues;
5. Functionality and effectiveness of judiciary;
6. Improving conditions of prisons and lock-ups;
7. Protection of individual rights and freedoms without discrimination;
8. Functionality of the executive branch; and
9. Signing new international agreements.

The second chapter of the 2003 Program underlined that "the government will support empowering of civil society and its participation in democratic life... Within this context –laws and regulations regarding associations and foundations, and meetings and demonstrations will be reevaluated." The program also promises to take effective administrative measures to realize these goals.

With the encouragement of the EU accession process, the AK Party took important steps towards democratization. The years 2003 and 2004 brought crucial reforms in liberalizing state-civil society relations and opening up opportunity spaces for CSOs. The renewed Associations Law of 2004 removed many aspects of state control over associations (although amendments to the law in 2005 comprised some articles that might prohibit the foundation of associations which aim at disseminating a specific culture or religion).[11]

The 2004 and 2005 EU Progress Reports[12] stressed that the government's steps towards liberalization of civil society-state relations were satisfactory. The Report noted that since the Helsinki Summit in 1999, in which Turkey gained EU-candidate status, and especially after the 2002 General Elections, the AK Party Government made important institutional reforms

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[9] Since the 2002 General Elections, the AK Party succeeded to record two more consecutive electoral victories and has been in power (single party government) within this period.

[10] For the section on "Political Criteria" see: http://www.abgs.gov.tr/files/UlusalProgram/UlusalProgram_2003/Tr/pdf/II-siyasi_kriterler.pdf.

[11] Fuat Keyman, *Türkiye'de Sivil Toplumun Serüveni: İmkânsızlıklar İçinde Bir Vaha*, (Ankara: STGM, 2006) 47. Available at: http://panel.stgm.org.tr/vera/app/var/files/t/u/turkiye-de-sivil-toplumun-seruveni.pdf.

[12] Reports of the European Commission on in which the Commission services present their assessment of what each candidate and potential candidate has achieved over the last year. Progress reports for Turkey can be found here: http://ec.europa.eu/enlargement/countries/strategy-and-progress-report/index_en.htm.

towards the development of democracy, empowering the civil sphere over military tutelage, and strengthened civil society through legal and administrative arrangements.[13]

In the following years, many steps were taken towards liberalizing the relationship between state and civil society in Turkey. However, recent years have been characterized by the deadlock of Turkey-EU relations. Leaving aside the question whether it is Turkey or the European Union who are responsible for this deadlock, it seems that the impetus and motivation derived from the EU accession process has been gradually decreasing. In addition to the loss of EU impetus, the AK Party Government's oscillation between democracy and authoritarianism in recent years has caused many problems to emerge in public authority-civil society relations.

The points raised in the Turkey 2012 Progress Report can be a good starting point to discuss the current government approach to civil society in Turkey. In the section on Political Criteria and Enhanced Political dialogue, the Progress Report underlined the following points:

1. Positive steps have been taken in terms of work on a new constitution. A democratic and participatory process has been put in place, albeit with some limitations on transparency.

2. The parliament's involvement in addressing key policy challenges improved on a few selective topics. However, proper functioning of the parliament, including the parliamentary committees, based on dialogue among all parties, has yet to be ensured.

3. The government committed itself to further democratization and political reforms through work on a new constitution. However, key legislation was presented and adopted with insufficient preparation and consultation. In incidents such as the Uludere killings of civilians, calls on the authorities for effective and swift investigation and a transparent public inquiry have not been met.[14]

4. Overall, progress has been made in legislative reforms with regard to public administration. The establishment of an Ombudsman's office is an important step in safeguarding the rights of citizens and ensuring that public administration is accountable. However, comprehensive civil service reform will require greater political support.

5. There was further consolidation of civilian oversight of the security forces. The introduction of parliamentary oversight of the defense budget was positive, although this, too, is limited in practice.[15]

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[13] Avrupa Toplulukları Komisyonu, "2004 Regular Report on Turkey's progress towards accession," *Republic of Turkey Ministry for EU Affairs Regular Progress Reports* (Brussels: Commission of the European Communities, October 6, 2004). Available at: http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Progress/Turkey_Progress_Report_2004.pdf. All reports can be accessed here: http://www.abgs.gov.tr/index.php?p=46224&l=2.

[14] Recently, after studying the file for several months, the civilian court gave non-jurisdiction decision and transferred the file to the military court. The decision has been interpreted as continuation of military tutelage by some circles. Ezgi Başaran, "Uludere dosyası askeri savcılığa devrediliyorsa vesayet bitmemiştir," *Radikal*, (June 20, 2013). http://www.radikal.com.tr/yazarlar/ezgi_basaran/uludere_dosyasi_askeri_savciliga_devrediliyorsa_vesayet_bitmemistir-1138347.

[15] A crucial development was the change of the Article 35 of TSK (Turkish Armed Forces) Internal Service Act which has "had long served as coup pretext to justify past juntas." Article 35 which says "TSK is responsible for protecting the Turkish land and the Republic of Turkey as defined in the constitution," was replaced with the new version which says, "TSK is responsible for protecting the Turkish land against external dangers and threats, ensuring the protection and strengthening of the army forces in a deterring way, performing the duties abroad as assigned by Turkish Parliament, and helping to provide international

6. Some progress has been made in the area of the judiciary. Legislation has been amended to improve the efficiency of the judiciary and address the increasing backlog of the courts. The participation rate of women in the judiciary needs to be improved.

7. Limited progress was made on fighting corruption, with some developments on incrimination and transparency in the financing of political parties. Effective implementation of the National Anti-Corruption Strategy requires greater political engagement and broader civil society participation.

8. Regarding promotion and enforcement of human rights, the training of public officials, judges, public prosecutors and police officers continued. The Department of Human Rights in the Ministry of Justice launched a website that provides translations of relevant judgments of the European Court of Human Rights.

9. There has been a downward trend in torture and ill-treatment of prisoners in places of detention; however, allegations of excessive use of force continue to be a matter of concern, and there has been little progress on tackling impunity.[16]

10. Prison overcrowding remains problematic, with a serious impact on sanitation and other physical conditions. A reform of the complaints system in prisons is needed.

11. Limited progress has been made on access to justice. The scope and quality of legal aid is inadequate. There is no effective monitoring mechanism that would remedy longstanding problems.

12. The increase in violations of freedom of expression raises serious concerns, and freedom of the media was further restricted in practice. The legal framework, especially as regards organised crime and terrorism, and its interpretation by the courts, leads to abuses. Together with pressure on the press by state officials and the firing of critical journalists, this situation has led to widespread self-censorship. Frequent website bans are a cause for serious concern and there is a need to revise the law on the internet.[17]

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peace." See: http://www.aa.com.tr/en/news/203541--turkish-parliament-approves-change-in-article-35-of-tsk-internal-service-act.

[16] However, recent "Gezi Park" incidents in Istanbul-Taksim brought up the issue of excessive and disproportionate use of police force in peaceful and democratic demonstrations. The excessive use of teargas bombs constituted one of the most important subjects of the debate. In addition to these, the Gezi Park incidents also pointed to the weakness and inadequacy of centralized governments in intervening in every aspects of city planning through infringing the authority of local government and municipality, and through ignoring the demands and objections of civil society organizations (in this case, Taksim Solidarity opposes Taksim Project which aims at rebuilding the Taksim Square).

[17] Famous composer Fazıl Say's conviction of blasphemy on Twitter; atheist Turkish-Armenian intellectual Sevan Nişanyan's conviction for the same reasons; trial of women's rights defender and Mor Çatı women organization founder Canan Arın for insulting prophet Muhammed and President Abdullah Gül were prominent examples of how, in recent years, any criticism towards religion could easily be considered as criminal conducts. See: Constanze Letsch,"Turkish composer and pianist convicted of blasphemy on Twitter," *The Guardian*, April 16, 2013, http://www.guardian.co.uk/world/2013/apr/15/turkish-composer-fazil-say-convicted-blasphemhy; Çiçek Tahaoğlu, "No Acquittal For Canan Arın, Case Suspended," *Bianet*, May 30, 2013, http://bianet.org/english/women/147045-no-acquittal-for-canan-arin-case-suspended; Emma-Sinclair Webb (Human Rights Watch) notes that Article 301 of Turkish Penal Code, which has defined insulting Turkness, now has been replaced by insulting religion: Ezgi, Başaran, "301. madde kılık değiştirdi 'dine hakaret' oldu," *Radikal*, May 27, 2013, http://www.radikal.com.tr/yazarlar/ezgi_basaran/301_madde_kilik_degistirdi_dine_hakaret_oldu-1135057. Prof. Dr. Keram Altıparmak noted that the main purpose of the law is to protect the followers and practitioners of a religion, not the religion and religious symbols. Thus, according to Altıparmak, the courts, by these decisions are acting as religious authorities which are dividing the line between criticism and insults towards religion: " Kerem Altıparmak," "Fazıl Say'ın Tweet lerive Doğru Sandığınız Yedi Yanlış," *Bianet*, April 19, 2013, http://bianet.org/bianet/siyaset/146003-fazil-say-in-tweetleri-ve-dogru-sandiginiz-yedi-yanlis.

13. In general there was a shortfall in the implementation of the constitutional right to hold demonstrations and meetings. Excessive administrative restrictions on freedom of assembly persist, such as substantial prior notification requirements for demonstrations, and sometimes the confinement of demonstrations to designated sites and dates that are unsuitable.[18]

14. Freedom of association legislation is broadly in line with EU standards. However, the need to change the legal framework with regard to political parties and trade unions was not met. There were examples of restrictive interpretation of legislation vis-à-vis associations and harassment of their leaders. Freedom of association for trade unions is compromised in practice by police raids, resulting in arrests of trade union activists and leaders. CSOs continue to face fines, closure proceedings, and administrative obstacles to their operation. A decree adopted in November 2011 giving additional authority to the Ministry of Health and creating a Board of Health Professions was criticised by the Turkish Medical Association and the World Medical Association for reducing professional autonomy. Two foreign CSOs were refused the right to operate in Turkey.

15. There was limited progress on freedom of thought, conscience, and religion. There has been some progress on conscientious objection in terms of application of the case law of the European Court of Human Rights. Dialogue with the non-Muslim religious communities continued. However, people professing faith in minority religions or indeed no faith continued to be discriminated against, and were subject to threats from extremists. A legal framework in line with the ECHR has yet to be established to ensure that all non-Muslim religious communities and the Alevi community can function without undue constraints.

16. As regards labour and trade unions rights, legislation on trade unions and collective bargaining by civil servants was amended, leading to the first collective bargaining exercise in this sector. However, the new legislation is not fully in line with the EU *acquis* and International Labour Organisation conventions, especially with regard to the right to strike for public servants, the process of collective bargaining and dispute settlement, as well as restrictions on large categories of public servants to form and join trade unions. The draft law on collective labour relations, amending the legal framework for trade unions in the private sector, has not been adopted. In May 2014 the Law on Strikes was amended to prohibit strikes in the aviation sector. This takes Turkey's labour legislation further away from EU and ILO standards. The limited labour rights granted by existing legislation have not always been available to employees, with several cases of dismissal apparently linked to union membership.

17. Overall, there has been progress with the adoption of legislation amending the 2008 Law on Foundations. Implementation continues. However, the legislation still does not cover fused foundations (i.e., those whose management has been taken over by the Directorate General for Foundations) or properties confiscated from Alevi foundations. The ongoing cases against the Mor Gabriel Syriac Orthodox monastery raise concerns. Turkey needs to ensure full respect for the property rights of all non-Muslim religious communities and others.[19]

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[18] See the previous footnote on Gezi Park incidents.

[19] European Commission. *Turkey 2012 Progress Report*: *Commission Staff Working Document*. (Brussels: European Commission, October 10, 2012) pp. 6-37. http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/tr_rapport_2012_en.pdf.

2. Government approach towards civil society in Turkey

The philosophy behind government's approach towards civil society in Turkey is complicated by the regular political upheavals in the country and internal disputes within the governing parties.[20] The Justice and Development Party (JDP) was established on August 14, 2001 as a result of the divide between the "traditionalists" (*gelenekçiler*) and the "innovationists" (*yenilikçiler*) within the Islamist Virtue Party (FP-FaziletPartisi). After the Constitutional Court's decision to ban the FP in 2001, the traditionalists formed the Felicity Party (SP-SaadetPartisi) under the leadership of Necmettin Erbakan[21]and Recai Kutan; and the innovationists formed the JDP under the leadership of Recep Tayyip Erdoğan. The JDP rejected the claims that it was a continuation of Erbakan's "National Outlook Movement," a movement that promised the realization of moral-spiritual and material development based upon Muslim principles, and tried to legitimize its position via a self-criticism of its Islamic past, accompanied by a discourse of "change."[22] The leadership and high-ranking party officers claimed that they have personally changed, declaring that "they have taken off their National Outlook shirt."[23] The party claimed that through challenging the status quo it would bring the change that the Turkish state and society have longed for decades. Decreasing the role of the military in politics and enlarging the sphere of civil politics was the anchor point of this strategy of change.

Just like Özal's ANAP,[24] the AK Party was a mixture of various right-wing political currents—but with one crucial difference. While ANAP lacked a backbone to support its right-wing coalition, the AK Party relied on the National Outlook organization, relations, and cadres.[25] In Yıldız's words:

> *"Islamism under the guise of 'conservative democracy,' however, also carries the JDP towards the center-right of Turkish politics, embodied by the Democrat Party (DP-Demokrat Parti), Justice Party (JP-Adalet Partisi) and Motherland Party (MP-Anavatan Partisi)."* [26]

The JDP thus emerged as the sole political movement to present an 'exit strategy' for the organic crisis that the Turkish state and society had been experiencing throughout the 1990s. The crisis had complex political, social, and economic dynamics which are well summarized by Açıkel as such:

> *"(i) The crises of the mono-cultural notion of citizenship… (ii) The crisis of staunch republican secularization… (iii) The crises of growth and redistribution strategies and the lack of transparent, efficient and accountable economic management, which seem to*

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[20] The AK Party has been the ruling party in Turkey since the 2002 elections; henceforth, "government" here refers directly to the AK Party era.

[21] Erbakan (1926-2011) was the leader of Islamist "National Outlook" movement and mentor of Prime Minister Recep Tayyip Erdoğan.

[22] Kenan Çayır, "The Emergence of Turkey's contemporary 'Muslim Democrats'," in Ümit Cizre (ed.), *Secular and Islamic Politics in Turkey: The Making of the Justice and Development Party*, (Routledge: London and New York, 2008), p. 62.

[23] Ibid, 62.

[24] ANAP (Anavatan Partisi-Motherland Party) was founded by Turgut Özal in 1983 after September 1980 military intervention. Özal presented the discourse of the party as an amalgam of conservatism, nationalism, Islamism and social democracy in Turkey. In fact, the party discourse and politics resembled the New Right political parties. Özal's ANAP played a considerable role in neoliberal transformation of Turkish economy.

[25] Tanıl Bora, "Seçimi ve Siyasi Güzergâh Problemleri: 1950, 1983, 1995, 2002" *Birikim*, No. 163-164, (Kasin-Aralik, 2002), p. 30.

[26] Ahmet Yıldız, "Problematizing the intellectual and political vestiges: From 'welfare' to 'justice and development'," in Ümit Cizre (ed.), *Secular and Islamic Politics in Turkey: The Making of the Justice and Development Party*, (Routledge: London and New York , 2008), p. 42.

have been constantly undermined by clientelist and nepotist politicians and bureaucrats, [and] (iv) The crises of the Turkish left as catalyst and/or multiplier effect and its failure to produce tangible democratic solutions to those crises." [27]

After coming into power, taking decisive steps for the EU membership was seen as essential to overcome the crisis Turkey was facing. In other words, the AK Party's political goals and the EU criteria (political, economic, and cultural) overlapped. However, the AK Party government, a center-right political party with links to conservative groups, much like its predecessors, had an incomplete and problematic understanding of democracy which caused many paradoxes and complications in the democratization process. Mert once noted that centre-right politicians grasp and represent the question of democracy within the framework of authentic representation of the "nation," which is described as a homogeneous community.[28] Although the AK Party government took courageous steps towards recognizing the plurality of society, they were not able to altogether abandon this majoritarian approach to politics which:

- Equates democracy with winning elections and considers regular and fair elections as the fundamental source of legitimacy; and

- Considers politics solely as a plebiscitarian process in which democratic process is primarily seen as a procedure of representation, not participation.

Thus the AK Party's approach towards civil society oscillates between representative and participatory dimensions of democratic politics. Prime Minister Edoğan's recent outburst targeting the Gezi Park incidents (a series of protests that took on national significance in 2013, described in detail below), and pointing to the ballot box as the sole place to raise objections against the government, was a symptom of this oscillation. To be fair, the AK Party government's philosophy cannot be altogether labelled as a "zombie democracy,"[29] but the one-man rule within the party and concentration of power in the hands of a centralized party bureaucracy caused the AK Party to underestimate the importance and power of local initiatives.

The Gezi Park protests took the AK Party by surprise. They started on 28 May 2013 with a group of environmentalists organized under the banner of the Taksim Solidarity group[30] protesting the urban development plan of Taksim Gezi Park in Istanbul. The passive resistance of protestors through a sit-in was violently repressed by security forces, which turned into a huge wave of general protests against the government across the country in the following days. Throughout June, more than 2 million citizens participated in the protests in nearly every province in Turkey. Tuğal notes that although a majority of protestors consisted of professionals at the beginning of the protests, in the days following the repression by the security forces, they become more heterogeneous in makeup: "What really hurts this class is not exploitation and impoverishment in absolute economic terms, I suggest, but the

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[27] Fethi Açıkel, "Mapping the Turkish political landscape through November 2002 elections," *Journal of Southern Europe and the Balkans*, Vol. 5, No. 2, (August 2003), 187.

[28] Nuray Mert, "Türkiye'de Merkez Sağ Siyaset: Merkez Sağ Politikaların Oluşumu," in Stefanos Yerasimos, Gunter Seufert, and Karin Vorhoff (eds.), *Türkiye'de Sivil Toplum ve Milliyetçilik*, (İstanbul: İletişim, 2001), p. 60.

[29] "Majoritarianism: Zombie democracy," *The Economist*, June 22, 2013, http://www.economist.com/news/leaders/21579850-note-turkeys-prime-minister-among-others-winning-elections-not-enough-zombie-democracy: "And winning an election does not entitle a leader to disregard all checks on his power. The majoritarian world view espoused by Mr. Erdogan and leaders of his ilk is a kind of zombie democracy. It has the outward shape of the real thing, but it lacks the heart."

[30]Taksim Solidarty consisted of 128 CSOs, including associations, chambers, cooperatives and unions.

impoverishment of social life."[31] The protestors targeted the authoritarian and arbitrary attitude of government; and more specifically Prime Minister Tayyip Erdoğan. They cited increased authoritarianism of the government; persistent police violence towards peaceful protests; Erdoğan's targeting of women through his anti-abortion discourse; regulations regarding consumption of alcoholic beverages; and his despotic stance towards opposition as the main reasons behind public unrest. Also, as was the case in protests in Egypt, Tunisia, and Spain, the protestors opposed increased commodification of urban space and aimed to protect the urban commons through occupying urban spaces.[32]

The protest waves were followed by a series of public assemblies gathered in occupied parks, which could be considered as realization of Habermassian and elaborative public sphere ideal.[33] The protestors tried to negate commodification and engineering of what they perceived to be every aspect of their social existence by firms and governments. But they also sought to develop non-traditional citizen participation mechanisms and alternative means of engagement for political parties and political organizations. In this sense, the protests and the public assemblies that followed underlined the need for establishing strong links and connections within civil society via a completely renewed approach. The existing bureaucratized structure of CSOs are far from being attractive for these masses; a new approach is desperately needed. So, the Gezi Park events, rather than presenting a finished and complete project, presented potentials, gaps, and questions that should be used to strengthen civil society in Turkey.

Before the Gezi Park incident, the AK Party had recorded considerable progress in opening up space for civilian political engagement and limiting the involvement of the military in politics. But as the Gezi Park incident makes clear, it failed to account for the vital role an active civil society sector plays in the functioning of a democracy. The notion of a "national will" in this sense had a progressive dimension, since it prioritized the elected representatives of the people over civil-military bureaucracy and the judiciary. However, the governing officials failed to recognize that the "national will" and the ballot box are not adequate conduits of political power to run and legitimize national and local matters in the absence of civil society. The AK Party government is always eager to accept civil society's involvement—as long as it thinks and acts in line with AK Party doctrine and policies. If not, CSOs, along with informal or formal opposition groups and newspapers critical of the AK Party, are labeled as "interest lobbies," "traitors," "extensions of external enemies," "plunderers," or "terrorists."

The AK Party has also benefitted from laws restricting the political and legal system, which were introduced after the 1980 coup. A new election law, which introduced a requirement for a 10% election threshold, and the new law on political parties, were critical legal elements of the anti-democratic and authoritarian setting. The Law on Political Parties has two major aims and consequences: cutting the ties between political parties and civil society (primarily trade unions and associations); and creation of an over-centralized party structure in which party

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[31] Cihan Tuğal, "Resistance Everywhere: The Gezi revolt in global perspective," *New Perspectives in Turkey*, No. 49 (2013) 166. Available at: http://www.newperspectivesonturkey.net/Content/Npt/Issue_32/Lecture_34/157-172_49_NPT_Fall.pdf
[32] For further discussion see Manuel Castells, *Networks of Outrage and Hope: Social Movements in the Internet Age*, (Cambridge and Boston: Polity Press, 2012); and David Harvey, *Rebel Cities: From the Right to the City to the Urban Revolution,* (London and New York: Verso Books, 2013).
[33] See: *The Structural Transformation of Public Sphere*, (Boston: MIT Press, 2011).

leaders and top-executives have a predominant role in the decision-making processes. In the AK Party case, strong leadership has been consolidated through sublimation.[34]

Although the article (Law no: 4121) that prohibits political parties forming cooperative agreements with associations and trade unions was amended in 1995, the change has not yet been adopted into to the Law on Political Parties.[35] It is unfortunate that since 1983, all governments have eagerly embraced, and used, the anti-democratic aspects of election laws to their advantage. Amending such laws and making them more democratic are part of virtually every party program; yet, when the parties come to power their position easily changes. Recently, when asked about changing the election law and lowering the threshold, Prime Minister Erdoğan noted that his party has no plans to lower the threshold. Instead, with his usual style he added: "parties should work hard to surpass it."[36]

When we look at the overall attitude of the major political parties towards civil society in Turkey we do not see significant variations, at least at a rhetorical level. For instance, the AK Party Program underlines the importance of civil society and aims to create "synergy through incorporating citizens and civil society organizations to public administration."[37] The AK Party Vice Chair Ekrem Erdem notes that, just like political parties, CSOs are also indispensable elements of democracy in Turkey. The role of CSOs as pressure groups, Erdem claims, is vital for a vibrant democratic order.[38]

In a brief booklet, the main opposition party—the Republican People's Party (CHP-*Cumhuriyet Halk Partisi*)—underlines the complementary relationship between civil society and the state and notes that "we will consider civil society organizations as equal stakeholders in all decision making processes." CHP also promises to support local governments in establishing civil society centers.[39]

The ultranationalist Nationalist Action Party (MHP-*Milliyetçi Hareket Partisi*) also declares its commitment to civil society in its party program. It sees CSOs as vital for establishing a participatory democratic society, a culture of honesty, sound economic development, and to fight corruption.[40]

The most satisfactory definition of civil society involvement in politics comes from the Kurdish Peace and Democracy Party (BDP-*Barış ve Demokrasi Partisi*). As a political party and movement which was systematically and brutally repressed throughout the history of the Turkish Republic, BDP understands well the virtues of an organized and democratic society: "The new state structure will be built upon concepts of political-organized-free society, civil society, individual and civic participation," notes the party program.[41] They go on to describe several dimensions for a powerful civil society: *first*, civil society will guarantee democratic

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[34] Sublimation of charismatic leader came to a point that even some AK Party deputies underlined the "god like" or "prophet-like" qualities of Erdoğan. Also, the myth of the "Tall Man," who was the embodiment of national, plays a crucial role in this process. Any criticisms targeting Erdoğan is equated to being hostile to the nation as a whole.

[35] Yılmaz Aliefendioğlu, "Siyasi Partiler ve Sivil Toplum Örgütleri," *PolitikaDergisi*, available at: http://www.politikadergisi.com/sites/default/files/kutuphane/siyasal_partiler_ve_sivil_toplum_orgutleri.pdf.

[36] "Turkish PM signals no lowering of election threshold," *Hürriyet Daily News*, June 27, 2013, http://www.hurriyetdailynews.com/turkish-pm-signals-no-lowering-of-election-threshold.aspx.

[37] "Parti Programı," http://www.akparti.org.tr/site/akparti/parti-programi.

[38] "Siyaset ve sivil toplum örgütleri içiçedir," http://www.akparti.org.tr/site/haber/36045/siyaset-ve-sivil-toplum-orgutleri-ic-icedir/baskanliklar.

[39] "Sivil Topum İçin," http://www.chp.org.tr/wp-content/uploads/siviltoplum.pdf.

[40] "MHP Parti Programı," http://www.mhp.org.tr/usr_img/_mhp2007/kitaplar/mhp_parti_programi_2009_opt.pdf.

[41] "BDP Parti Programı," http://bdp.org.tr/devam/17-bdp-program.aspx.

participation of citizens; second, it will provide conduits for securing cultural plurality in Turkey; and last but not least, civil society organizations and "democratic mass organizations" (as defined in the party program) will play a crucial role in the making of social politics.

To sum up: at rhetorical level, all political parties in Turkey accept the vitality of CSOs for establishing a participatory democratic framework. However, the rhetorical importance is not supported by a detailed framework describing the extent of, and limits to, civil society's participation in society, and mechanisms for this process. Rather, the parties tend to simply quote and repeat similar sympathetic comments regarding the importance of civil society. Among the parties, the Kurdish political party BDP, with its program of "democratic autonomy" seems to have the most adequate understanding and framework for a de-centralized, localized, and democratized decision making processes—which is required for the effective participation of civil society organizations.

2.1. Major deviations in specific industries and types of CSOs

> *"We have engaged in activities since 1996. As we did not have any institutional identity, we met with the doubts and obstacles of state security forces. It took us a long time to gain an institutional identity because people were afraid of protesting a project of the state. It was disadvantageous to be involved with an NGO and one could easily become the target of conflicts. The reaction of the public sector varied as the mayor, district governor and governor changed. We were heroes at certain times and traitors at others..."* (Personal communication, R. Cavus, Association of Hasankeyf Volunteers) [42]

As described in the previous section, the Turkish state has seen CSOs as threats to its strength, unity, and prosperity throughout its history. This runs counter to the idea of a strong state in which "people exist for the well-being of the state, not state for people." Although the AK Party government has promised to introduce a new approach to civil society, the anti-democratic and authoritarian turn of events in recent years falsified these claims. The AK Party government of recent years resembles those of the 1990s, which considered civil society involvement in administrative affairs and political issues as "crossing the line." Elections are considered the only appropriate realm for voicing opposition on political issues, both at the national and local level. In this sense, the AK Party government, which promised a participatory network in its campaign, presents rather a primitive model of democracy which equates democracy which elections. This skeptical view is accompanied by criminalization of many elements of civil society –more specifically, right-based civil society organizations, opposition intellectuals, newspapers, and journalists all risk arrest. The Prime Minister himself does not hesitate to publicly target specific names of individuals and organizations and ask media owners to end their contracts.

However, there are many cases in which CSOs are accepted as valuable stakeholders by the government. Thus, one cannot talk of a single approach, or a single relationship between the government and civil society. Both on the part of government and civil society, one can note a plurality of actors, conditions, approaches, interpretations, and contexts. A smooth relationship can face a crisis with actors remaining the same but a change in socio-economic

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[42] Serap Öztürk, "Environment: We will have to act as if we are from Bergama," in Merve Erol and Zeynep Gösterişli (eds.), *Issues and Resolutions of Rights-Based NGOs in Turkey*, (Ankara: STGM, 2007) p. 91. Available at: http://panel.stgm.org.tr/vera/app/var/files/i/s/issues-and-resolutions-of-rights-based-ngos-in-turkey-2.pdf.

context; or public authorities' approach towards CSOs can vary depending on the field of activity or ideological orientation of the relevant CSO. Thus, rather than trying to present the whole picture, this section will provide the reader with different snapshots.

The suspicious attitude of government is more evident in policies and practices towards rights-based civil society organizations. Human Rights activist and writer İrfan Aktan's note regarding the Human Rights Association (İHD-*İnsan Hakları Derneği*) is worth quoting:

> "Van and Diyarbakır branches of HRA suffered from heavy pressure especially during the state of emergency. Head office of HRA in Ankara and Istanbul branch also suffered from pressure and even police attacks in the 1990s. However, since 2000, oppression has been replaced with a different kind of relation: when the tension in political area is low, relations of public authority with HRA are good, but when there is high tension, the relation is bad... However, there happens to be different treatments in different periods. For instance, they can open a court case against what we did two-three years ago. They want to discourage us by opening these court cases in such periods. We receive death threats. But attorneys cannot reach the evidence somehow. If the government wants to get tougher they start by silencing HRA first and then the other HRIs." [43]

A tense relationship between government and civil society can be observed in the field of LGBT rights promotion and support. The TUSEV 2012 Civil Society Monitoring Report documents the difficulties that LGBT organizations face. LGBT organizations complain about ambiguous expressions in the law that refers to protection of "general morality" and "Turkish family structure" that are used to limit their rights. Also, tight government monitoring and frequent inspections are other problems that LGBT CSOs face. To be fair, the report also notes that the LGBT CSOs' invitation to deliver an opinion to the Constitution Rapprochement Commission, and their meetings with AKP, CHP and BDP deputies were crucial steps towards LGBT individuals' quest for recognition. [44]

Environment is another field in which the government's developmental goals often clash with CSO concerns. This clash is especially evident in the field of energy policies –most notably hydroelectric, nuclear and thermal power plants. Öztürk notes that the state "neither systematically isolates the demands of environmental CSOs nor prevents their establishment. However, the characteristics of the organizational structure, its methods, and the scope of its activities become the defining element of state's attitude." [45]

The relationship of major environmental CSOs in three big cities has been summarized by Öztürk as such:

> "Environmental NGOs, especially Istanbul and Ankara, follow methods for participation in administrative structures and decision making mechanisms, provide expert opinion and lobby to influence decision making mechanisms in cases where dialogue and cooperation fails in their relationship with the state. Other activities such as actions, protests, meetings, press releases and petition campaigns can be added to this list. However, such NGOs

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[43] İrfan Aktan, "Human Rights: Fire Engines on Narrow Streets," in Merve Erol and Zeynep Gösterişli (eds.), *Issues and Resolutions of Rights-Based NGOs in Turkey*, (Ankara: STGM: 2007) p. 35. Available at: http://panel.stgm.org.tr/vera/app/var/files/i/s/issues-and-resolutions-of-rights-based-ngos-in-turkey-2.pdf.
[44] Third Sector Foundation of Turkey (TÜSEV), *Civil Society Monitoring Report 2012*, (Istanbul: TUSEV Publications, August 2013) pp. 20-21. http://www.tusev.org.tr/usrfiles/files/SivilIzlemeENG_15_08_13.pdf.
[45] Öztürk (2007), 90.

mainly prefer cooperation and dialogue-based methods in their relationship with the state, except the citizen movements. Other than these groups, there are formations which emphasize academic research and publications, and support state or state-private sector relationships."[46]

On the other hand, in many instances, the government tends to consider environmental groups' objections as "ideological," "primitive," and/or "malicious" efforts to slow down Turkey's economic growth.

The radical worsening of women's living conditions during the AK Party era can be observed with the radical increase in domestic violence and discrimination against women.[47]Ayman summarizes the relationship between women's organizations and government as such:

"Many of the interviewed women's organizations expressed that the relations with public authorities have always been problematic for them and they prefer a hands-off relationship with patriarchal structures like the state, government and local governments that reproduce discrimination and sexism directly. However, it obvious that not all the components of the women's movement have such an obvious stance to the state and its institutions, and even some women's organizations are parallel to the state in terms of political, ideological and practical levels."[48]

In 2012, referring to the right to information act, TÜSEV applied to all ministries regarding information about ministries' collaboration with civil society. Among 20 ministries, 4 ministries did not reply to the request; 4 ministries stated that further research is needed regarding the issue; and 3 ministries noted that they have no relationship with civil society organizations.[49] And among the 9 ministries who replied to the request, it is clear that the Ministry of Family and Social Politics has the most developed ties with CSOs. Accordingly, the Directorate General of Women's Statute (which was established in 1990 as a directorate within the Ministry of Family and Social Politics) plays a crucial role in establishing ties between civil society and ministry.[50]

These brief snapshots give us some clues about the lack of standards in the government's approach towards civil society in Turkey; such an approach is dependent upon the sector in question, the ideological orientation of the CSO, or, in some cases, public authorities' personal and professional preferences. This is mainly the result of an absence of explicit and thorough policies regarding civil society-state cooperation. In the following sections, after focusing on some cases of cooperation between government and CSOs, we will present government-CSO interaction in detail with reference to a series of interviews conducted with CSO representatives and public officers.

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[46] Ibid, 91.
[47] Ayman, Zelal, "Gender: Painful Aspects of Change," in Merve Erol and Zeynep Gösterişli (eds.), *Issues and Resolutions of Rights-Based NGOs in Turkey* (Ankara: STGM, 2007) p. 124. Available at: http://panel.stgm.org.tr/vera/app/var/files/i/s/issues-and-resolutions-of-rights-based-ngos-in-turkey-2.pdf.
[48] Ibid, 124.
[49] TÜSEV (2013), 26.
[50] Ibid, 27.

3. Political reforms, legislation, and CSO involvement

The aforementioned comments and developments underline the fact that the current constitution (1982) is one of the largest impediments to development and deepening of democracy in Turkey. Although in recent decades there have been some considerable amendments,[51] the state-centered and authoritarian *geist* of the constitution makes the current operating environment for the nonprofit sector difficult to develop in, and highlights the need for a new, more democratic, constitution for the country.

The importance of CSO involvement in the constitution-making process has also been underlined by the government. It was Prime Minister Recep Tayyip Erdoğan, who personally called for CSOs to take part in the constitution-making process.[52] On January 12, 2011, Erdoğan noted that:

> *"The constitution will not be written by experts only. Many segments of society will take place. CSOs, youth and women organizations, trade unions, economists, and social scientists will make this constitution. We will provide the widest participation possible... At the moment there are some initiatives regarding the role of CSOs. We are proud of this and we support these initiatives. I dream of a text which is clear and short, and which targets and advances democracy, freedom and rights."* [53]

For a more participatory constitution-making process, a Constitution Rapprochement Commission was formed. Between October 2011 and May 2012, the Commission arranged meetings with political parties, universities, and CSOs. The CSO involvement was very active in the process. The Commission organized meetings with 39 vocational organizations and 79 civil society platforms. Also, 64 thousand comments were sent to the Commission via email and the Commission website—of which 440 originated from civil society organizations.[54] Besides Commission studies, several CSOs and civil initiatives voluntarily attempted to contribute to the constitution-making process—Memur-Sen (Confederation of Public Servants Trade Unions) arranged a survey titled "Towards a New Constitution" with 49,740 participants from 81 provinces; the Confederation of Public Servants Associations prepared a "New Constitution Report" with the participation of 100 CSOs and 100 experts from different provinces; and TOBB (The Union of Chamber and Commodity Exchanges of Turkey) and TEPAV (Economic Policy Research Foundation of Turkey) organized "Turkey is Talking" meetings in different provinces with the participation of local citizens.[55] These meetings provided the basis for the formation of the "Constitution Platform" with involvement of vocational organizations and unions (employer, employee, and civil servant unions).[56]

Unfortunately, the Constitution Rapprochement Commission was officially dissolved as of 25th of December 2013 as a result of political deadlock. Despite the eagerness of civil society to participate in the constitution-making process, the political parties could not form an

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[51] The constitution was amended 16 times and nearly half of the constitution was rewritten.

[52] Kemal Çetinkaya, "STK'ların yeni anayasa sürecine katılımı," *İdarecinin Sesi*, (November-December 2011) p. 30. Available at: http://www.tid.web.tr/ortak_icerik/tid.web/148/7-%20Kemal%20%C3%87etinkaya.pdf.

[53] Levent Gönenç, "Türkiye'de katılımlı anayasa yapımına doğru," *TEPAV Politika Notu* (January 2011). Available at: http://www.tepav.org.tr/upload/files/1295894283-7.Turkiye_de_Katilimli_Anayasa_Yapimina_Dogru.pdf.

[54] Ferhat, Kentel, Levent Köker, Mehmet Uçum, and Özge Genç, *Yeni Anayasa Sürecini İzleme Raporu*, (Istanbul: TESEV, October 2012). http://www.tesev.org.tr/assets/publications/file/Anayasaizleme2_08_10_12.pdf.

[55] See: http://www.tepav.org.tr/tr/haberler/s/2573. The participants for meetings were randomly selected and citizens were named as "Constitution Volunteers." Meeting reports were shared with the Rapprochement Commission.

[56] See: http://www.anayasaplatformu.net/.

environment of dialogue to create a basis for a new constitutional order. With no surprise, all representatives accused other members of the commission of obstructing the process. Beyond the constitution-making process, there were other important cases in which civil society organizations played a vital role in either making or blocking legislation. For instance, several national CSOs and civil society platforms campaigned against the new "Protection of Nature and Biological Diversity Law" (on the grounds that the law rather than protecting the environment, removes existing protections), and in June 2013 the government was forced to step back from introducing the proposed changes. In another example, 121 CSOs and political parties opposed an initiative called the "Nature Law Watch Initiative," on the basis of its destructive effects. In fact, the first draft of this law had been written in 2003 after consulting various CSOs. However, the second draft (October 2010), did not involve CSO consultation. Eventually, two CSOs participated in the Parliamentary Commission meetings in the development of the third draft (December 2010-March 2011). The final draft was accepted by the Parliamentary Commission in June 2012 without the participation of and with opposition from environmental CSOs.[57]

Other examples of CSO involvement in legislative processes include: the formation of the Legislation Association in 2003 for promoting CSO involvement in legislative processes;[58] the foundation of the Transparency Association in line with principles of Transparency International;[59] several sports associations' involvement in the making of the Law for the Prevention of Violence and Disorder at Sports Events in 2011; and women's organizations' contribution to changes in the civil code. In nearly in all these cases, however —although the government claimed to take CSO positions and perspectives into consideration—civil society organizations mostly claimed that their involvement in law-making processes were for the sake of appearances only.

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[57] See http://tema.org.tr/web_14966-2_1/entitialfocus.aspx?primary_id=815&target=categorial1&type=2&detail=single for the history of drafts.
[58] See: http://www.yasader.org/wp/?page_id=101.
[59] See: http://www.seffaflik.org/detay_tr.asp?GID=47&MenuID=84.

4. Current issues in government-CSO relations

The findings of two TÜBİTAK projects, prepared by Prof. Dr. Mesut Yeğen (İstanbul Şehir University), Prof. Dr. Fuat Keyman (Sabancı University), Dr. Uğraş Ulaş Tol (YADA Foundation) and Mehmet Ali Çalışkan (YADA Foundation), offer the best overview of the current conditions and challenges faced by CSOs in Turkey. The first research report, "*Civil Society Culture in Voluntary Organizations,*" completed in 2010, published the results of a survey of 2,487 CSOs and 4,903 board members. The second research report, "*The Civil Topography of Voluntary Organizations in Turkey,*" was completed in 2012. Within the scope of this research, 600 organizations from 14 different provinces were interviewed, and fuzzy cognitive mapping[60] with 240 board members was implemented.[61]

These reports built on a 2005 report prepared by YADA Foundation[62] which highlighted that the most important problems that civil society organizations face are:

- Infrastructural problems (economic problems and lack of resource);

- Membership problems (low level of membership, members not taking responsibility, lack of qualified cadres);

- Relations with the state (prevalence of patronage networks, state skepticism towards and underestimation of civil society);

- Organizational problems (personal clashes within the organizations, communication problems, political clashes, and divisions within organizations);

- Relations with other CSOs (lack of communication, collaboration, competition, and tension); and

- Relations with target groups and society (lack of PR activities and long term plans for target groups).

The Civil Society Culture in Voluntary Organizations and *The Civil Topography of Voluntary Organizations in Turkey* reports show that many of these problems still persist. For instance, *Civil Society Culture Research* notes crucial problems CSOs face as such:

- The CSOs in Turkey have significant institutional and organizational deficits. For instance, a considerable number of CSOs face difficulties in sustaining a permanent address; and many face economic problems in paying rent for their offices. Only 33% of CSOs have professional staff.

- Not only the number of members, but the number of active members gives us clues about the effectiveness of CSOs. The research points out that the number of *active* members is significantly lower than that of enrolled members. While 48% of CSOs have more than 100 members, only 25% of them have more than 100 active members.

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[60] A fuzzy cognitive map is a cognitive map within which the relations between the elements (e.g. concepts, events, project resources) of a "mental landscape" can be used to compute the "strength of impact" of these elements. See http://en.wikipedia.org/wiki/Fuzzy_cognitive_map for more information.

[61] In addition to other publications, YADA researches and interviews conducted during these researches provide us with adequate data to map CSOs' and CSO leaders' appropriation of current condition of state-civil society relations in Turkey. YADA is currently working on a EU project for strengthening government-civil society relations and still conducting field research and interviews with both parties.

[62] *Civil Society Organizations: Needs and Constraints* (STGM, 2005). Available at: http://www.yasamadair.org/Adminjkl/3.pdf.

Member apathy can be observed in the fact that many CSOs have trouble gathering enough members to organize a general assembly.

- The communication skills of CSOs remains limited. For instance, although 47% of CSOs have websites, most of them are not updated or utilized either by the CSO or its members. Only 18%of CSOs have publications, most of which are bulletins for keeping organization members in touch.

- Just as the state has a suspicious attitude towards CSOs, civil society organizations are skeptical towards the state and other CSOs. This skepticism even manifests itself in CSOs approach towards funding sources: 38% of CSOs stated that they would not accept funds from Jewish organizations. The ratios were 27% for Open Society Institute and 12% the European Union.

Fuzzy cognitive maps were applied to 240 board members from different CSOs as part of the research published in *The Civil Topography of Voluntary Organizations in Turkey*, and give us invaluable data regarding the issues and problems that CSOs face. According to the research findings, 5 key problems that CSOs face are:

1. Economic problems
2. Lack of transparency
3. Lack of communication
4. Lack of institutionalization
5. Lack of media attention

The survey results of this research highlight the lack of intra-organizational democracy; inadequate meetings and participants in those meetings; the gap between the number of members and active members; members' participation in organizations' activities; lack of organization (absence or inadequacy of branches); legal problems; weak relations with local governments; and lack of relations with other organizations. The research also underlines the skeptical attitude of CSO executives towards politics and politicians: 60% of executives are "uninterested" in politics while 30% are "partly interested."

To sum up, infrastructural problems and low levels of member participation seem to be the most fundamental issues for the civil society sector in Turkey throughout its history.

5. Conclusion

The last two decades saw growing dynamism in civil society activities in Turkey. In particular, in the 1990s, ethnic and religious minorities in Turkey started to raise their voices against policies they felt were aimed at undermining their ethnic and cultural identities. The rise of identity politics—emphasizing a plurality of elements, values, colors, traditions, and histories that co-exist in society—was matched with the increased dynamism of the civil society sector as CSOs were formed to promote cultural diversity and to protect human rights and the environment.

Furthermore, the rapid economic development of Turkey, coupled with moves towards democratization, brought the need for a new constitution to the agenda. The 1982 Constitution had been made by the generals and was deliberately anti-democratic. Renewing the constitution, with civil society involvement, thus became one of the primary goals of all political parties in the 2000s.

However, the potential transformation of Turkish civil society failed to materialize in the face of the dominant political culture and the constraining legal/constitutional framework. No hegemonic actor emerged in the 1990s to respond to the dynamism of society and to articulate CSO demands in the political discourse.

The subsequent birth of the Justice and Development Party (AK Party) and its immediate electoral success in 2002 offered renewed opportunities for civil society development and was met with high expectations. The AK Party decisively supported the EU accession process and took important steps to meet the Copenhagen Criteria. The European Union integration process was an important impetus towards consolidating democracy in Turkey.

However, these high expectations again failed to materialize. While important steps were taken to strengthen the relationship between the state and civil society, the ruling AK Party failed to carry this support for civil society development all the way through, and state authorities remain suspicious of civil society organizations. To put it more aptly, the ruling party's selective attitude towards CSOs is clear in the distinctions it makes between "marginal," "problematic," "unacceptable," and "acceptable" CSOs. It must be also noted that the plebiscitarian-authoritarian shift of the AK Party creates a rather troublesome environment for development of civil society in Turkey. The ruling party repeatedly showed its willingness to eliminate crucial democratic checks and balances in Turkish society —including CSOs which are not under party control, the press, and the independent judiciary and Constitutional Court— that are fundamental to running of a solid, pluralistic, and accountable democratic regime. It is a widely shared conviction both by domestic and international analysts that Turkey's politics in recent years have been characterized by ever-increasing political polarization, authoritarianism, and Islamization.[63] This is precisely why it is getting harder for observers to envisage a positive future for civil society in Turkey.

On the other hand, as has been noted, CSOs in Turkey are, by-and-large, highly unorganized, unequipped, and largely lack the necessary infrastructure and vision to pursue their goals. Maybe more importantly, CSOs in Turkey lack a culture of cooperation. They are suspicious

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[63] See: Muhsin Öztürk, "Turkey now an authoritarian regime," *Today's Zaman*, April 27, 2014, http://www.todayszaman.com/national_turkey-now-an-authoritarian-regime_346188.html; Seyla Benhabib, "Turkey's Authoritarian Turn," *New York Times*, July 3, 2013, http://www.nytimes.com/2013/06/04/opinion/turkeys-authoritarian-turn.html; Daniel Dombey, "Turkey's Erdogan lurches toward authoritarianism," *Financial Times*, May 6, 2014, http://www.ft.com/cms/s/0/e89e8d74-cfc1-11e3-a2b7-00144feabdc0.html.

towards other civil society organizations as well as towards the state. The problems in both sectors make the relationship between the state and civil society troublesome.

The current state of this relationship, however, should not lead us to think that there is no chance for improvement. Although the ever-increasing authoritarianism and sectarianism of the state regime makes imagining a stronger civil society in Turkey harder, we can also reverse this logic by stressing the role that might be played by civil society in Turkey's overall democratization process. Turkey has a relatively stable and historically rich experience in democratic politics, with dynamic, if underdeveloped, civil society. In other words, there a many reasons to be pessimistic and optimistic about the future of civil society in Turkey at the same time. Work to assist CSOs in dealing with their infrastructural problems and developing the dialogue with the state authorities must be carried out simultaneously to achieve the desired political outcomes.

One of the important initiatives which aims to strengthen the dialogue between state and civil society is the "Strengthening Civil Society Development and Civil Society-Public Sector Dialogue in Turkey Project"[64] funded by The European Union and the Republic of Turkey (and implemented by Civil Society Development Center (STGM), Third Sector Foundation of Turkey and Yaşama Dair Vakıf (YADA). This ongoing project underlines a series of suggestions that hold the promise of rendering the realization of this goal possible:

1) Design a legal framework in accordance with international standards on "pluralism, inclusiveness, independence, non-partisanship, equality, transparency, accountability, and accessibility and take into consideration international (or European Commission) criteria on anti-discrimination."[65]

2) The public sector should recognize civil society with its diversity.

3) Develop an innovative framework for increased CSO participation in legislative and administrative processes.

4) Standard protocols must be negotiated for avoiding emergence of ad hoc and arbitrary relationship patterns.

5) "The principle of 'assistance' between state and civil society ought to be redefined according to input from the providers and the recipients of any form of assistance." [66]

6) Public institutions and CSOs must be accessible, accountable, and transparent bodies. Public institutions ought to transparently produce and share information. All processes of public financing of CSOs ought to be transparent.

7) CSOs, in turn, should carry out their monitoring activities regularly and transparently.

8) Public institutions ought not to approach CSOs selectively (for instance officials should not make arbitrary distinctions between "marginal" or "acceptable" CSOs).[67]

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[64] See the project's website at: http://www.siviltoplum-kamu.org/en/.
[65] Third Sector Foundation of Turkey (TÜSEV), *Civil Society Organizations and Public Sector Relations: Problems and Expectations*: *The Results of the Consultation Meetings and an Evaluation,* (Istanbul: TÜSEV Publications, December 2013), pp. 9-10. Available at: http://www.siviltoplum-kamu.org/usrfiles/files/Civil-Society-Organizations-and-Public-Sector-Relations.pdf.
[66] Ibid, 11.

It must be emphasized that solutions to these problems will require much time, energy and initiative. What makes the challenge tougher is the fact that the task at hand cannot be separated from the overall social, political, and economic developments in Turkey. Thus, the problems of civil society must be considered in relation to the political, legal-constitutional, and cultural framework in which it operates. This is why development of civil society in Turkey is also a part of the challenge of constituting a more democratic, pluralistic, just and participatory social, economic, and political system in for the country as a whole.

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[67] See: Cengiz Çiftçi, note on Civil Society-Public Sector Co-operation in Turkey Project, "Sivil toplum - kamu işbirliği," T24, December 21, 2013. Available at: http://t24.com.tr/yazarlar/cengiz-ciftci/sivil-toplum--kamu-isbirligi,8100.

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