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1. Introduction

Since the beginning of the 20th century, the classics of sociology were convinced that society was going through a modernization process. The pioneer German sociologist Max Weber observed the customs of his day as rational and his modernization theory lays great stress that “as societies industrialize, urbanize and develop technologically, the appeal of religion – with all its mystery and acceptance of faith – will diminish. Society will secularize” (Esposito, Sonn and Voll 2016, 5). Contemporarily it is safe to assume that we live in a modern world and it is widely associated with being ‘secular’, as it becomes a central modern category – or the defining characteristics of processes of modernization – to formulate a realm differentiated from the religious (Casanova 2009, 1049). Though, there is no to little consensus on what secular means. The idea of secular is mainly a Christian construct, which can not be observed in the same manner around the globe, as societies went through different modernization processes. Western academics, who tried to find ‘the’ definition of secular, were challenged by non-western academics constantly.¹ As a result of this, the debate on secularism was widened by the ‘multiple secularities’ thesis, wherein the concept of secularism was differentiated by numerous scholars (Wohlrab-Sahr and Burchardt 2012).

Moreover, according to Casanova (2009), a distinction between secularism as an ideology and secularism as a statecraft principle have to be made. In this sense, secularism as a state principle is “some principle of separation between the religious and political authority, either for the sake of neutrality towards all religions, or for the sake of protecting the freedom of conscience of each individual, or for the sake of facilitating the equal access of all citizens to democratic participation” (ibid., 1051). It is also stated by Casanova, that every form of secularism entails two principles, namely the principle of separation² and the principle of state regulation of religion in society³ (ibid., 1061). The particular form and its resemblance to democracy is then determined by the relationship between these two principles (ibid.). Under this assumption, various forms of secularities were distinguished, which can be observed empirically in various countries.

¹Among others; Charles Taylor, José Casanova, Talal Asad, Peter Berger, Abdolkarim Soroush, Rajeev Bhargava are the pioneers to this subject.

²No establishment.

³Free exercise.

This brings us to our case study: The Turkish Republic. The modern Turkish Republic has a predominantly Muslim population. However, it is widely considered as a “Torn Country” (Huntington 1996) or the ‘the bridge between the orient and occident’ by scholars and journalists as Article 2 of the Turkish Constitution states the following:

“The Republic of Turkey is a democratic, secular and social State governed by the rule of law; bearing in mind the concepts of public peace, national solidarity and justice; respecting human rights; loyal to the nationalism of Atatürk, and based on the fundamental tenets⁴ set forth in the Preamble”⁵ (T.C Anayasası, 1982).

However, a democratic government must embrace the pluralistic values that respect fundamental liberties of its citizens and it should offer protection to minority rights with its constitution (Stepan 2000, 39). In that respect, Turkish democracy was strongly criticized by the Islamist elite, as Pro-Islamic parties were numerous forced to dissolve by the Turkish Supreme Court and the Army to protect the Kemalist idea of secularism. Another point of critique was the establishment of a State-Religion governed by the Directorate of Religious Affairs (Diyanet). This was seen as a restriction of religious freedom that led to a reactionary political development by the Pro-Islamic elite. When the Justice and Development Party (AKP) first came to power in 2002, a new wave of criticism started. The secular Kemalists point to Recep Tayyip Erdoğan’s, one of the founding father of AKP and former Prime Minister and current President of Turkey, statements like “One can’t be a secular and a Muslim at the same time”⁶ and “Will this democracy be the goal or the tool?”⁷. Today, concerns of the secular Kemalist reach a high point, after the President of the Turkish Parliament stated that overwhelmingly Muslim Turkey needed a religious constitution, “a proposal which contradicts the modern republic’s founding principles” (Yackley and Gürses, 2016). Thus, the debate over secularism in Turkey gained national and international public attention, as articles like “Säkularisierung in der Türkei: Eine Fromme Lüge” (van Gent, 2016) were published.

⁴ These tenets are based on the Kemalist ideology of republicanism, nationalism, statism, secularism, pluralism and revolutionism.

⁵ Translation available at: <http://www.constitution.org/cons/turkey/part1.htm> The Turkish Constitution can be accessed through <https://www.tbmm.gov.tr/anayasa/anayasa82.htm> . Last accessed on 18.05.2016.

⁶ <http://www.hurriyet.com.tr/erdogan-millet-isterse-laiklik-tabii-ki-gidecek-38260315> Last accessed on 18.05.2016.

⁷ <https://www.youtube.com/watch?v=NG9O3dDsxNY> Last accessed on 18.05.2016.

While the debate over secularism in Turkey grows, I ask the following questions: Are the problems concerning fundamental liberties in Turkey lying within the Turkish secularism? Is the ‘Turkish secularism’ compatible with democracy?

To answer these questions I will take the following steps. Firstly, I am going to explain what secularism is by differentiating the contemporary understandings of secularism to establish a theoretical ground (2.1.). Following that, I am going to shift my focus to different conceptions of Turkish secularism (2.2.) – namely assertive secularism (2.2.2.) and passive secularism (2.2.3.). In order to understand the Turkish secularism, I will look at how religion was governed in Ottoman Empire, as the modern Turkish Republic rose rather from the ashes of the fallen Empire (2.2.1.). Afterwards, I am going to put the Turkish Secularism into relation with democracy (3.) by analyzing policies towards religion on certain issues – seriatim: Freedom of Expression (3.1.), Freedom of Religion (3.2.) and Minority Rights (3.3.). In conclusion, I am aiming to find the answer to the question of whether the ‘Turkish secularism’ is giving enough space to fundamental liberties and if it is compatible with democracy.

2. Secularism

2.1. Understanding Secularism

The classical modernization theory assumes that the modern cultural program, as it was developed in Europe, will eventually dominate all the modernizing and modern societies (Eisenstadt 2000, 1). The theory of secularization is of great significance within the ‘classic’ modernization theory. It assumes that “the worldwide spread of the concepts of the nation state, parliamentary democracy, the rule of law, the liberal market economy and the rational science would give rise to a similar model of social organization in which religion would be largely confined to the private domain” (Wohlrab-Sahr & Burchardt 2012, 876). Hence, as we go through the literature on the contemporary modern world and its societies, it was basically assumed that the public life was broadly secular. Academics, on one hand, wrote about different aspects of the social life – like social behaviour, politics or economics - as though religion did not exist at all (Calhoun, Juergensmeyer & VanAntwerpen 2011, 3). On the other hand, secularism was seen as

something that did not have any significant ideology other than the ‘given’ absence of religion (ibid.).

However, as the social sciences became aware of the fact that alternative modernization processes were to be found in non-Western cultures, the debate over modernization has widened by the ‘multiple modernities’ thesis. The most important aspect of this thesis is that modernity is not equal to westernization (Eisenstadt 2000, 3) and that the best way to describe the contemporary world is to understand it as “a story of continual constitution and reconstitution of a multiplicity of cultural programs” (ibid., 2).

Following the argumentation that was used in the modernization theory, the debate over the secular, secularization and secularism was also widened by many scholars (see Asad 2003, Taylor 2007, Casanova 2009). It has been argued that secularization is a selfsame process which can happen anywhere and that secular ideologies can be adopted in any country (Taylor 2011, 31). Though, it makes the understanding of a complex term even more difficult, as ideas vary greatly in their practices in different cultures, which is evident in the case of ‘secular’ (ibid.). For this reason, it is important for us to define what the secular, secularization and secularism in the contemporary debate mean, as these concepts are related but used very differently in various contexts (Casanova 2011, 54).

In our modern world, the secular is basically the opposite of the religious, namely “nonreligious” (ibid., 55). Though, it is important to acknowledge that secular was first a theological category of Latin Christendom which has no equivalent in other religious traditions including the Eastern Christianity (ibid., 56).

“The Latin world *saeculum*, as in *per saecula saeculorum*, only meant an indefinite period of time.⁸ But eventually, it became one of the terms of a dyad, religious/secular, that served to structure the entire spatial and temporal reality of medieval Christendom into a binary system of classifications separating two worlds, the religious-spiritual-sacred world of salvation and the secular-temporal-profane world. Hence the distinction between the “religious” or regular clergy, who withdrew from the world into the monasteries to lead a life of Christian perfection, and the “secular” clergy, who lived in the world along with the laity” (ibid.).

⁸ Saeculum is the length of time equal to the potential lifetime of a person.

Though, the meaning of the secular has changed drastically over the course of time, as it started to encompass the whole modern reality by quasi replacing the “religious” (ibid., 55). The secularism has become “a central modern category – theologico-philosophical, legal-political, and cultural-anthropological – to construct, codify, grasp and experience a realm or reality differentiated from the religious” (Casanova 2009, 1049). Furthermore, it is possible to find different types of secularities, as they are experienced and institutionalized variously in other modern contexts (ibid. 1050).

Also, the theory of secularization within sociology is treated as a single theory that encapsulates the societal development from the primitive “sacred” to the modern “secular” (ibid.). Though, it is important to stress the distinction between the secularization as a derivative of the concept ‘secular’ and the sociological theory of secularization, as this concept is multidimensional and loaded with a wide range of meanings (Casanova 1994, 12). Within the secularization thesis, three subtheses are necessarily linked: “1) secularization as a differentiation of the secular spheres from religious institutions and norms, 2) secularization as a decline of religious beliefs and practices, and 3) secularization as a marginalization of religion to a privatized sphere” (Casanova 2006, 12).

After defining the secular and the secularization I would like to explain what secularism in our context means. In the recent debate one can distinguish between two kinds of secularisms: secularism as a statecraft principle and secularism as an ideology (Casanova 2009, 1051). Casanova argues that secularism as a statecraft principle is nothing more than ‘some’ principle of separation – for the sake of neutrality, protecting the freedom of conscience or facilitating equal access to democratic participation – which does not necessarily entail a substantive theory on religion (ibid.). Consequently, if the state holds a certain view of any religion, it enters the field of ideology, which can be called political secularisms (ibid., 1052):

“Political secularism [...] does not need to share the same negative assumptions about religion, nor assume any progressive historical development that will make religion increasingly irrelevant. It is actually compatible with a positive view of religion as a moral good, or as an ethical communitarian reservoir of human solidarity and republican virtue. [Yet] political secularism would like to contain religion within its own differentiated “religious” sphere and would like to maintain

a secular public democratic sphere free from religion. This is the basic premise behind any form of secularism as statecraft doctrine, the need to maintain some kind of separation between ‘church’ and ‘state’, [...] or between ‘the religious’ and ‘the political’“ (ibid., 1057).

However, the most important question is, how and why “the religious” is separated from “the political”, i.e. social? In this regard, Wohlrab-Sahr and Burchardt’s (2012) contribution to the secularism debate plays a crucial role, as they “attempt to develop ideal types of secularisms [in Weberian sense] in a way that supports work on concrete historical cases” (Wohlrab-Sahr & Burchardt 2012, 887). Therefore, it is assumed by these scholars that “the multiple secularisms that are taking shape in different countries and regions ‘respond’ to specific societal problems (as their reference problems) and offer solutions to them” (ibid.).

In the aftermath, different types of secularisms were distinguished: “1) secularism for the sake of individual rights and liberty with the guiding idea of freedom and individuality; 2) secularism for the sake of balancing/pacifying religious diversity guided by toleration, respect and non-interference; 3) secularism for the sake of national integration and development, involving the ideas of progress, enlightenment and modernity; and 4) secularism for the sake of the independent development of functional domains of society guided by ideas of rationality, efficiency and autonomy” (ibid., 889f.).

In agreement with the multiple secularism thesis, Ahmet Kuru’s (2007a) contribution to the debate enables a bordered view of secularism, which can be applied in the case of the Turkish Republic where two kind of secularisms – namely passive and assertive secularism – were differentiated. “Passive secularism [...] allows for the public visibility of religion. [On the other hand], assertive secularism [...] means that the state excludes religion from the public sphere and plays an assertive role as the agent of a social engineering project that confines religion to the private domain” (Kuru 2007a, 571). Though, according to Kuru, the dominance of passive or assertive secularism has its roots in the “historical conditions and relations during a country’s state-building period” (ibid., 583). If there is a consensus between the religious and secular groups on religions role, the state will be passive secular (ibid., 584). On the contrary, if secular groups are opposing the public role of religion and religious groups try to maintain their established status, there, most likely, will be a conflict that will lead to assertive secularism (ibid.).

“The critical condition that affects these views is the absence or existence of an ancient regime that combines monarchy with hegemonic religion. [...] If such an ancient regime exists, it is hard to convince hegemonic religious groups to agree to the disestablishment of their religion. Moreover, the ancient regime also leads the secular elite, who oppose the monarchy in founding a new republic, to combat the hegemonic religion that justifies monarchy” (ibid.)

2.2. Secularism in Turkey

2.2.1. Management of Religious Diversity in the Ottoman Empire

In order to understand the disputes over secularism in modern Turkish Republic, one must understand the Ottoman legacy of a complicated religious tradition, which has lasted over six centuries. As Barkey stated, there are four different strategies to ‘govern’ religious and ethnic groups within an empire, namely oppression, exclusion, assimilation and tolerance (Barkey 2011, 35). While the coeval western Empires⁹ consolidated the order through religious absolutism as they enforced Catholicism over Protestantism, Ottoman Empire had an open and tolerant attitude towards the “other” (Barkey 2013, 16).¹⁰

The effect of the early encounters with the “others” played a crucial role for the development of this tolerant attitude. As the Ottoman Empire started its invasive politics by conquering territories in the Balkans, it started to rule over a predominantly Christian population. The census of 1478 shows the religious diversity in the Ottoman population. Within its European territory, Christians were the majority: Almost 81 percent were Christian population, as opposed to 19 percent Muslims. (Sugar 1983, 50). Though, as the Ottoman Empire continued its invasions in the Middle East, the diversity shifted into the opposite direction, where only 37 percent of the population were comprised of non-Muslims. Nevertheless, Ottoman rulers had to tolerate Christian society in the European territories to establish the order within the Empire (ibid.). Thus, the Ottoman model of tolerance can be defined with the following characteristics: 1) acceptance of diversity, 2)

⁹ Namely the Austro-Hungarian Empire; An oppression in a different form can also be observed in Russian Empire.

¹⁰ The Ottoman tolerance can be observed from 14th to 18th century.

inclusion of numerous traditions, and 3) the recognition of similarities between different groups within the Empire (Barkey 2013, 16).

However, the governance of diversity laid down a ‘classification of some sort’ as a condition, separating Muslims from non-Muslims, which was known as millet system (ibid. 23). In addition to the Muslim millet, a Jewish, a Greek Orthodox and an Armenian Millet – as they were recognized as ehl-i kitap (the people of the book)¹¹ – were organized around their religious institutions, with the goal that these institutions would ‘define and delimit’ the collective life within the Empire (ibid.). Though, the main intention of the millet system based on a pragmatical idea to increase legibility and order by gathering the diversity under the Ottoman dynast, which allowed taxes to flow unhindered and the administration to run smoothly (ibid.). “This administrative format provided [...] room for variation in the boundry, whereby groups with distinct organizational structures produced varying state-society arrangements” (ibid., 24), with significant legal autonomy and authority. This arrangement of acceptance of religious institutions made various groups more willing to accept the Ottoman rule (ibid.).

It is not to forget that the Ottomans claimed Islam as their main source of legitimacy as the rulers of the empire were also the caliphs – the leaders of the Orthodox Sunni Islamic community (Barkey 2013, 20). Though, as a result of the particular construction of the Ottoman Empire, in which religion as an institution – that allowed to administer the empire – was distinguished from religion as a system of belief that provided an open space for various Islamic practices (Mardin 1991, 118). Hence, heterodox beliefs within Islam – namely Sufi and Shi’a Islam – were “allowed when these variations did not threaten the state. [However, they were also persecuted], when heterodoxies became amorphous [...] or allied with the enemy” (Barkey 2013, ibid.).

The tolerant attitude towards religions in the Ottoman Empire can not be observed throughout its entire history. As the Empire lost its significant power and started going into decline, various political and economical attempts were made to ‘reestablish/reorganize’ the relations between the state and the society, that lasted until the 19th century (Barkey 2011, 345). This period can be seen as a period of new beginnings rather than a period of reestablishment, which was greatly influenced by the

¹¹ However, non-Muslim millets were considered ‘second class citizens’, as they were subject to higher taxes.

political and economical progress of the western civilization. Thus, 19th century is a milestone in Ottoman history, in which islamic influence over the society went into decline (Mardin 2011, 43). Due to the new trading laws with the western civilizations and modernization of the military and education in the West, it was acknowledged by many that reforms to adapt to the new age were necessary (ibid.) Especially, new trading laws had a crucial importance for this acknowledgement. It made way to a new judiciary process, in which the laws could be made without the influence of the monarch and that they can be changed if necessary (ibid., 43). As a consequence, the authority of the Millet system was questioned by the religious minorities and attempts were made to create a legitimize order throughout the 19th century (Berkes 2002, 176). This century has three different eras – namely Tanzimat-Era, Abdülhamit II-Era and Jeunes-Turcs-Era.

Tanzimat¹², as an Ottomanist era, was based on the multi-national imperialist model and aimed to reorganize the Ottoman integrity by establishing equality for all its citizens, which was seen as only possible through the abolishment of the Millet system and through the creation of an Ottoman identity (Barkey 2011, 380). Following Tanzimat, Abdülhamit II stressed the islamist idea and wished for a reinforced Islamic Ottoman Empire. This was an authoritarian move that aimed to create an Islamic identity at the cost of religious minorities. At around the same time, Jeunes-Turcs were voicing Pan-Turkism (ibid. 381). However, neither of these reorganization ideas could isolate themselves from the Ottoman traditionalism.

Moreover, as the dynast was unable to control Islam, heterodox Islamic beliefs were challenging the religious order that led to religion based clashes. Consequently, at the rise of nationalism, Armenians in the East and Greeks in the West were supporting secession, as the ‘competing ideas to reorganize’ failed to embrace the plurality within the Ottoman Empire (Berkes 2002, 437).

2.2.2. Assertive Secularism in Turkey

It has been often argued that the Turkish secularism is related to the French tradition of Laicism (Barker 2012, 9). This French conception of secularism sees religion as something not associated with the modern world so that it lost its political significance.

¹² Literally means Reorganization

As a consequence of that, the interconnection of religion and politics is seen as something highly irrational and also dangerous. Hence, the main goal of this conception of secularism is to create a neutral public sphere through the strict separation of religious and state affairs (ibid., 8). In this sense, secularism, which was adopted in Turkey, has exclusionary similarities with the French laicism. However, laicism is utilized to protect the state from religion. In this regard, the secularism that was adopted in the early years of the foundation of the Turkish Republic differs greatly. In Turkey, religion was seen as something that should be controlled by the state in order to restrict it to the private sphere (ibid., 10). Therefore, we can say that the secularism, which was adopted in Turkey, was indeed an assertive secularism.

The historical and social conditions can help us to understand the reasoning why assertive secularism was adopted during the period of making of the ‘modern’ Turkish Republic. Following the dissolution of the Ottoman Empire after World War I and the War of Independence the idea of Mustafa Kemal Atatürk and his followers (from this point on ‘Kemalists or Kemalist Elite’) on modernism played a crucial role in the establishment of the Turkish Republic and in the creation of a modern nation. Though, as Şerif Mardin puts it, “neither the Turkish nation as the fountainhead of a ‘general will’ nor the Turkish nation as a source of national identity existed at the time he set out this task” (Mardin 1997, 14). Therefore, it is safe to assume that the Kemalist idea of creating a nation was a rather utopian one.

Nevertheless, the ‘Modern’ was an ‘idee-fixe’ in the eyes of Mustafa Kemal Atatürk and the Kemalist Elite. For the Kemalists, Ottoman Empire, with its ‘govern-mentality’ and Islamic values, was representing traditionalism. Therefore, there was a necessity to detach from the Ottoman roots to reach a more rational and modern frame of mind within the Kemalist ideology (Keyman 2007, 220). Accordingly, as Mardin states, numerous transitions, as a pre-condition, were needed to create the modern Turkish nation and reach the immediate level of Western civilization:

“(1) the transition in the political system of authority from personal rule to impersonal rules and regulations, (2) the shift in understanding the order of the universe from divine law to positivist and rational thinking, (3) the shift from a community founded upon the ‘elite-people cleavage’ to a populist based

community and (4) the transition from a religious-based community to a nation state” (Mardin 1997, 15).

Furthermore, for these transitions to be successful, – thereby reaching the Western civilization – Kemalist elite set out basic principles¹³ by which the state should operate, namely republicanism, nationalism, statism, secularism, pluralism and revolutionism (ibid., 16).¹⁴ However, the removal of Islam from politics was the key aspect to reach the level of western civilization. Hence, secularism was one of the more important principles (Keyman 2007, 221).

As a consequence, Kemalists initiated numerous changes to establish the basis of a secular rule after the Turkish Republic was founded:

“The Caliphate was abolished. Religious schools (Medrese) were outlawed and education was left to the monopoly of the state. [...] The abolition of religious courts in April 1924, the outlawing of mystic orders and sects (Tarikats) in 1925, the adaptation of the Swiss Civil Code in 1926, the removal of religious law (Şeriat) from the criminal law and in 1928 the abrogation of the constitutional provision that regarded Islam as the religion of the state, as well as the adoption of the Latin alphabet” (ibid., 222)

The Turkish secularism, adopted by the Kemalist elite, contained not just the strict separation of religious and state affairs by removing all the religious symbols from the state, but it also stipulated the control over all religious activities by state officials aiming to secularize the Turkish people (ibid.). Thus, the Directorate of Religious Affairs (Diyanet) was established to control and regulate all the religious activities and practices, not only in public but also in the private sphere by imposing a more individualized version of Sunni Islam (ibid.).

Additionally, as the Kemalists see secularism as the most important element of modern society, it was systematically used to marginalize religious life preferences through restrictive regulations. These regulations varied from new dress codes that prohibited

¹³ Also known as ‘Six arrows of Kemalism’.

¹⁴ Democracy is absent from the Six Arrows of Turkish republicanism. This was a consequence of Kemalist elite’s suspicion that the sovereignty of people would end up in the sovereignty of Islam. For further discussion: see Nilüfer Göle (1996). “Authoritarian Secularism and Islamist Politics”

religious clothing in all public buildings,¹⁵ to educational reforms, which restrict the cleric education under the age of 15 outside the state-established religious schools (Imam Hatip Schools) (Kuru 2007b, 143).

However, everything considered, Kemalists argued that a modern Turkish society could only be achieved by a laicist secularism with a controlling quality as a political project and that it would, eventually, get accepted throughout the modernization process (Keyman 2007, 223).

2.2.3. Passive Secularism in Turkey

However, the Kemalist ideology, which was supposed to give way to the modernization process of the Turkish society, did not follow the course Kemalists anticipated it. Rather than giving the Turkish nation a more secular character, the Kemalist ideology could not overcome the prevalence of the religious ideology throughout the Turkish society. The presence of Islam did not just have an influence on people's daily life, but it also formed their political preferences, which we can clearly see after the transition into a multi-party system in 1946 (ibid.).

Up until to the multi-party transition, Turkey was ruled by the Republican People's Party (CHP), which was the torchbearer of assertive secularism, as it was founded by Mustafa Kemal Atatürk and the Kemalist elite. However, following the establishment of a multi-party parliamentary system, central-right parties have become the dominant political actor as they embraced the representative role and importance of Islam in the eyes of the Turkish voters (ibid.).

Democrat Party (DP) was the first political party that recognized the discomfort of the religious masses (Çağlar 2012, 22). Consequently, DP came to power in 1950, as they won the elections by receiving 52,7 percent of the votes (Aydın & Taşkın 2014, 61). Because DP posed the first liberal challenge to the Turkish modernity, the political significance of the DP can not be underestimated (Keyman 2007, 223f.). This challenge opened the gates for various groups with religious ideologies to stress their ideas socially and politically. Within these groups there were two main argumentations towards secularism in Turkey: (1) The Islamist view, embraced by the Milli Görüş (National

¹⁵ including the universities, which I will discuss in the following chapter.

Outlook) Movement, which rose to political power numerous times between the 1960s and 1998; and (2) those of an ascetic, liberal view, embraced by the Hizmet Movement of Fethullah Gülen (Barker 2012, 12).

Firstly, in order to understand the evolution of Turkish secularism into a passive type, we, briefly, have to discuss the influence of the Milli Görüş movement, which was initiated by Necmeddin Erbakan – an engineer, who had trained in the Technical University of Istanbul and RWTH Aachen (Esposito et al. 2016, 30). However, Erbakan was representing an alternative to the Kemalist Elite. He was committed to the Turkish nationalism but at the same time he was stressing the importance of Ottoman-Islamic traditions, as he associated the Western culture with decadence and immorality (ibid.).

Erbakan started his political career in the beginning of the 1960s. This was a time when “increased urbanization and industrialization resulted in unemployment, hyperinflation and, concurrently, increased criticism of Western culture and new questions about the Turkish national identity” (ibid.). Hence, Erbakan saw a great opportunity to initiate his Movement politically, as he allied with small-scale entrepreneurs with Islamic and traditional values and lifestyles, who were trying to secure a place among Turkey’s Kemalist capitalists (Çağlar 2012, 23).

Throughout his political career, Erbakan founded numerous political parties, namely Milli Nizam (National Order) Party,¹⁶ Milli Selamet (National Salvation) Party¹⁷ and Refah (Welfare) Party. These parties provided the opportunity to express the ‘long suppressed’ Islamic ideas politically (Özbudun 2013, 68f). Beside their economic pledge, National Outlook Parties committed to the moral renewal of the society, as they preached spiritual salvation to Turks, who had become ‘victims of the modern’ (Esposito et al. 2016, 31).

Welfare Party differentiated itself from the previous National Outlook Parties by becoming the first modern mass party, as it verbalized its mission to create a more socially just society (ibid., 32). Moreover, Erbakan criticized the Turkish conception of ‘assertive’ secularism for not being truly pluralistic and respectful for the fundamental liberties – i.e. freedom of conscience and religion, of all its citizens (ibid. 33).

¹⁶ 1970-1971

¹⁷ 1972-1980

This was, indeed, a constructive criticism of the assertive secularism, which showed signs of democratization. However, it proved otherwise, when Erbakan accused those, who “did not vote for the Welfare Party as belonging to the ‘religion of potato’, instead of Islam. Erbakan was also claiming that the political regime in Turkey would certainly be changed but the question was whether it would be done ‘with or without blood’” (Kuru 2007b, 145). Rather than giving the Turkish secularism a pluralistic aspect, he was mainly focusing on the issues, concerning ‘only’ Sunni Islam. This was perceived as a great danger for the Kemalist idea of Turkish modernism, since it mainly opposed the secular structure of Turkey (ibid., 143). In spite of the fact that the Islamist view¹⁸ did not contribute to the development of secularism, it signalled that Turkish secularism is open for a change.

Secondly, Hizmet Movement can be placed at the opposite end of the spectrum. Initiated by Fethullah Gülen, a preacher of the State, Hizmet Movement had a different approach towards Islam and secularism, as it represented a civil Islam with its more liberal ideas on religion and state. It was mainly focusing on faith service, and avoiding party politics (Kuru 2007b, 143).¹⁹

Hizmet Movement developed gradually. From 1970 to 1983, Gülen was locally initiating ‘a’ movement by ‘enlightening’ his congregation about Islam with his preaches and Qur’an courses. Furthermore, Gülen was providing affordable housing for university students and organizing workshops on Islamic education (Findley 2011, 387). However, after 1983, The Movement started opening dershanes (university preparation courses), private schools and universities all around Turkey, as new regulations allowed establishing private educational institutions (ibid., 388). The purpose was to help students form their personalities and identities, so that Turkish youth become not just the consumers but also the producers of modernity. According to Hizmet and his followers, this was the key to create the ‘golden generation’ of Turkey (ibid.).

More importantly, Gülen’s ideas have developed through “engagement with both hegemonic Kemalist assertive secularism and counter-hegemonic Turkish Islamism” (Yılmaz 2012, 47). Gülen mainly focused on spirituality and worship in contrast to the

¹⁸ At this point, Islamist view can be considered as Political Islam.

¹⁹ “Gülen Movement had stayed away from Erbakan’s Islamist parties and voted for center-right parties” (Esposito et al. 2016, 32).

National Outlook Movement and Kemalists, as he believed that Islam can not be restrained in a political ideology (ibid.). He also stressed the importance that Qur'an is indeed the book of god, that should not be considered as a book on political theories or forms of state (ibid.). For Gülen, "Islam establishes fundamental principles that orient a government's general character, leaving it to people to choose a type and form of government according to time and circumstances" (Gülen 2006, 14).

Accordingly, Gülen argues that there is no incompatibility between Islamic ideals and a democratic republic because of the fact that both can be seen as systems that can protect fundamental liberties and human rights (Yılmaz 2012, 47). In this manner, Gülen sees no reason for an alternative religious state, if human rights and religious freedoms are fully respected (ibid., 48). More importantly, Gülen's ideas about Islam with its relation to the modern society did not challenge highly skeptical Kemalist secularists in Turkey, as the Hizmet Movement entered the public sphere with a tolerant attitude, articulating the importance of 'Interfaith Dialogue' (Turam 2011, 70).

Gülen's ideas became more relevant for Turkish political discourse through Movement's public outreach program. As the Movement grew mature, a series of dinners and workshops, namely Abant meetings, were organized to prevent a further polarization and to find new social contract for the Turkish society, where Fethullah Gülen gave key note speeches about the importance of dialogue, tolerance and democracy (Kuru 2007b, 145). These meetings slowly became an open forum for Turkish intellectuals from different ideological backgrounds²⁰ (ibid.).

"The first meeting was organized in 1998 and was devoted to Islam and secularism. Its press declaration emphasized that God's ontological sovereignty was compatible with the political sovereignty of the people. The second meeting also examined the relationship among state, society and religion. The third meeting focused on democracy and the rule of law, while the fourth one discussed pluralism and social consensus" (ibid. 146).

Through the Abant Meetings, Fethullah Gülen's ideas also gained acceptance by the Turkish elite. Moreover, it is worth mentioning that the founders of the Justice and

²⁰ To name a few: Kemalists, Nationalists, socialists, liberals and Islamists.

Development Party,²¹ (AKP) who were at the time politically active members of the National Outlook Movement were also participating at the Abant Meetings (ibid.). As they, ideologically, got closer to the Hizmet Movement, they also cut their ties from the Islamist view by “embracing (passive) secularism as a principle that maintains peace among diverse beliefs, schools of thoughts and perspectives. [AKP’s] party program depicts secularism as an assurance of the freedom of religion and conscience and rejects the interpretation and distortion of secularism as an enmity against religion” (ibid.).

Even though, AKP defined its ideology as a conservative democracy, Erdoğan stressed that their understanding of conservatism did not involve the conservation of established institutions but the protection of important values (ibid.). The ideology of the newly founded AKP gained acceptance from various groups within the Turkish society. Thus, AKP formed a single party government as it received 34 percent of the votes on November 3, 2002. Henceforth, the assertive secularism has ‘allegedly’ evolved into a passive type.

2.3. Interim Conclusion

Before I move forward to analyze the relation of secularism and democracy in Turkey, I, briefly, would like to summarize the secularism debate and the conception of Turkish secularism to draw a more clear picture.

As I mentioned earlier, secularism was defined as the absence of religion and it is considered as a fundamental aspect of the classic modernization theories. It was assumed that as societies get more modern, the importance of religion would decline and societies would be secular and vice versa, as it was the case in the western societies. However, numerous scholars argued that it would be unrealistic to think of secularism without religion, as different conceptions of secularism can be observed in non-Western civilizations in relation with various religions. Hence, the multiple secularism thesis gained importance. This thesis assumes that multiple secularisms develop in response to societal problems and secularism offers a solution to these problems.

In the case of Turkey, we can observe two kinds of secularisms, namely assertive and passive secularism. In the period of making the modern Turkish Republic, Kemalists

²¹ Recep Tayyip Erdoğan (former PM and current (12th) President of Turkey), Abdullah Gül (Deputy PM, 11th President of Turkey) and Bülent Arınç (Deputy PM)

perceived the Ottoman traditions as a societal problem and utilized assertive secularism as a social engineering project to reach the contemporary level of civilization.

However, the presence of religion did not decline throughout the Turkish society. Turkish secularism was subject to criticism even after some stability was reached in the Republic. It was argued that assertive secularism of Turkey can not embrace neutrality against religion and pluralism. As a result of this, various social and political actors were trying to subside these issues. Though, up until Gülen's ideas became public knowledge, there was no palpable success on this issue. However, as AKP embraced his ideas, religion was allowed public visibility up to a certain point. This is the point, where one can agree that the Kemalist idea of secularism started evolving into a passive type.

3. Democracy and Turkish Secularism

Democracy is not just a form of government, in which the power is vested in the people through free elections. According to Dahl, all citizens “must have unimpaired opportunities to 1) formulate their preferences, 2) to signify their preferences to their fellow citizens and 3) to have their preferences weighed equally in the conduct of government” (Dahl 1971, 2) to consider a government as a democracy. This can only be achieved through eight institutional guarantees:

“1) Freedom to form and join organizations, 2) Freedom of expression, 3) Right to vote, 4) Eligibility for public office, 5) Right of political leaders to compete for support, 6) Alternative sources of information, 7) Free and fair elections, and 8) Institutions for making government policies depend on votes and other expressions of preference” (ibid., 3ff).

However, in agreement with Dahl, Stepan argues that Dahl's eight guarantees are necessary but insufficient conditions of democracy (Stepan 2000, 39). Although the elections are free and fair, a democracy must also have constitutional guarantees that respect fundamental liberties and protect minority rights (ibid.).

When Turkey is put under the scope of democracy, it shows a partly democratic Turkish government.²² As seven of Dahl's institutional guarantees can be applied in Turkey, the reason for its democracy deficits should be found in freedom of expression, fundamental liberties²³ and minority rights. Therefore, it is important for me, if 'Turkish secularism' plays a hindering role in these aspects, causing the democratic deficits in Turkey.

3.1. Freedom of Expression

Freedom of Expression plays a crucial role in the functioning of a democracy. It enables citizens to participate in political life effectively (Dahl 2005, 195). Citizens come to have an enlightened understanding about government actions and policies, as freedom of expression encompasses not just the right to express your own views, but also the right to hear what others have to say (ibid., 196). In this sense, freedom of expression allows its citizens – subjects of the democracy – to influence the political agenda according to their wills (ibid.).

For the first two decades of the Turkish Republic, Turkey was ruled by the Republican People's Party (CHP). CHP was imposing reforms to secularize the Turkish nation, as the party was founded by Mustafa Kemal Atatürk and it followed his ideas of modernization. These reforms were immediately internalized by the intelligentsia who were living in urban parts of Turkey (Karpas 2010, 350). However, the importance of religion within the Turkish population did not decline through the imposed reforms by CHP. Religion, still, had an important role on how people from the rural parts of Turkey conducted their daily life (Karpas 2010, 52).

As I mentioned in the previous chapter, Democrat Party (DP) won the elections by receiving 52,7 percent of the votes, as they based their political agenda on the wishes of the majority of voters – mainly from conservative rural areas of Turkey – who had been feeling repressed by the imposed reforms of CHP. As a consequence of the DP rule, it can be observed that policies towards religion were relaxed in comparison to the former regime (Daver 1988, 33).

In the midst of the 20th century, conservatives were considering Islam also as an educational 'institution'. It was argued by the conservatives that Turkish secularism was

²² <https://freedomhouse.org/country/turkey> [Last accessed on 06.06.16]

²³ Freedom of Religion will be investigated under fundamental liberties.

diminishing the moral and cultural basis of the society, especially of the Turkish youth. Therefore, the importance of religious education was being stressed in public by the conservatives. As DP recognized the conservative will, religious schools (Imam Hatip) were established to educate government employed Imams with a more modern curriculum to meet the daily expectations of conservatives (Karpas 2010, 364). Though, establishment of Imam Hatips was not the only action taken by the DP. New regulations allowed all Muslim children to receive religious education up until the secondary school, unless their parents requested no such education (Daver 1988, 33).

Furthermore, DP government abolished the law prohibiting the Arabic version of Ezan²⁴ in 1950. The liberalization of Ezan caused discontent within the secular intelligentsia. However, it was quickly adopted in the rural parts, as the conservatives were troubled with the absence of the mystical appeal of Ezan in Turkish (Karpas 2010, 363f.).

During the DP rule, it can be argued that Islam became more visible in the public sphere. For the first time in the Republic's history Ramadan began to be celebrated publicly and mystical orders (tarikats) and their religious publications reappeared (Daver 1988, 33). Moreover, a significant amount of governmental funds were used for building mosques.²⁵ This amount was almost the same amount granted to the National Ministry of Education for the construction of new public schools from 1950 to 1960 (ibid., 33f.).

However, DP's governmental policies, which gave religion a more liberal public space, was a cause of a dispute within the Turkish Army. Turkey's first endeavor with the multi-party democracy ended on May 27, 1960 suddenly, when Turkish Army overthrew the DP government by a coup d'état led by a group of young officers (Szliowicz 1963, 363).

Following the military intervention, officers, who played an active role, established the National Unity Committee (Milli Birlik Komitesi, hereinafter MBK), which was also the provisional government until the legislative body was returned to the civilians (Aydın & Taşkın 2014, 67). According to the MBK, the main task for Turkey was to return to the reformist policies of the Kemalist Era and this was only possible by ending the exploitation of religion for political purposes. In order to accomplish the return to the

²⁴ The call to prayer.

²⁵ Adnan Menderes – PM during the DP rule – stated during a meeting in Kayseri that DP built 15000 mosques from 1950 to 1957 (Aydın 2002, 92).

Kemalist era, MBK gathered academics of jurisprudence to draft a new constitution that met the special expectations of Kemalist Turkish Republic (ibid., 69). Thus, Article 2 of the 1961 Constitution reasserts the founding principles that Turkey is a national, democratic, secular and a social state governed by the rule of law (Szyliowicz 1963, 366). The determination of its drafters to the founding principles of the republic is also evident as Article 153 states:

“No provision of this Constitution shall be construed or interpreted as rendering unconstitutional the following Reform Laws which aim at raising the Turkish society to the level of contemporary civilization and at safeguarding the secular character of the Republic” (The 1961 Turkish Constitution).

Moreover, the 1961 constitution granted the citizens various fundamental rights, including the freedom of expression and belief, which were absent in the preceding constitutions. Under the constitution, every individual is entitled to express his thoughts and opinions freely. However, constitution also defined the limits of freedom of expression, as Article 19 clearly dictates that:

“No person shall be allowed to exploit and abuse religion and religious feelings or things considered sacred by religion in manner whatsoever for the purpose of political or personal benefit, or for gaining power, or for even basing the fundamental social, economic, political and legal order of the State on religious dogmas. Those who violate this prohibition, or those who induce others to do so shall be punishable under the pertinent laws. In the case of associations and political parties the former shall be permanently closed down by order of authorized courts and the latter by order of the Constitutional Court” (The 1961 Turkish Constitution).

The Turkish Constitution of 1961 was perceived as more liberal than the previous 1924 Constitution by many, as it granted Turkish citizens number of fundamental liberties (Aydın & Taşkın 2014, 79). However, the new constitution also enabled a tradition of military interventions in Turkey. In pursuance of the articles that I mentioned earlier, the Turkish Army and/or Constitutional Court were authorized to intervene in the democratic process if there is a possible threat against the paramount of the founding principles – secularism (Özbudun 2014, 107). In this sense, Turkish Army and the Constitutional Court are perceived as guardians of assertive secularism (ibid.).

Turkish Republic underwent numerous military interventions. Although these interventions were to subside the political chaos in Turkey, various occasions were considered as a threat to assertive secularism during the coups. Couple of weeks after the military intervention, on May 20, 1971, Milli Nizam Party of Erbakan was closed by the Constitutional Court, as it was accused of organizing ‘anti-secular’ activities (ibid., 58). Furthermore, Turkish Army was once again ready for a military intervention because of the political disturbances during the late 1970s. However, a demonstration, organized by Milli Selamet Party, the successor of the disbanded Milli Nizam Party, was the last straw for the Turkish Army that led to the September 12 1980 Military intervention²⁶, as demonstrators in Islamic clothing were chanting slogans like “Irreligious state will collapse one day”, “Sharia is Islam, Constitution is Qur’an” and “Sharia or death” (Aydın & Taşkın 2014, 317f).

Following the coup, military government drafted a new constitution, which, in the eyes of the army officials, could prevent the issues that led to the military interventions. Hence, a new dimension for checks and balances was constituted in Turkey, as the National Security Council (Milli Güvenlik Kurumu; hereinafter MGK), comprised of government and army officials, was established to determine governmental policies concerning national security, which was widely perceived as the institutionalisation of the Army’s influence over politics (ibid., 431).

Army’s influence over politics can clearly be seen in the ‘February 28 Process’, which was later called the ‘Postmodern coup’. Following the electoral victory of Refah Party, Necmettin Erbakan became the first pro-Islamic Prime Minister of Turkey (ibid., 411). In the mean time, Army officials were stressing the dangers of political Islam and were reassuring that the Army was the warrant of secularism and democracy (Ahmad 2006, 210).

MGK assembled on February 28 under the chairmanship of Erbakan. Military officials presented him the eighteen precautionary measures to prevent anti-secular activities in Turkey and forced him to accept the policies (Aydın & Taşkın 2014, 431). These measures were ranging from protecting the principle of secularism to more repressive measurements like control of media coverage on Turkish Army (Kılıç, 18 April 2012).

²⁶ Turkish Army seized the government until 1983.

Though, the most prominent measures imposed by the Army officials were about education as it ‘proposed’ 1) to put Qur’an courses and private schools, which are financed by religious sects under control of the Ministry of Education and 2) the extending of compulsory schooling from five to eight years (ibid.). As Ahmad argues, the extending of compulsory schooling aims to diminish the effect of political Islam on children from lower and lower/middle classes, as they can not be enrolled in Imam Hatip Schools before the age 14 (Ahmad 2006, 210). The action taken by the military on February 28 was considered by many as a threat for an another military intervention. Consequently Erbakan resigned four months after ‘February 28 Process’ since it was perceived as military control over legislative matters until the secular order is guaranteed (Cizre 2013, 126). Shortly after, Refah Party²⁷ was closed by the Constitutional Court (Suavi & Taşkın 2014, 432).

Turkey entered into a new period after 2002, in which the military tutelage over political processes was strongly diminished. In order to understand the drastic change in the military’s attitude, a recognition of how the Turkish Military gained its authority to intervene in the democratic process is needed.

Throughout the Turkish Republic’s early history, the Kemalist Elite were, in a Bourdieusian sense, forming the dominant culture. In the eyes of the Kemalist Elite, Islamism and political Islam were perceived as a great danger for Turkey’s future, as they embraced an assertive secularist ideology. Thus, the ideological alliance of the Turkish Military with Kemalist Elite was habitual. Kuru explains the longstanding influence of the Military over politics with its ideological alliance to civilians, as the military could neither intervene in politics nor protect their concession over the last four decades without civilian legitimation (Kuru 2013, 150f).

Though, a new Islamist Elite was rising in Turkey since the 1990s. As they were starting to be a part of the dominant culture in the beginning of the twenty first century, Islamist elite became more influential in the matters of economy, media and politics (Göle 1997, 47). At the same time, AKP adopted a conservative democratic discourse rather than Islamism, as it was stressing the importance of good relations with the European Union

²⁷ Last political party of the National Outlook Movement.

along with passive secularism (Kuru 2013, 152). Moreover, survey conducted by Tarhan shows that only a quarter of the population were considering the idea of a military intervention for solving national problems as permissible²⁸ (Tarhan 2007, 41).

On the other hand, public prosecutor filed an indictment against AKP in 2008 and asked for AKP to be outlawed. “The 11 judges [of the constitutional court] voted by six to five for closure. Under the court’s rules, seven votes in favour were needed for a dissolution ruling” (Tait 31 July 2008). The court interestingly pointed out the lack of evidence, which indicated AKP’s intentions of destroying the fundamental principles – namely secularism – of the constitutional order by intolerance or by force. It also denied that AKP posed a threat to the public space. Moreover, the court had praised AKP’s constitutional reforms during the accession process of Turkey to EU. At the same time, the court was admitting that the AKP had become ‘the focal point of anti-secular activities’, opting to strip the party of treasury funding (Özbudun 2013, 173).

In this conjunction, Turkish Army lost its status as the guardian of assertive secularism through the lack of public interest, and AKP’s policies toward religion were, indeed challenging the assertive secularist judges of the constitutional court. However, AKP’s adoption of passive secularism – that reflects the general will of Turkish citizens, as AKP received 48 percent of the votes in 2007 elections – allows visibility of religion in the public sphere.

3.2. Freedom of Religion

Freedom of religion is one of the most controversial rights at both national and international level, as societies become increasingly religiously diverse. Thus, various fundamental questions about individual rights, equality and non-discrimination were raised, as various groups may not be able to secure their rights through democratic processes (Knights 2007, 19).

These issues are often embodied in the wearing of religious clothing in the public sphere or in the establishment of additional religious schools in the international debate (ebd.). Similarly in Turkey, both assertive secularists and islamists (nowadays, passive secularists) are trying to shape the worldview of future generations (Kuru 2011, 181). In

²⁸ 27% for CHP voters.

this manner, schools play a crucial role in the debate over freedom of religion. Moreover, religious clothing, namely the headscarf, was causing public and political controversy within society. Therefore, freedom of religion in Turkey is analyzed through the headscarf controversy and Imam Hatip schools.

3.2.1. Headscarf Controversy

Research from 2007 shows that, 63,5 percent of Turkish women wear some kind of headscarf, either because of their traditional or religious beliefs (Çarkoğlu & Toprak 2007, 62f.). However women wearing headscarves were systematically discriminated, as they could not get any level of education or enter public buildings even as visitors – including university campuses, courts etc. – or become elected politicians, if veiled (Kuru 2011, 186). Above all, the ban of headscarf in universities was in the center of the controversy.

The assertive secularist reforms distinguished ‘modern and educated women’ from ‘traditional and uneducated’ women mainly by the absence of the headscarf. However, as a result of rapid migration to urban areas of Turkey, veiled women started attending universities in the beginning of the 1980s (Olson 1985, 163). This social transformation was perceived as a great danger by assertive secularists, and it was decided to use state power to eliminate the headscarf from the public sphere (Kuru 2011, 187). Therefore, military government ordered Council of Higher Education (hereinafter YÖK) – founded after the military intervention in 1980 to control the universities – the expulsion of veiled students from universities (ibid.). Moreover, the expulsions of students by YÖK were confirmed lawful, when State Council decided that:

“some of our daughters, who are not sufficiently educated, wear headscarves under the influence of their social environments, customs and traditions – without giving any special thought to it. Yet it is known that some of our daughters and women who are educated enough to resist their social environments and customs wear headscarves just to oppose the principles of the secular Republic, showing that they adopt the ideal of a religious state. For those people, the headscarf is no longer an innocent habit, but a symbol of a world view that opposes women’s liberty and fundamental principles of our Republic. Therefore, the decision to expel the plaintiff from the university does not contradict the law. She is so

against the principles of the secular state that she resists removing her headscarf even when she comes to university for higher education” (Kuru 2011, 188).

After the government was returned to the civilians in 1983, there have been various attempts to lift the ban on headscarves in order to subside the discrimination against veiled women. In 1988 parliament passed a bill that allowed to wear anything at universities. However, President Kenan Evren, a well known assertive secularist, who initiated the military coup in 1980, vetoed the bill on the grounds that “an absolute freedom of dress is against Atatürk’s principles and reforms, secularism and modernism” (ibid.). Responsively, parliament drafted and passed another bill the same year that necessitated modern appearances in the public sphere [i.e. universities]. However, this bill aimed to give headscarf a significant free space, as it allowed the covering of the hair and neck for religious belief (ibid.). Though, the Constitutional Court found this legislation unconstitutional due to the reasoning that “[it] abolishes the constitutional boundaries of religious freedom by allowing religion to pass beyond the individual’s spiritual life and to cause behaviours that influence social life [and that] the dress issue is limited by the Turkish Revolution and Atatürk’s principles and it is not an issue of freedom of conscience” (ibid., 189).

Following the last decision of the Constitutional Court on Headscarf, a legislation was signed into law, which dictates that dress codes at universities are free, as long as they do not violate existing laws (Özbudun 2014, 110). This law was not found unconstitutional unlike the ones before. However, it was interpreted as a disallowance of headscarves as the constitutional court previously decided that wearing headscarves at universities was against the principle of secularism (ibid., 111). However, up until the post-modern coup in 1997, universities imposed the ban on headscarves differently based on the dean’s opinion on this matter, as the law did not explicitly disallow the headscarf (Kuru 2011, 190).

As public opinion polls show, 70 percent of the population was against the headscarf ban at universities (Özbudun 2014, 111). Accordingly, Tayyip Erdoğan expressed numerous times that there was not any institutional consensus²⁹ for lifting the ban on headscarves at universities. Hence, there were no attempts to change the legal status of the headscarf

²⁹ It was clear that Erdoğan was referring to the assertive secularist subjects of Turkish Politics, such as CHP, Turkish Military and the Judiciary.

during the first term of AKP, as it could be seen as a set-back for assertive secularism, party members were reluctant to arouse suspicions of assertive secularists (ibid.).

However, the headscarf controversy became the most important topic on the political agenda during AKP's second term, when Erdoğan stated that the ban on the headscarf must be lifted, even if it is used as a political symbol. Following this statement, AKP proposed two constitutional changes. "The first amendment made to Article 10 of the constitution, which refers to the state and administrative organs have to act in accordance with the principle of equality. Furthermore, AKP proposed to amend Article 42 which refers to the right to education, as AKP believed that the change of Article 10 would not be enough to ensure the lifting of the ban" (Bozkurt, 24.01.2008). Although these amendments were accepted by the majority of the parliament³⁰, CHP applied to the Constitutional Court arguing that the amendments were against secularism, which were later declared unconstitutional by the court (Özbudun 2014, 111).

Even though AKP was faced with a closure case by the Constitutional Court for liberalizing the headscarf at universities, AKP did not drop the issue from its agenda. However, it chose an indirect course to establish religion of freedom for covered women. In 2010, parliament passed a bill – initiated by the AKP – for a constitutional amendment "to liquidate the authoritarian, statist and tutelary features of the 1982 Constitution" (Özbudun 2010, 193). Most importantly, the amended constitution allowed to change the composition of the Constitutional Court. The new constitution entitled the President to nominate – directly or indirectly – the majority of the judges. As the acting President in 2010 was a nominee of the AKP, the dominance of assertive secularists within the Constitutional Court was diminished (ibid., 194). Hereby, the possibility for assertive secularists to rescind a law that permits headscarf in the public space declined greatly (Kuru 2011, 192).

Although the freedom to wear a headscarf was not made in to the law until today, YÖK issued a decree that forbade university employees to expel students with headscarves from lecture rooms following the constitutional amendment, which expanded the boundaries of the freedom of religion (ibid.). Though, as Kuru argues, considering the

³⁰ The bill was passed with 411 votes for and 103 votes against (Korkut, 11.02.2008).

structural changes to Turkish politics, there is a higher probability for certain religious practices – i.e. wearing a headscarf – to be protected by law in the future (ibid., 193).

3.2.2. Imam Hatip Schools

Along with the headscarf controversy, Imam Hatip Schools were also of great importance in the debate over secularism in Turkey. On the one hand, it was perceived as a threat to the secular structure of modern Turkey by the Kemalist elite, i.e. assertive secularists, on the other hand a necessity for the conservative population.

Islamic education can only be given by Faculties of Theology and Imam Hatip Schools run by the Ministry of Education. Along with the secular curriculum, Imam Hatip Schools offer additional courses, such as “reading of the Qur’an, the exegesis of the Qur’an, Islamic law, and the history of religions” (Kuru 2011, 193). As I mentioned earlier, Imam Hatip Schools were originally established as vocational schools to train government employed preachers. However, following the military intervention in 1980, new regulations allowed graduates of vocational schools to enroll at universities (Çakır, Bozan & Talu 2004, 67). As a consequence of this, the number of students, who were enrolled in Imam Hatip Schools, increased drastically from 207.006 to 511.502 between 1983 and 1997 (ibid.).

However, development of the Imam Hatip Schools was causing discontent for the assertive secularists, as graduates became active in sociopolitical life. According to the Generals, who later initiated the post-modern coup, the increasing number of Imam Hatip Schools was a clear sign of the danger of islamic reactionism (Kuru 2011, 193). Hence, various policies were adopted to marginalize Imam Hatips during the February 28 Process. “One of the key reforms was to increase the length of compulsory schooling to eight years – thus preventing children from being enrolled in religious schools until the age of 14. [Secondly] the university entrance examination system was also reformed to make it difficult for Imam Hatip graduates to gain acceptance to non-theology undergraduate programs. [The assertive secularist reforms to confine religion in private sphere worked:] Imam Hatip enrollment declined from 11 percent to 2 percent of relevant age students, and the rate of graduates entering higher education dropped from 75 to 25 percent” (Cornell, 2 September 2015).

As the main intention of AKP was to allow Imam Hatip graduates enter universities, AKP passed a bill to improve the opportunities of all vocational school graduates to continue higher education (Kuru 2011, 195). Though, following protests by scholars, the President vetoed the bill, arguing that “allowing Imam Hatip graduates to enter universities would violate the principle of secularism, which implied the separation of social life, education, family, economy and law from the rules of religion” (ibid.). Although the veto was considered a “set-back to religious freedom and equal opportunity – preconditions for a democracy” (NY Times, 6 June 2004) in the international media, it was perceived as a success for assertive secularists in Turkey.

Nevertheless, in order to subside the inequality, there were additional attempts to improve the legal status of Imam Hatip Schools since AKP brought the issue in its political agenda. Imam Hatip graduate’s university entrance conditions relatively improved compared to the Era following the Post-modern coup. (Kuru 2011, 196). Hence, there is an upward curve in enrollment. In 2012, number of Imam Hatip students increased to 268,245 (Ergin, 9 June 2012). Though it is not to forget that conservative parents do not enroll their children in Imam Hatip schools to become preachers, but to educate them on Islam along with the secular curriculum (Kuru 2011, 196). Moreover, 85 percent of the Turkish population support Imam Hatip graduates’ right to have equal access to an university education (ibid.). In this manner, it is to be expected that the conditions for the religiously educated will continue to improve through the more liberal attitude of the state towards religion.

3.3. Minority Rights

According to the UN Minorities Declaration:

“States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity [and] Persons belonging to national or ethnic, religious and linguistic minorities have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination” (GA Resolution 47/135).

Turkey has a complicated history with its minorities. According to the Treaty of Lausanne, non-Muslim communities were considered as ethnic minorities in the Republic of Turkey. Hence, Greeks and Armenians were granted the right to establish religious and educational institutions (Oran 2004, 68). However, as the founding of the Turkish Republic was also a project of creating a nation, ethnic Kurds did not enjoy the same rights as the non-Muslim minorities, as they belong to the Sunni-Muslim sect (ibid., 72). Although Turkish has never been a spoken language amongst Kurds, they were forced to go to Turkish schools due to the turkification process, which led to the prolonged Kurdish question. However, as the Kurdish question is not completely relevant to the Turkish secularism because they share the same religion as the majority, I will focus on the Alevi minority in Turkey.

Alevism differs from Sunnism in its beliefs and practices, which is more similar to Shi'a Islam. Although Turkey has a predominantly Sunni population, the number of Alevi population is estimated to be between 5 and 25 million³¹ (Solgun 2011, 27). As I mentioned in the previous chapter, Turkish secularism, adopted during the Kemalist Era, controlled all the religious activities through the Directorate of Religious Affairs (Diyanet). Diyanet's tasks range from enlightening the public on religion to the establishment and management of places of worship³² (Gözaydın 2009, 113-135). However, mosques are the only place of worship according to Sunni Islam. In this sense, all dervish lodges, including 'Cem Houses – Place of worship for Alevism – were banned by Diyanet to eliminate them from the public sphere. Alevis were forced to worship discretely in self-established Cem Houses throughout the course of the republic. Though as Diyanet started to build mosques in Alevi populated towns, it was perceived as an action to assimilate Alevism (Solgun 2011, 29). The Military Intervention of 1980 increased the perceived danger of assimilation greatly, as Alevis were labeled as 'devil worshippers' and as various Diyanet members stated that Cem Houses are not places of worship, but places of jollification (ibid.). As a result of the longstanding discrimination of the Alevi population, assertive secularism was criticized by Alevis on being Sunni-oriented (Keyman 2007, 25).

³¹ There was not any governmental research on Alevi population in Turkish Republic.

³² Diyanet receives 2 % of the state budget (Gözaydın 2009, 222).

AKP brought the Alevi question on the political agenda, as its party program underlines maintaining peace among diverse beliefs. Accordingly, AKP organized seven workshops to reassess the problems and requests of the Alevi population within the framework of democracy and fundamental rights and determine policies to fulfilling these requests (T.C. Devlet Bakanlığı 2009, 7). During these workshops various topics – namely religious practices, status of Cem Houses, religious pluralism and democracy and political experiences of Alevis – were discussed in detail. The workshops were perceived as a milestone for Alevis, as this was the first time that Alevi problems were recognized officially by the government (Solgun 2011, 55).

However, since then, there have not been any consequent steps taken to subside Alevi problems. As of today, Cem Houses still don't enjoy legal status. Moreover, after the Alevi workshops, Erdoğan persistently denied the Alevi existence, saying: "If being an Alevi means loving Ali, no one can be more Alevi than me. But if Alevism is a religion, Erdoğan is not there" (Elçivan & Karaca, 11 May 2015). As a consequence of this attempt at illegitimization, AKP's neutrality towards different religious beliefs was questioned by Alevis until today.

4. Conclusion

In the present paper I, first, asked the question whether democratic deficits in Turkey lie within the Turkish secularism. Secondly, I asked if the Turkish secularism is compatible with democracy at all. The second question may seem ludicrous, as secularism as a concept does not contradict the concept of democracy. In this manner, we can argue that Turkish conceptions of secularism are indeed compatible with democracy. However, today it is observable that there are different kinds of modernities and secularities throughout the world. According to the multiple secularism thesis, different conceptions of secularism are created as solutions to problems concerning the interrelation of state and religion. Therefore we must accept the possibility that state policies according to these conceptions of secularism may not be democratic.

Despite the fact that Turkey is a secular and democratic state according to the constitution, I argued that it is considered partly democratic. Therefore it is important for this paper to analyze the democratic deficits through the scope of the Turkish secularism. After the dissolution of the Ottoman Empire, Mustafa Kemal Atatürk put out the task to

create a new republic with its modern nation. Though, modern republic's relation with religion had to be different than the late Ottoman Era. As religion had its roots in the daily life of the Turkish population, Kemalists knew that it would be practically impossible to eliminate Islam from the public sphere. As a consequence, Kemalists utilized assertive secularism to create a modern nation, as it would allow the state to control the self-established version of Islam. However, assertive secularism 1) facilitated the military to intervene in politics, 2) allowed restrictive policies against Muslims to eliminate Islam and its symbols (Headscarf) from the public sphere and 3) ignored Muslim sects alternative to the individualized Sunni-Islam completely. As a result of the assertive secularist state policies, a great portion of the Turkish population were deprived of their fundamental rights. For this reason, assertive secularism was criticized by Islamists for being non-democratic. Nevertheless, pointing at the tolerant attitude towards religious diversity during the earlier period of Ottoman Empire, Islamists in Turkey embraced a different form of secularism, namely passive secularism, that allows visibility of religion in the public sphere. Through the adoption of passive secularism, lots of the problems, caused by the policies of assertive secularism, were subsided. AKP mainly put their efforts to solve the problems concerning Sunni Islam, which set the ball of democratization rolling. However, issues concerning the Alevi population were shortly on the political agenda, which are later ignored up until today.

In sum, considering the different conceptions of secularisms in Turkey, it can be argued that both assertive secularist Kemalists and passive secularist Islamists are selectively democratic, which is hindering the further democratization of Turkey (Somer 2014, 514).

In my opinion, Recep Tayyip Erdoğan and 'his' party are currently dropping the passive attitude towards religions and affiliating with assertive policies from an Islamic perspective, as new regulations are systematically imposing a religious life style in Turkey. AKP government started to convert secular schools into Imam-Hatip schools. In 2015, a huge number of students were 'forced' to enroll at Imam-Hatip schools, as they become the only alternative in some districts for parents who can not afford private schools (Letsch, 12.02.2015). Moreover, a new regulation prohibited the consumption and sale of alcohol within hundred meters of mosques (Resmi Gazete, June 11, 2013), which can be perceived as a sacralization process. Furthermore, after the President of the

Parliament stated that Muslim Turkey needed a religious constitution, concerns of Kemalist elite on secular character of Turkey grew bigger, as they remember Erdoğan saying: “democracy is not the goal but a mean” (Hürriyet, 6.3.2011).

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