

CIVIL SOCIETY AND DEMOCRATIC
CONSOLIDATION: THE CASE OF TUSIAD

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ABSTRACT

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This thesis questions the relationship between civil society and democratic consolidation. By referring to the development of the concept of civil society and civil society organizations in Turkey, this study focuses on one of the influential, economically powerful, protective interest group; namely TUSIAD as a case study.

Keywords: Civil Society, Consolidation of Democracy, TUSIAD

ÖZET

SİVİL TOPLUM ve DEMOKRATİK KONSALİDASYON: TÜSİAD ÖRNEĞİ

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Bu çalışma sivil toplum ve demokratik konsolidasyon arasında kurulabilecek ilişki bağlamında Türkiye`de sivil toplum kavramı ve bu tür kuruluşların gelişimi, ve önemli ekonomik güce sahip olan TÜSİAD (Türkiye Sanayiciler ve İşadamları Derneği) örneği esas alınarak betimlenmiştir.

Anahtar Kelimeler: Sivil Toplum, Demokratik Konsolidasyon, TÜSİAD.

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CHAPTER I

INTRODUCTION

The concept of civil society was revived in the 1990s. For this contemporary ‘revival’ of the idea of civil society, different reasons were given such as “globalization, political change in the post-Cold War era and a sense of dismay about the quality of society”¹; it has also been seen as “the third element of a comprehensive reaction against the developmental states of the 1960s and 1970s in which civil society is a sociological counterpart of the market in the economic sphere and to democracy in the political sphere”², or as “a cure to virtually all the ills of the contemporary world”³. In accordance with these developments the definitions of civil society are reexamined; as a result, the concept of civil society has obtained a new dimension with regard to the consolidation of democracy.

In the second chapter I present a theoretical framework based on the studies on civil society and democratic consolidation. I focus on the development of civil society and of civil society organizations in Turkey in the third chapter.

¹ Alison V Rooy, (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd., 1998), 6.

² Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, nr.3 1994, 375.

³ Omar G. Encarnacion, “Civil Society and the Consolidation of Democracy in Spain”, *Political Science Quarterly* 116(1) , 2001, 53.

Whereas, in the forth chapter I will try to focus on TUSIAD (The Turkish Industrialist's and Businessmen's Association) so as to observe the relationship between civil society and the consolidation of democracy.

This thesis is based on the data that is collected from the studies on civil society and consolidation in the form of literature review. Other methods are content analysis focusing on periodicals, Sabah, Hurriyet, and Milliyet and an interview with Can Paker who was the responsible person for the report, **Perspectives on Democratization in Turkey** initiated and prepared by TUSIAD in 1997.

CHAPTER II

THEORETICAL FRAMEWORK

In different time periods, the notion of civil society is labeled in different ways. Civil society was denoted as an antithesis to the state in the 18th century. Such a definition of civil society changes in the 19th century, so that civil society was combined with concepts like bourgeoisie, market, and liberal economy. In coming to the 20th century, the notion of civil society took on a different meaning related to democracy. It was perceived as an entity promoting democratization and/or deepening democracy. In addition, in the 21st century, the concept of civil society was represented by supranational/transnational civil society organizations. Notwithstanding these variations and shifts in the meaning of civil society from the 18th century onwards, according to Shils, three central characteristics have been sustained: “the distinction and the independence of society from the state, the rights of individuals, a constellation of many autonomous economic units or business firms acting independently of the state and competing with each other.”⁴

The focus of the discourse of civil society is the new emerging “non-class-based forms of collective action oriented and linked to the legal, associational, and

⁴ Edward Shils, “The Virtue of Civil Society”, *Government and Opposition* 26(1) 1991, 7.

public institutions of society”⁵. Accordingly, the term civil society is indispensable to grasp the changes that have occurred in Eastern Europe and Latin America. The reason behind this argument is that the struggles against authoritarian socialist party-states in Eastern Europe came from the civil society.

For Baker, the rediscovery of the concept of civil society arises from the fact that the opposition movements in Eastern Europe used “the idea of civil society in theorizing their struggle to create a protected societal sphere separate from the official sphere of the all-embracing party-state”⁶.

Despite the fact that the idea of civil society has been rediscovered, some scholars believe that the idea of civil society is getting so popular and vague. One of them is Dionne who attempts to anticipate the reasons. According to him, there are three reasons: “a move among thinkers on both left and right reflect on the failures of their perspective sides and face evidence, a widespread sense that changes in the economy and in the organization of work, family, and neighborhood have outpaced the capacity of older forms of civic and associational life to help individuals and communities cope with the change, and the impact of an antigovernment mood”⁷.

⁵ L. Jean Cohen, and Andrew Arato, *Civil Society and Political Theory*. (USA: Massachusetts Institute of Technology, 1992, 2.

⁶ Gideon Baker, “Civil Society and Democracy: the Gap between Theory and Possibility”, *Politics* 18(2) 1998, 82.

⁷ Jr. E.J. Dionne, “Why Civil Society? Why Now”, *Brookings Review* 15(4) 1997, 7.

2.1 Conceptualization of Civil Society

In defining civil society, the shape and definition of civil society is reflected in the purposes to which a given group directs it. Therefore, to define civil society is difficult in a simple manner. Hence, it is necessary to categorize the definition of civil society.

2.1.1 Civil Society in Classical Terms

The notion of civil society was defined during the Enlightenment by John Locke in a way that “civil society played an important role as the sphere of social activity men entered in order to protect their individual property rights”⁸.

For Hegel, “the state was the protector, suggesting that civil society could not remain civil unless it is ordered politically, subjected to higher surveillance of the state”⁹. According to Rooy, civil society is equalized with self-interested and egotistical society by Hegel and, since Hegel claims that “civil society developed

⁸ J. Schwedler (ed.), *Toward Civil Society in The Middle East: A Primer*. (USA: Lynne Rienner Publishers, 1995), 3.

⁹ Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 10.

as a means of protecting the individual rights and needs of the privileged to guarantee freedom in economic, social, and cultural spheres”¹⁰.

Gramsci articulates the concept of civil society as a system of control and exclusion. “While the state is directly responsible for violent and coercive methods of control, civil society enables capitalists to exert control over social and economic practices through nonviolent means”¹¹.

The description of civil society by Alexis de Tocqueville is “civic action consisting of legions of charities, lodges, fraternal orders, civic leagues, and religious associations”¹². For him, these associations are the indispensable character of American society so as to speed up the functioning of democracy. Tocqueville observes that the fascinating feature of civic networks is that they arise spontaneously from the aspirations and desires of free people. In this regard, Elshtain defines civil society in a similar way to Tocqueville by denoting civil society as “the many forms of community and association that dot the landscape of a democratic culture, from families to churches to neighborhood groups to trade unions to self-help movements to volunteer assistance to the needy”¹³.

¹⁰ J. Schwedler (ed.), *Toward Civil Society in The Middle East: A Primer*. (USA: Lynne Rienner Publishers, 1995), 3.

¹¹ J. Schwedler (ed.), *Toward Civil Society in The Middle East: A Primer*. (USA: Lynne Rienner Publishers, 1995), 4.

¹² Don E Eberly, (ed.), *The Essential Civil Society Reader: the Classical Essays*. (Maryland: Rowman and Littlefield Publishers, 2000), 7.

¹³ Jean B Elshtain, “A Call to Civil Society”, *Society* 36(5) 1998, 103.

To Elshtain, civil society refers to “relationships and institutions like families, neighborhood life, and the network of religious, economic, educational, and civic associations that are neither created nor controlled by the state”¹⁴.

2.1.2 Contemporary Definitions of Civil Society

Hall explains civil society as an ideal capable of social embodiment. That is to say, civil society is “a form of societal self-organization which allows for cooperation with the state whilst enabling individuation”¹⁵.

The notion of civil society is interpreted differently by many scholars. Zaki identifies civil society as an “aspect of social life that is distinct and removed from the realm of the state—a collective entity that exists apart from the state”¹⁶. The concept is based on the free individual and the community consisting of free individuals that are free from the control of the state; nevertheless, their activities are regulated by law, that is to say, civil society is a public realm for the voluntary activities of autonomous individuals.

¹⁴ Jean B Elshtain, “A Call to Civil Society”, *Society* 36(5) 1998, 103.

¹⁵ John A. Hall, “The Nature of Civil Society”, *Society* 35(4) 1998, 32.

¹⁶ Moheb Zaki, *Civil Society and Democratization in Egypt, 1981-1994*. (Cairo: The Ibn Khaldun Center, 1994), 4.

In delineating civil society, Eberly identifies civil society as a noun surrounding “a social realm consisting of a range of actual institutions with moral substance and function”¹⁷.

According to Rooy, the concept of civil society is categorized as “values and norms, space for action, historical monument and antidote to the State”¹⁸. In the first analysis, civil society is described as the ideal one in which “ambitions such as trust, tolerance, and cooperation are held to be universal and to be universally good”¹⁹. For Seligman, “two centuries after its origins in the Enlightenment, the idea of civil society is being reviewed to provide the answer to the greater good of society and, similarly, how society can advance the interests of the individuals who comprise it”²⁰.

¹⁷ Don E Eberly, (ed.), *The Essential Civil Society Reader: the Classical Essays*. (Maryland: Rowman and Littlefield Publishers, 2000), 7.

¹⁸ Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 12.

¹⁹ Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 12.

²⁰ Gary B. Madison, *The Political Economy of Civil Society and human Rights*. (New York: Routledge, 1998), 10 .

2.1.2.1 Civil Society as a Space for Action

While classifying civil society as a space for action, the term is depicted as “one of the three spheres, together with State and market, that interface in the making of democratic societies”²¹. Another notion of space is that “civil society is a space or arena between household and State which affords possibilities of concerted action and self-organization”²². In addition, Larry Diamond describes civil society as “the sphere that battles the State and keeps it check”²³. Diamond asserts the concept of civil society as:

The realm of organized social life that is voluntary, self-generating, self-supporting, autonomous from the State, and bound by a legal order or set of shared values. It is distinct from society in general in that it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the State and hold State officials accountable.

(Diamond, 1994:5)

²¹ Gary B. Madison, *The Political Economy of Civil Society and human Rights*. (New York: Routledge, 1998), 19 .

²² Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 19. Also see Percy.B Lehning, “Towards a Multicultural Civil Society: The Role of Social Capital and Democratic Citizenship”. *Government and Opposition*, nr 1, 1998, 222.

²³ Larry Diamond, “Rethinking Civil Society: Toward Democratic Consolidation”, *Journal of Democracy* 5(3) 1994, 5.

Linz and Stepan share similar views with Diamond in a way that civil society refers to the “arena of the polity where self-organizing and relatively autonomous groups, movements, and individuals attempt to articulate values, to create associations and solidarities, and to advance their interests”²⁴.

Seligman also limns civil society as an “arena where free, self-determining individuality sets forth its claims for satisfaction of its wants and personal autonomy”²⁵. Likewise, civil society is depicted as “recognition by the state that individuals, informal groups, and formal institutions should be free to pursue their interests and ideals independent of the state in most spheres of life”²⁶.

For Shils, “the idea of civil society is the idea of a part of society which has a life of its own, which is distinctly different from the state, and which is largely in autonomy from it”²⁷. According to Shils, there are three main components of the idea of civil society: “a part of society involving a complex of autonomous institutions, a complex of relationships between itself and the state and a distinctive set of institutions which safeguards the separation of state and civil society, and a widespread pattern of refined or civil manners”²⁸.

²⁴ Juan J. Linz, and Alfred Stepan, “Toward Consolidated Democracies”, *Journal of Democracy* 7(2) 1996, 17.

²⁵ Adam D. Seligman, *The Idea of Civil Society*. (New York: Free Press, 1992), 5.

²⁶ R. Rose, “Problems of Postcommunism: Toward A Civil Economy”. *Journal of Democracy*. April 1992, 13.

²⁷ Edward Shils, “The Virtue of Civil Society”, *Government and Opposition* 26(1) 1991,3.

²⁸ Edward Shils, “The Virtue of Civil Society”, *Government and Opposition* 26(1) 1991,4.

The term civil society is depicted as “a network of groups and associations between families and face-to-face groups on one side and out-right state organizations on the other, mediating between individual and state, private and public”²⁹ by Cohen and Arato. According to Madison, a civil society is “one which expressly seeks to safeguard the autonomy of the different spheres of human agency”³⁰ comparing to the oppressive homogeneity of the totalitarian state. For him, civil society is a pluralistic society in contrast to the monolithic totalitarian state. Indeed, the notion of civil society as a space for action overlaps with a pluralistic view of civil society in which the arbitrary use of the State power is challenged or limited, and the individual is protected against the unjust State actions. Consequently, “civil society is one which expressly seeks to safeguard the autonomy of the different spheres of human agency and is an intrinsically *pluralistic* society”³¹.

²⁹ L. Jean Cohen, and Adrew Arato, *Civil Society and Political Theory*. (USA: Massachusetts Institute of Technology, 1992), 48.

³⁰ Gary B. Madison, *The Political Economy of Civil Society and human Rights*. (New York: Routledge, 1998), 14.

³¹ Gary B. Madison, *The Political Economy of Civil Society and human Rights*. (New York: Routledge, 1998), 14.

2.1.2.2 Civil Society as a Historical Moment

In accordance with Rooy's classification, the third notion describes civil society as an historical moment in which it is tried to find answer to the question of how civil society emerges. Seligman responds to the question by suggesting prerequisites for the existence of civil society: "the primacy of the individual, rights-bearing and autonomous, and a shared public space in which agreed rules and norms are sustained and followed"³². Similarly, Gellner argues that "the historical and social prerequisites for a civil society are notably the creation of atomized liberal individuals"³³.

2.1.2.3 Civil Society as an Antithesis to the State

In categorizing the concept of civil society, according to Rooy, the last viewpoint is that civil society is the antithesis to the State. "Civil society's chief virtue is its ability to act as an organized counterweight to the State"³⁴. Thus, the promotion of civil society is perceived as limiting the State.

³² Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 21.

³³ Alison. V. Rooy (ed), *Civil Society and the Aid Industry*. (London: Earthscan Publications Ltd, 1998), 21.

³⁴ Michael W. Foley, and Bob Edwards, "The Paradox of Civil Society", *Journal of Democracy* 7(3) 1996, 39.

With regard to this notion, Keane states that civil society and the state are at the opposite ends, and “the term ‘civil society’ has been granted a kind of natural innocence and deployed as a poorly defined synonym for other forms of private life which are supposed to be good because of their opposition to the State power”³⁵. To White, civil society is not entirely separate from the State, but is “an intermediate associational realm between State and family populated by organizations which are separate from the State, enjoy autonomy in relation to the State and are formed voluntarily by members of society to protect or extend their interests or values”³⁶.

2.1.2.4 Civil Society as a Democratic Institution Builder

Apart from these, another description of civil society, as a democratic institution builder, needs to be added. Larry Diamond offers “the most comprehensive theoretical assessments of the virtue of civil society in the context of democratic transition and consolidation”³⁷ which I shall refer to again later. There is a strong link between a healthy civil society and the existence of democracy. Civil society arises with the development of democracy.

³⁵ John Keane, *Civil Society and the State*. (New York: Verso, 1988),13.

³⁶ Gordon White,. “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, nr.3, 1994, 379.

³⁷ Omar G. Encarnacion, “Civil Society and the Consolidation of Democracy in Spain”, *Political Science Quarterly* 116(1) 2001, 56.

“The institution of civil society is the necessary condition of possibility of democracy, i.e., of a regime dedicated to the respect, recognition, and enhancement of universal human rights”³⁸. Hence, civil society is seen an essential ingredient in democratization and in the health of established democracies by Madison.

2.1.2.5 Civil Society as a Preferred Setting

Beyond these considerations, Michael Walzer has a different opinion about the concept of civil society. Walzer attempts to answer the following question: ‘What is the preferred setting for a good life?’ He claims that four ideologies, socialism, capitalism, nationalism and communitarianism are unable to answer the question due to their ‘single-mindedness’. Walzer presumes civil society as a fifth and the newest answer which “holds that the good life can only be lived in civil society, the realm of fragmentation and struggle but also of concrete and authentic solidarities”³⁹ Walzer defines civil society as a “*setting of setting*: all are included, none is preferred”⁴⁰.

³⁸ Gary B. Madison, *The Political Economy of Civil Society and human Rights*. (New York: Routledge, 1998), 8.

³⁹ Michael Walzer, “Rescuing Civil Society”, *Dissent* 46(1) 1999.

⁴⁰ Michael Walzer (ed.), *Toward a Global Civil Society*. (Oxford: Berghahn Books, 1995), 16..

2.1.2.6 Paradoxes of Civil Society

There are many paradoxes of civil society in respect to its meaning and its relationship with the state and democracy. In the first place, civil society is paradoxical insofar as it is rooted in individualization as well as in collectivism. Such a combination is stated by Habermas as “the sphere of private people come together as a public”⁴¹. There is a tension between the particular rights and obligations, and the collective membership in a civil society organization. The ideal notion of civil society emphasizes the respect for individual rights and freedoms as well as pluralism; however, the practices of civil society function on the behalf of the collectivity. Thus, the duality between the individualization and collectivity occurs.

A second paradoxical dimension of civil society is that definitions in which civil society is depicted as ‘the realm of social activities’ are too broad since such activities include “privately owned, market-oriented, voluntarily run and friendship-based organizations”⁴². The problem is that these definitions are unable to differentiate civil society from the spheres of ideological, religious and family life. For Alexander, these patterns must be carefully kept distinct⁴³.

⁴¹ Jeffrey C. Alexander, “Paradoxes of Civil Society”. *International Sociology*. 12(2) 1997,125.

⁴² Jeffrey C. Alexander, “Paradoxes of Civil Society”. *International Sociology*. 12(2) 1997,126.

⁴³ Jeffrey C. Alexander, “Paradoxes of Civil Society”. *International Sociology*. 12(2) 1997,126.

Another paradox is that “civil society can never be separated from the state”⁴⁴. Many thinkers define civil society as a realm distinct from the state or as a counterweight to the state. However, the state provides a legal framework for civil society to the extent that it is useful for the constitution of the latter. In this regard, civil society is connected with the state that is the provider of the legal and civil order.

The ideal type of civil society emphasizing the qualities of separation, autonomy, and voluntary association contradicts the empirical world in which civil society is embedded. For White, the reason is that in the empirical world, “the boundaries between state and civil society are often blurred: states may play an important role in shaping civil society as well as vice-versa, the two organizational spheres may overlap to varying degrees”⁴⁵.

Civil society is portrayed as an autonomous sphere of social power within which citizens enable to pressure authoritarians for change, and democratize from below. Foley and Edwards concern that “if civil society is a beachhead secure enough to be of use in thwarting tyrannical regimes, what prevents it from being used to undermine democratic governments?”⁴⁶. The irony is that on the one hand it is desirable for civil society to be autonomous from the state and be strong enough to counterweight to the state; on the other hand such autonomy and

⁴⁴ David Held, *Models of Democracy*. (Stanford: Stanford University Press, 1987), 281.

⁴⁵ Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, 1994, nr.3, 381.

⁴⁶ Michael W. Foley, and Bob Edwards, “The Paradox of Civil Society”, *Journal of Democracy* 7(3) 1996, 46.

strength should be limited to the extent that civil society ought not to challenge governing institutions to obtain particular needs and aspirations. Hence, an unlimited freedom of association for political ends is not tolerated.

A different kind of paradox is inequality within the realm of civil society in which a variety of social groups attempt to accumulate resources and provide services. Yet, all of them do not have the same capacity to acquire those resources and services. Walzer argues that “all forms of inequality are reflected and even magnified in the organizational life of civil society”⁴⁷. Similarly, Trentmann states that “there is no such thing as a civil society without some conflict and inequality”⁴⁸. However, ideally civil society is rooted in self-help and mutual aid. The main core of civil society is voluntary giving money and of time and energy. According to Walzer, all different groups within civil society should have capabilities of serving their own members and of providing services. In doing so, the engagement of the state is required. Consequently, a contradiction between ideally having a sufficient material and institutional base and practically having no access to recourses which necessitates the state involvement.

⁴⁷ Michael Walzer, “Rescuing Civil Society”, *Dissent* 46(1), 1999, 63.

⁴⁸ Frank Trentmann, *Paradoxes of Civil Society: New Perspectives on Modern German and British History*. (New York: Berghahn Books, 1999).

Similarly, White argues that it is a paradox that some sort of civil society organizations with greater access to socio-economic resources are able to find it easier to organize effectively and vice-versa. Thus, there is a tendency to reinforce unequal relations.

Fragmentation is also one of paradoxes of civil society. Walzer states that civil society associations are excessively particularistic since they try to advance particular interests that conflict with other particular interests⁴⁹. Besides, civil society organizations tend to promote differences that might create social cleavages in the society. Regarding to fragmentation, Walzer articulates the fragmentation within the realm of civil society as dangerous because the divisive characteristic of civil society makes democratic politics problematic. The representation of diversification takes place among the basic features of civil society; however, it is claimed that such a diversification ought not to reach a level of fragmentation. Thus, Walzer prefers moderate associational difference vis-à-vis divisive civil society organizations.

The main function of civil society is to foster civic involvement and political participation; yet it is unlikely to promote democratic health in the same way or to the same extent by all associations. Therefore, such an unbalance creates a paradox.

⁴⁹ Michael Walzer, "Rescuing Civil Society", *Dissent* 46(1), 1999, 65.

Somehow civil society is identified with the entirety of social life rooted outside the state and the economy. According to Alexander, such an attempt to agglomerate various institutions and cultural patterns must be corrected in a way that they must be much more carefully kept distinct. Likewise, Trentmann claims that it may be helpful to differentiate between types and degrees of civil society.

There is always a danger in the idea of civil society so that plurality and inequality, tolerance and discrimination go hand in hand in civil society organizations. Therefore, to create the balance between inclusion and exclusion is difficult.

2.2 Conceptualization of Democratic Consolidation

The concept of democratic consolidation became popular in the 1990s. According to Linz and Stepan, consolidation is the process of deepening the commitments made in the ritual transition to democracy and making habits routine⁵⁰. Linz and Stepan depicts a set of conditions for democratic consolidation:

“The consolidated democracy includes a civil society that is active enough to make its interests felt by the new government, a political society consisting of political institutions-parties, elections, electoral rules, leadership-that can structure and monitor the democratic government, a rule of law that is autonomous and generally applicable standards applied by an independent judiciary in a ‘spirit of constitutionalism’, a bureaucracy

⁵⁰ Diana R. Gordon, “Democratic Consolidation and Community Policing: Conflicting Imperatives in South Africa”, *Policing and Society*, nr.11, 2001, 122.

that is usable for governmental functions like taxing, regulation and the provision of basic services, and an economic society with a capacity to balance the interest of state and market”⁵¹.

The meaning of the term ‘democratic consolidation’ is the challenge of making new democracies secure, extending their life expectancy beyond the short term, making them immune against the threat of authoritarian regression⁵². According to Schedler, democratic consolidation should include such divergent items as popular legitimation, the diffusion of democratic values, the neutralization of anti-system actors, civilian supremacy over the military, the elimination of authoritarian enclaves, party building, the organization of functional interests, the stabilization of electoral rules, the routinization of politics, the decentralization of state power, and economic stability⁵³.

Gordon states that consolidation of democracy goes beyond procedural guarantees- elections, political representation and open political debate. For Gordon, consolidation of democracy includes operational expectations that citizens will be able to influence government and exercise individual rights and that government will give citizens at least some of what they want⁵⁴.

⁵¹ Juan J. Linz and Alfred Stepan, “Toward Consolidated Democracies”, *Journal of Democracy*, 7(2), 1996, 18.

⁵² Andreas Schedler, “What is Democratic Consolidation”, *Journal of Democracy*, 98(2), 91.

⁵³ Andreas Schedler, “What is Democratic Consolidation”, *Journal of Democracy*, 98(2), 92.

⁵⁴ Diana R. Gordon, “Democratic Consolidation and Community Policing: Conflicting Imperatives in South Africa”, *Policing and Society*, nr.11, 2001, 125.

2.3 The Role of Civil Society in Democratic Consolidation

The first and basic function of civil society is to provide “the basis for the limitation of state power, hence for the control of the state by society, and hence for democratic political institutions as the most means of exercising that control”⁵⁵. White argues that civil society can alter the balance of power between state and society in favor of the latter⁵⁶. Thus, civil society is a vital instrument for monitoring and restraining the exercise of power by the State. By doing so, civil society also prevents any single group or ideology from dominating society; hence, sustains “open spaces for diverse views and interests”⁵⁷.

Similarly, Huntington argues that civil society is one of the preconditions for democracy to the extent that a widely differentiated and articulated social structure consisting of autonomous groups appears because such groups are necessary to “provide the basis for the limitation of state power, hence for the control of the state by society, hence for democratic political institutions as the most effective means of exercising that control”⁵⁸. Thus, the very function of civil society during the consolidation period is to limit state power that leads to

⁵⁵ Samuel P. Huntington, “Will More Countries Become Democratic”. *Political Science Quarterly*, nr. 99, 204.

⁵⁶ Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, 1994, nr.3, 382.

⁵⁷ Frank Trentmann, *Paradoxes of Civil Society: New Perspectives on Modern German and British History*. (New York: Berghahn Books, 1999).

⁵⁸ Samuel P. Huntington, “Will More Countries Become Democratic”. *Political Science Quarterly*, nr. 99, 203.

the control of the state by society and to exercise that control by democratic political institutions.

Elshtain articulates the potential of civil society as “the best conceptual framework for understanding and responding to the most urgent challenge facing our society: the moral renewal of our democratic project”⁵⁹. To him, the main task of civil society is to promote competence and character in individuals, build social trust, and help individuals to become good citizens. According to Elshtain, civil society is the sphere concerned with moral formation and with ends as well as with administration and the maximizing means.

Eberly mentions the practical functions of civil society as cultivating citizenship and generating democratic values. According to him, civil society undertakes these roles by “socializing infants into adults and transform private individuals into public-spirited citizens”⁶⁰. The reason behind this role of civil society is Eberly’s argument that public space, a place where people learn the very essential democratic habits such as trust, collaboration and compromise in a practical way, is provided by civil society⁶¹.

⁵⁹ The term ‘our’ refers to Americans. Jean B. Elshtain, “A Call to Civil Society”, *Society* 36(5) 1998.

⁶⁰ Don E. Eberly (ed.), *The Essential Civil Society Reader: the Classical Essays*. (Maryland: Rowman and Littlefield Publishers, 2000), 3.

⁶¹ The understanding of democratic functions of civil society for Eberly is seemingly a sociological one compared to other scholars dealing with civil society.

A vibrant civil society is the necessary task for sustaining democracy so that the civil society performs many democratic functions. Eberly asserts three main practical tasks of civil society: “to mediate between the individual and the large mega-structures of the market and the state, to temper the negative social tendencies associated with each, to create important social capital, and to impart democratic values and habits”⁶². In addition, the very role of civil society regarding to maintaining democracy is that civil society enables to build social ties and a sense of mutual obligation in a way that it coalesces isolated individuals around common objectives. Thus, for Eberly, the reciprocal ties nourished in civil society augment the vital role of civil society with respect to promoting democracy.

Przeworski identifies civil society as one of the variables that are critical to the sustainability of democratic regimes.⁶³ According to Przeworski, a well-organized and vibrant civil society enables to check the power of government, hold the leadership accountable, and promote a strong sense of citizenship among the public.

The effectiveness of civil society so as to deepen democracy depends on the civility of individuals. Shils articulates such a civility as the virtue of civil society which is “the readiness to moderate particular, individual or parochial

⁶² Don E. Eberly (ed.), *The Essential Civil Society Reader: the Classical Essays*. (Maryland: Rowman and Littlefield Publishers, 2000), 7.

⁶³ The other variables are the choice of parliamentarism versus presidentialism, the economy’s potential, and the external political environment in James and Caliguire, 1996 p. 60

interests and to give precedence to the common good”⁶⁴. According to him, the virtue of civil society is developed within the civil society itself.

Diamond claims that “civil society supplements the role of political parties in stimulating political participation, increasing the political efficacy and skill of democratic citizens, and promoting an appreciation of the obligations as well as the rights of democratic citizenships”⁶⁵. Another way in which civil society serves democratic consolidation is to inculcate democratic attributes such as tolerance, moderation, willingness to compromise, and respect for opposing viewpoints. Hence, these norms and values emerge through experience.

According to Diamond, another function of civil society is to augment the representativeness of democracy by creating channels for articulation, aggregation and representation of interests⁶⁶. Thus, historically excluded groups such as women, and minorities are able to provide access to power. Besides, civil society serves democratic consolidation by recruiting and training new political leaders. Through this way, political arena is revitalized and renewed. In doing so, the established patterns are remodeled.

Beyond leadership training, civil society possesses explicit democracy-building purposes. “Election-monitoring groups, the massive voter education and

⁶⁴ Edward Shils, “The Virtue of Civil Society”, *Government and Opposition* 26(1), 1991, 16.

⁶⁵ Larry Diamond, “Rethinking Civil Society: Toward Democratic Consolidation”, *Journal of Democracy* 5(3) 1994,7.

⁶⁶ Larry Diamond, Juan J. Linz, and Seymour M. Lipset, *Politics in Developing Countries*. (USA: Lynne Rienner Publishers, 1995), 28.

monitoring efforts, human rights groups, think tanks devoted to democratic reform, and public anticorruption groups”⁶⁷ play a vital role in consolidation of democracy.

In addition, Diamond claims that legitimacy and governability are reinforced by civil society to the extent that it enhances accountability, responsiveness, inclusiveness, and legitimacy of political system. Consequently, the ability of the State to govern is improved; in turn the respect of citizens for the State is boosted. Similarly, White states that a strong civil society can play “a *disciplinary role in relation to the state* by enforcing standards of public morality and performance and improving the accountability of both politicians and administrators”⁶⁸.

In analyzing roles of civil society in consolidation of democracy, another significant function of civil society is to play an “*intermediary transmission-belt between state and society*”⁶⁹. Civil society enables to facilitate political communication between state and society in which demands are transmitted, and the interests of the population are articulated.

⁶⁷ Larry Diamond, Juan J. Linz, and Seymour M. Lipset, *Politics in Developing Countries*. (USA: Lynne Rienner Publishers, 1995), 29.

⁶⁸ Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, 1994, nr.3, 383.

⁶⁹ Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, 1994, nr.3, 384.

Moreover, civil society plays a constitutive role redefining the rules of the political game. It is argued that “civil society creates and sustains a set of new democratic norms which regulate the behavior of the state and the character of political relations between state and the public sphere of society and individual citizens”⁷⁰.

According to Hall, the presence of two elements of civil society help towards democratic consolidation. The first one is the existence of strong and autonomous groups enabling to balance “excessive concentrations of power”⁷¹. The presence of civil society is able to push political parties to represent the people, to ensure the adoption of better policies, and to mediate political conflict. Secondly, civil society maintains social diversity. Hall claims that on the contrary to “civic virtue that sought to make human beings unitary”⁷², civil society functions on the behalf of the diversity.

Robert Putnam reviews the concept of civil society by labeling it as ‘networks of civic engagement’. For Putnam, the chief virtue of networks of civic engagement is to “foster robust norms of reciprocity, to facilitate communication and improve the flow of information about trustworthiness of individuals”⁷³. Networks of civic engagement are an essential form of social capital which

⁷⁰ Gordon White, “Civil Society, Democratization and Development (I): Clearing the Analytical Ground”. *Democratization*, 1994, nr.3, 384.

⁷¹ David Held, *Models of Democracy*. (Stanford: Stanford University Press, 1987), 281.

⁷² John A. Hall, *Prospects for Democracy*. David Held, ed. (Oxford: Polity Press, 1993), 282.

⁷³ Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*. (New Jersey: Princeton University Press, 1993), 173.

“bolsters the performance of the polity and the economy”⁷⁴. According to Putnam, social capital is “the key to making democracy work”⁷⁵. There are two sources of social capital; norms of generalized reciprocity and networks of civic engagement that encourage social trust and cooperation so that “they reduce incentives to defect, reduce uncertainty, and provide models for future cooperation”⁷⁶.

This chapter was in an attempt to draw a theoretical framework on the relationship between civil society and democratic consolidation. The next chapter will try to understand the development of the concept of civil society and of civil society organizations.

⁷⁴ Michael W. Foley, and Bob Edwards, “The Paradox of Civil Society”, *Journal of Democracy* 7(3) 1996, 40.

⁷⁵ Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*. (New Jersey: Princeton University Press, 1993),185.

⁷⁶ Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*. (New Jersey: Princeton University Press, 1993),177.

CHAPTER III

CIVIL SOCIETY AND TURKEY

This chapter refers to the studies that are conducted on the development of the concept of civil society and of civil society organizations in Turkey. According to these studies, such developments are categorized under four historical periods: The Ottoman period, the period of the Republic, pre-1980 period, and post-1980 period.

3.1. The Ottoman Period

The question of the relationship of the state to civil society is deeply rooted in the Ottoman legacy in which there was a long tradition of a dominant state controlling the social fabric of a multi-religious and multi-ethnic empire.

The question of the existence of civil society in the Ottoman Empire is understood in different ways. The first track accepts the availability of the civil society in the Ottoman Period to the extent that there was the element of civil society which is peculiar to the Ottoman Empire differing from the emergence of civil society in Europe. However, the second point of view denies the existence of

civil society in the Ottoman Empire. For those who hold this view, the Ottoman state did not allow for the development of a civil society and the emergence of an autonomous class which could play a leading role in modernization.⁷⁷ It is argued that the Ottoman and Republican intellectuals and statesmen were concerned with the strengthening of state authority and power rather than limiting state power. Therefore, the cleavage between the center and the periphery, between the state and civil society goes back to the Ottoman period, and continues into to the Republican era. The state's dominance over civil society is seen until the 1980s.

Serif Mardin merges the concept of civil society with the word 'civilization'. According to Mardin, the idea of civil society elucidates the degree of the civilization.⁷⁸ Therefore, for Mardin, there are two important elements in the emergence of civil society: the guarantee of the living space separated from the state and the autonomy of the economic facilities.⁷⁹

Mardin claims that the European type of civil society did not take root in the Ottoman Empire; however, he regards the *ummet* structure, and *tarikats* as secondary structures in Durkheim's terms representing civil society in at least its functional characteristics, and acting as a buffer between the state and the individual.⁸⁰ According to Mardin, market forces in the Ottoman Empire were never independent in the European sense; hence, civil society in the European sense could not emerge in the Ottoman Empire. Instead, religious organizations

⁷⁷ Binnaz Toprak, 'The State, Politics, and Religion in Turkey', in Metin Hepar and Ahmet Evin ed., *State, Democracy, and the Military: Turkey in the 1980s*, (W. de Gunter: Berlin, 1988), 119.

⁷⁸ Serif Mardin, *Cumhuriyet Donemi Turkiye Ansiklopedisi*, VII, Iletisim Yayinlari, 1918.

⁷⁹ Serif Mardin tries to express the concept of civil society with the help of those elements.

⁸⁰ Serif Mardin, *Din ve Ideoloji* (Istanbul: Iletisim Yayinlari, 1993), 96.

placed between the state and the individual resulted in the emergence of a ‘quasi civil society’ that mostly fulfilled the functions of civil society.⁸¹

The Ottoman Empire was a patriarchal state based on traditions in the sense defined by Max Weber. According to Halil Inalcik, the maintenance of traditional structures and values by laws was the main purpose of the Ottoman Empire.⁸² The Ottoman Empire was composed of two classes: *ulema*⁸³ and *reaya*⁸⁴. Inalcik includes in the latter, merchants, and artisans and describes them as civil society. For Inalcik, civil society in the Ottoman Empire established its economic rules, and to get autonomy to some extent; however, the state desired to control the existing system for its interests. In this sense, it is argued that there was a state-civil society distinction in the Ottoman Empire.

According to Omer Caha, state-society relation should be divided into two periods; pre-16th century, and post-16th century. In the former period, the Ottoman State fostered a peculiar type of civil society elements that were *ahilik* and *lonca*⁸⁵ in the economic realm, and *tarikats* in the cultural realm. Caha claims that those civil society elements were able to define the political norms as well as to take on the duty of becoming a kind of linkage between the state and the society so that

⁸¹ Osman Arslan, *Sivil Toplum ve Turkiye Gercegi* (Istanbul: Bayrak Yayıncılık, 2001), 67.

⁸² Inalcik asserts that the Ottoman Empire functioned like an umbrella consisting of a variety of civil groups, and the Empire did not prefer to destruct those groups in Halil Inalcik, ‘Tarihsel Baglamda Sivil Toplum ve Tarikatlar’, in E. Fuat Keyman and A. Yasar Saribay ed., *Kuresellesme, Sivil Toplum ve Islam* (Ankara: Vadi Yayinlari, 1997), 79.

⁸³ Islamic scholars in the Ottoman Empire.

⁸⁴ The ruled who paid taxes to the state.

⁸⁵ The merchant organizations with a strong religious coloring in the Ottoman Empire.

the state was no longer an obstacle to the growth of an independent civil society.⁸⁶

This period was the peak of tolerance and freedom in the Ottoman Empire.

Apart from *tarikats* and *loncas*, the *millet* system and multi-legal system were the other civil society elements in the Ottoman Empire. The *millet* system possessed the pluralist character in its core. Since the *millet* system essentially had an autonomous status, it formed a kind of civil society at the organizational level. The multi-legal system contained the supportive feature for the *millet* system.

On the contrary, the second view argues that the Ottoman State was characterized by a strong state tradition.⁸⁷ According to Ergun Ozbudun, the strong state was centralized, autonomous and occupied a highly valued place in the political culture; in short it was a status-oriented rather than market-oriented.⁸⁸ Ozbudun claims that the emergence of a powerful merchant class that was very influential in the process of civil society building was not favored by the Ottoman State. Besides, the weakness of civil society in the Ottoman Empire was related to the weakness of local governments. Since the vast territories of the Ottoman Empire were ruled not by local bodies, but by centrally appointed governors, the Ottoman state had no tradition of independent, autonomous municipalities.⁸⁹ For Ozbudun, the excessive centralization of the state authority and its concentration

⁸⁶ Omer Caha, '1980 Sonrası Türkiye'inde Sivil Toplum Arayışları', *Yeni Türkiye* 18 (1997), 35. See also Omer Caha, *Türkiye'de Sivil Toplum ve Kadın*, (Ankara: Vadi yayınlari, 1996).

⁸⁷ The concept of strong state has been used peculiarly by Metin Heper, see Metin Heper, *Strong State Tradition*, (Washington: Eothen, 1985).

⁸⁸ Ergun Ozbudun, *Contemporary Turkish Politics*, (Lynne Rienner Publishers: Boulder, Colo, 2000), 126.

⁸⁹ Ergun Ozbudun, 'Turkey: Crises, Interruptions, and Reequilibrations', in Lary Diamond, *Politics in developing countries: comparing experiences with democracy*, (L. Rienner Publishers: Boulder, 1995), 250.

in the hands of state authority was the basic factor for the weakness of civil society in the Ottoman State. As a consequence, autonomous and intermediary social structures playing a cushioning role between the state and the individual did not emerge in the Ottoman Empire.⁹⁰ At this point, Ozbudun ignores the presence of tarikats and especially esnafs. In fact, Ozbudun tries to find a civil society comparative to that which existed in Europe; however, it can be argued that there existed a peculiar kind of civil society in the Ottoman Empire.

According to Ozbudun, the strict separation between the rulers and the ruled and the absence of a representative system did not permit the traditional pluralism, as mentioned before, to evolve into the pluralistic infrastructure of a modern democratic state.⁹¹

Another view is that the negative developments against civil society in the Ottoman State started through the modernization period in the 19th century. According to Caha, reforms in the legal system in particular created the infrastructure of a monist structure⁹² contrary to the pluralist social structure in the Ottoman Empire. Moreover, an elite group dominating and controlling the whole society continued its existence

⁹⁰ Ozbudun names those intermediary structures as the church, guilds and autonomous cities in the Europe.

⁹¹ Ergun Ozbudun, *Contemporary Turkish Politics*, (Lynne Rienner Publishers: Boulder, Colo, 2000), 128.

⁹² Omer Caha, '1980 Sonrasi Turkiye'sinde Sivil Toplum Arayislari', *Yeni Turkiye* 18 (1997) Caha explains the details of the creation of the monism.

It is commonly argued that state-society relations in Turkey have displayed a dominant center and weak periphery mode stemming from the Ottoman period. According to Binnaz Toprak, through this coercive state understanding, the center is perennially suspicious of civil society which it tries to co-opt, control and suppress.⁹³

Although some argue that civil society did not emerge in the Ottoman state in the European sense because of the strong state tradition, there were structures that were independent and mediated with the state. *Tarikats, loncas, ahi guilds* and *millet* system constructed the peculiar character of civil society in the Ottoman Empire.

My purpose is not to explore the Ottoman history, but I included the Ottoman period because of the sense that it is necessary to build a link between the Ottoman era and the Republican era in a sense that some scholars argue that in the Republican period, a kind of civil society elements that existed in the Ottoman period was dissolved. Therefore, the Ottoman period was included in analyzing the existence of civil society in Turkey. Also, I am aware of the fact that democratic consolidation and civil society are modern phenomenon, and these concepts are operational within the nation-state. However, the Ottoman state was an empire. Nevertheless, I put the Ottoman era in this chapter so as to build a linkage with the Republican period.

⁹³ Binnaz Toprak, 'Civil Society in Turkey: The Relationship of the State to Civil Society', in Richard Norton Augustus, ed., *Civil Society in the Middle East*, (E.J.Brill : Leiden , 1995), 89.

3.2. The Period of the Republic

The most destructive obstacles to civil society in Turkey emerged in the first years of the Republic. The single party period inherited a deficient or faint civil society from the Ottoman State.⁹⁴ According to Caha, *medrese, tarikats* and *vakifs* as well as economic groups, political parties, and media existed in the last years of the Empire. However, these civil society organizations lost their functions and importance in the single party years due to the objective of homogenization of the party and the state. Even more, it is argued that there were policies to prevent and even to destroy the civil society elements in society.⁹⁵ Caha claims that since the state elites considered civil society as an obstacle to Turkish modernization, they started to liquidate the whole civil society.

The single party period is the era of the construction of the state structure in Turkey. In these years, there was an attempt to depart from the Ottoman traditional state structure and to create a modern society and state. Moreover, Erdogan-Tosun claims, the position of society vis-à-vis the state and the space between the state and the society started to change in the Single Party Period⁹⁶ in favor of the state.

It is strongly asserted that a bureaucratic society rather than civil society was created as a result of modernization attempt in the period of the Republic.

⁹⁴ Omer Caha, '1980 Sonrasi Turkiye'sinde Sivil Toplum Arayislari', *Yeni Turkiye* 18 (1997), 36.

⁹⁵ In these years, the main objective of the State was to reach the level of the advance societies through the modernization.

⁹⁶ Gulgun Erdogan-Tosun, *Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi*, (Alfo Basim: Isnabul-Bursa, 2001), 257.

The modernist view separated society into two groups, the public who must be modernized, and the bureaucratic state elites who would modernize them. In this situation, it can be argued that civil society could not be accommodated.

In the single party period, the main determinants of the state-society relation were CHP (The Republican's People Party), the single party in the political sphere, the *Etatist* policies in the economic realm, and the ongoing modernization process at the societal level.⁹⁷ These principles of the *Kemalist* regime ensured the supremacy of the state elites over civil society in Turkey.

Trade unions, free associations, political parties, and the freedom of the press and meeting were not permitted in the single party period.⁹⁸ In addition, the Kemalist principle accepting the Turkish people as classless, unprivileged and homogenous resulted in an obscure magma in which the whole society could not unearth their real identities that are the core of the civil society.⁹⁹

In fact, while civil society was the ideal of the bureaucratic elites, the autonomy that was necessary for its emergence was seen as dangerous by the

⁹⁷ Gulgun Erdogan-Tosun, *Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi*, (Alfo Basim: Isnabul-Bursa, 2001), 260.

⁹⁸ Fikret Toksoz gives several examples of these bans and restrictions. Fikret Toksoz, 'Dernekler', in Gulgun Erdogan-Tosun, *Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi*, (Alfo Basim: Isnabul-Bursa, 2001), 261-262.

⁹⁹ Ali Gevgili, *Turkiye Basini*, (Iletisim Yayinlari: Istanbul, 1986), 213.

bureaucratic elites.¹⁰⁰ The result of this ambivalence was only the partial rise of civil society in Turkey.

3.3. Pre-1980 Period

Through the beginning of the multi-party period in the 1950s, a new era appeared for the development of civil society. Civil society elements that were banned in the single party period reemerged with the coming to power of the Democrat Party. In this period, a society that had been subject to homogenization in the single party period started to alter.

Toprak asserts that the thirty-year period between 1950-1980 was characterized by the struggle to institutionalize party politics, establish democratic procedures, guarantee civil rights, and legitimize civil associations.¹⁰¹ It is claimed that the 1950s were the initial years for the shaping of civil society in a new format. Along with the articulation of opposite views, the number of political parties, the media organizations and the associations as well as the unions increased.¹⁰² However, those working at strengthening civil society had to be careful about anti-communism and Secularism.

¹⁰⁰ Murat Belge, 'Sivil Toplum ve Türkiye', in Gulgun Erdogan-Tosun, *Demokratikleşme Perspektifinden Devlet-Sivil Toplum İlişkisi*, (Alfo Basım: İstanbul-Bursa, 2001), 267.

¹⁰¹ Binnaz Toprak, 'Civil Society in Turkey: The Relationship of the State to Civil Society', in Richard Norton Augustus, ed., *Civil Society in the Middle East*, (E.J.Brill: Leiden, 1995), 89.

¹⁰² Erdogan-Tosun explains the establishment of Human Rights Association, of Turkish Socialist Labor and Peasant Party, of different kind of trade unions in these years. Gulgun Erdogan-Tosun,

The reasons for the reemergence of civil society in Turkey, as suggested by Toksoz, were the speeding up of capitalism in Turkey as well as throughout the world, migration from the village to the city, the visibility of the social classes and the transition to the multi-party democracy.¹⁰³

Ozbudun states that the development of associational life received a further boost with the adoption of the liberal 1961 Constitution, recognizing the right to association, and stating that ‘everyone possesses the right to establish an association without obtaining prior permission’.¹⁰⁴ Hence, the number of associations multiplied between 1960 and 1971. According to him, Turkish associational life is composed of two major legal types of organizations: *dernekler* (private associations) and *kamu kurumu niteligindeki meslek kuruluslari* (public professional organizations). Ozbudun uses the category defined by Philippe C. Schmitter to delineate associational life in Turkey. For Schmitter,

Pluralism can be defined as a system of interest representation in which the constituent units are organized into an unspecified number of multiple, voluntary, competitive, no hierarchically ordered and self-determined categories.

Corporatism can be defined as a system of interest representation in which the constituent units are organized into a limited number of singular, compulsory, noncompetitive, hierarchically ordered and functionally differentiated categories.¹⁰⁵

Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi, (Alfo Basim: Isnabul-Bursa, 2001), 271.

¹⁰³ Fikret Toksoz, ‘Dernekler’ in Gulgun Erdogan-Tosun, *Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi*, (Alfo Basim: Isnabul-Bursa, 2001), 272.

¹⁰⁴ Ergun Ozbudun, *Contemporary Turkish Politics*, (Lynne Rienner Publishers: Boulder, Colo, 2000), 129.

¹⁰⁵ Philippe C. Schmitter ‘Still the Century of Corporatism’, in Ergun Ozbudun, *Contemporary Turkish Politics*, (Lynne Rienner Publishers: Boulder, Colo, 2000), 130.

Ozbudun explains that private associations fit the pluralist model, while public professional organizations approximate the corporatist model.¹⁰⁶

Nevertheless, it can be argued that there was a lack of toleration toward opposite views and ideas in the years that led to the military coup in 1960. Ironically, the new constitution permitted an unprecedented growth in the number of political parties, interests groups, and civil associations due to guarantees of free speech and free association.¹⁰⁷ In this sense, the relationship between the state and society seemed to benefit society.¹⁰⁸

3.4. The Post-1980 Period

The post-1980 era was a turning point in terms of state-society relations in Turkey. The state-induced modernizing movement which had started in the mid-nineteenth century and had become institutionalized during the 1920-1980 period came to an end as the leading paradigm.¹⁰⁹ The post-1980 period witnessed the relative autonomization of economic activities, political groups, and cultural

¹⁰⁶ As Schmitter categorizes in Ergun Ozbudun, *Contemporary Turkish Politics*

¹⁰⁷ Ergun Ozbudun, *Contemporary Turkish Politics*, (Lynne Rienner Publishers: Boulder, Colo, 2000), 129.

¹⁰⁸ Gulgun Erdogan-Tosun, *Demokratiklesme Perspektifinden Devlet-Sivil Toplum Iliskisi*, (Alfo Basim: Isnabul-Bursa, 2001), 285.

¹⁰⁹ Nilufer Gole, 'Toward an Autonomization of Politics and Civil Society in Turkey', in Metin Heper, *Politics in the Third Turkish Republic*, (Westview Press: Boulder, 1994), 221.

identities that resulted in the formation of an autonomous societal sphere that was necessary for the emergence of civil society.

The 1982 Constitution was designed on the basis of the military's belief that the 1961 Constitution was weak because of unprecedented individual and group rights and liberties.¹¹⁰ The new Constitution put limits on basic rights and liberties, the organization and activities of political parties and voluntary associations in order for the protection of national and public concerns. The result of these restrictions was greater state control over both the legal arena and the institutional framework of civil society in Turkey.

According to Toprak, the political discourse focused on two themes in the mid-1980s in Turkey: the consolidation of democracy and the strengthening of civil society. The concentration on the concept of civil society was because of the repeated involvement of the military in politics and the recognition by different groups influential in setting the political climate that isolated the generals from political projects depended on a consensus on democracy.¹¹¹

Another reason was the changes in the legal structure. The 1982 Constitution was amended to the extent that the provisional article banning pre-1980 party leaders from political activity for ten years was altered. So as to create

¹¹⁰Binnaz Toprak, 'The State, Politics, and Religion in Turkey', in Metin Heper and Ahmet Evin ed., *State, Democracy, and the Military: Turkey in the 1980s*, (W. de Gunter: Berlin, 1988), 126.

¹¹¹ Binnaz Toprak, 'Civil Society in Turkey: The Relationship of the State to Civil Society', in R Augustus Richard Norton, ed., *Civil Society in the Middle East*, (E.J.Brill: Leiden, 1995), 95.

a pluralist democratic atmosphere in Turkey, the legal restructuring of the relationship between the individual as citizen and the state¹¹² was needed. Turkey's acceptance of international agreements on human rights was a major step in this restructuring.

The post-1980 period was the starting point of economic liberalism in Turkey. The change in the economy led to political liberalism. By 1980, the Turkish economy started to apply export-oriented growth policies under IMF directives. Such a change in the economy led to the emergence of liberalism in politics: society became increasingly characterized by the expansion of business life, the autonomy of the private sector from politics and the improvement of the life standards of the middle class leading to the increase in the number of voluntary organizations that were necessary for the expansion of civil society.

The dominant discourse of official ideology of the republican state declined in the 1980s. Toprak asserts that the universalistic claim of the Republicans was replaced by an individual autonomy that proclaims the recognition of ethnic and religious plurality, the tolerance of civil society, and sensitivity to Islamist and Kurdish demands for freedom of expression and organization.¹¹³

¹¹²Particularly, the EU integration process is very influential for the building of legal structure. Binnaz Toprak, 'Civil Society in Turkey: The Relationship of the State to Civil Society', in Augustus Richard Norton, ed., *Civil Society in the Middle East*, (E.J.Brill: Leiden, 1995), 99.

¹¹³ Binnaz Toprak, 'Civil Society in Turkey: The Relationship of the State to Civil Society', in Richard Norton Augustus, ed., *Civil Society in the Middle East*, (E.J.Brill: Leiden, 1995), 117.

Another important change in the post-1980 period was the bureaucracy, which had been the promoter of the state since the 17th century. The Turkish bureaucracy played the role of building a kind of ‘Western’ society especially during the early years of the Republic. Therefore, the bureaucracy was the one of the omnipotent actors of the regime. According to Caha, the Turkish bureaucracy was not the bureaucracy abstracted from social values; instead it had become a modern bureaucracy with sociological values.¹¹⁴ In the Turkish bureaucracy, social identities like Islamism, Alevism, and Kurdism emerged.

According to Caha, the most important change occurred at the level of Turkish intellectuals who were the very significant partner of the political power during the Ottoman and Turkish modernization period.¹¹⁵ Although there was a separation of ‘Left’ and ‘Right’ among intellectuals, generally speaking, they were in favor of the state and had the idea of the state’s superiority over society. However, in the 1980s, they started to diverge from their traditional attitude towards the state, and place more emphasis on the importance of civil society, liberalism, Islam, democratic participation, human rights, and social democracy. Hence, the intellectuals were in a struggle for democracy in the 1980s.

In addition, the Turkish media played a very significant role for the formation of civil society and for the limitation of the state. Firstly, the media became the focus of democracy and of the opposition to the state administrators who misused their duties. Second, especially the privatization of the media led to

¹¹⁴ Omer Caha, ‘1980 Sonrasi Turkiye’inde Sivil Toplum Arayislari’, *Yeni Turkiye* 18 (1997), 41.

¹¹⁵ Omer Caha, ‘1980 Sonrasi Turkiye’inde Sivil Toplum Arayislari’, *Yeni Turkiye* 18 (1997), 42.

the exploration of the democratic and anti-democratic regimens in the world; in turn the Turkish public gained the advantage of the evaluation of the Turkish democracy from an objective point of view.¹¹⁶

In the 1980s, comprehensive topics such as modernization, national identity, and national solidarity were replaced by specific themes like ecology, human rights, health, religious, ethnic and women rights. Politics was actualized around these topics. Such concepts were on the behalf of the society and groups rather than the state.

In the 1980s, the socio-cultural parameters based on difference of ethnicity, of religious sect, of being urban or the villager, of respecting the values of the East or the West of Anatolia, of preference of either democratic or authoritarian regime appeared. Ugur argues that those parameters could not be fully developed because of the restrictions dealing with civil society in the Constitution and the laws.¹¹⁷

The post-1980 period was a turning point in terms of civil society in Turkey. The development of civil society in the 1980s was based on the attempt to form an alternative to the traditional patriarchal state by civil society elements. In the 1980s, the image of the paternal state in Turkey was questioned. Caha claims that the state lost its transcendental feature; instead the state became an

¹¹⁶ Omer Caha, '1980 Sonrasi Turkiye'sinde Sivil Toplum Arayislari', *Yeni Turkiye* 18 (1997), 43.

¹¹⁷ Aydin Ugur, 'Yeni Demokrasinin Yeni Aktorleri' in Taciser Ulas *Merhaba Sivil Toplum*, (Helsinki Yurttaslar Dernegi yayinlari), 72.

entity that began to submit to differences in society.¹¹⁸ Besides, the official ideology of the Turkish state, Kemalism, started to soften itself in the 1980s. For Caha, the close and dogmatic principles of Kemalism in the pre-1980 period began to be questioned.¹¹⁹

It is stated that Islam became a topic re-explored in the political arena in the 1980s and led to the refreshment of civil society in Turkey. According to Caha, civil society acquired new concepts and dynamics for political participation and protest by Islam.¹²⁰ The most important example of the political and social protest was the demonstration by youth women who demanded the right to education in the universities with their headscarves.

According to Ozdalga, social and political organizations based on the defense of Islamic ideology had contributions to make as important as the civil society organizations with a social-democratic, liberal, conservative, or nationalist inclination. It is argued that just as Kemalism has impeded as well as contributed to the growth of civil society, so Islam has also two opposite tendencies related to civil society, in the sense that every organization formed in the name of Islam is not unfavorable to the development of a democratic society.¹²¹ It is asserted that some civil society organizations have positive contributions to the development of civil society in Turkey in terms of education,

¹¹⁸ Omer Caha, *Sivil kadın : Türkiye'de sivil toplum ve kadın*, (Vadi Yayinlari: Ankara, 1996), 136.

¹¹⁹ Caha articulates that Kemalism was in a defensive position rather than being a reference point of the societal changes in the post-1980 period. Omer Caha, *Sivil kadın: Türkiye'de sivil toplum ve kadın*, (Vadi Yayinlari: Ankara, 1996), 137.

¹²⁰ Omer Caha, *Sivil kadın : Türkiye'de sivil toplum ve kadın*, (Vadi Yayinlari: Ankara, 1996), 137.

¹²¹ Elisabeth Ozdalga, 'Civil Society and its Enemies' in Elisabeth Ozdalga, *Civil Society, Democracy and the Muslim World*, (Swedish Research Institute: Istanbul, 1997), 83.

press, media and party politics. Ozdalga names those activities as the dynamic and pluralist aspects of the Islamic movement.

The most radical discourse in the 1980s came from feminist groups. The feminist groups, denying the validity of all institutions in Turkish culture, opened a new era. They mainly criticized the patriarchal structure of the Turkish society. Therefore, feminist discourses strongly supported the reemergence of civil society in Turkey.

It is clear that by the early 1980s, an autonomous civil society, active in the public realm and trying to limit the power of the state had developed. During the Republican period, it was believed that difference in groups would harm the public good; hence, the ties between citizens and social groups were prevented.¹²² The discourse of unity and homogeneity of the state was emphasized in these years. However, the notions of unity and homogeneity were replaced by pluralism, and difference by civil society.

Particularly in the 1990s, public trust in political society and the state deteriorated. Due to incompetence, corruption, or their challenge to secularism, the political parties in Turkey lost public confidence.¹²³ In such a situation, civil society started to be perceived as a new arena so as to articulate ideas and views.

¹²² Omer Caha, '1980 Sonrasi Turkiye'sinde Sivil Toplum Arayislari', *Yeni Turkiye* 18 (1997), 63.

¹²³ Yasushi Hazama, 'Civil Society in Turkey' in Omer Faruk Genckaya, *Aspects of democratization in Turkey*, (Institute of Developing Economy: Tokyo, 1999), 56.

In the 1990s, there was a demand for expansion of civil society from both external and internal forces. That was the time of pluralist democracy, civil society, human rights, and liberalism; hence many constitutional bans on the political activities of civil society organizations were lifted. Especially, the abolition of the constitutional provisions banning organic or cooperative relations between political parties and such civil society institutions as trade unions, voluntary associations, foundations, public professional organizations and cooperative societies helped to promote the future growth of civil society.¹²⁴

The growth of civil society in the 1990s was linked to the decline of political society. According to Ozbudun, because of three maladies of the Turkish party system that are volatility, fragmentation and ideological polarization, a new way towards civil society opened up. Although Turkish politics are party politics in which the political party is the main unofficial link between the government and the larger, extra-governmental groups of people¹²⁵, this characteristic of the Turkish party system started to change in the 1990s with the growth of civil society.

For Bostanci, parallel to the decline of the influence of the military in Turkish politics, human rights, feminism, ecology, and youth movement as in the Western Europe started to appear on the scene in the 1980s. In addition,

¹²⁴Ergun Ozbudun, 'Civil Society and Democratic Consolidation in Turkey' in Elisabeth Ozdalga, *Civil Society, Democracy and the Muslim World*, (Swedish Research Institute: Istanbul, 1997), 86.

¹²⁵Frederick W. Frey, 'The Turkish Political Elite' in Elisabeth Ozdalga, *Civil Society, Democracy and the Muslim World*, (Swedish Research Institute: Istanbul, 1997), 86. such an expression is used by Ergun Ozbudun in his article.

Islamism, Alevism, Kurdism and Turkism are traditional in essence, yet are embedded in the modern category have restructured in the 1980s.¹²⁶

Ozuerman gives different reasons for explaining the reemergence of civil society in Turkey in the 1980s. To begin with, the concept of civil society is not a construction that emerged as the outcome of a conscious attitude; rather civil society is an area consisting of expectations of democracy.¹²⁷ The debate between the appointed and the elected questions the legitimacy of the representative democracy; hence civil society is formulated as the solution of this obstruct in the society.

¹²⁶ Naci Bostanci, 'Sivil Toplum, Devlet, ve Turkiye' *Yeni Turkiye* 18 (1997), 186.

¹²⁷ Tulay Ozuerman, 'Sivil Toplum Orgutlerinin Demokratik Isleyisteki Yeri ve Onemi: Turkiye Icin Acilimler', *Mulkiyeliler Birligi Dergisi*, 21 (1997).

CHAPTER IV

THE CASE OF TUSIAD

The visibility of the concept of civil society strengthened in Turkey in the 1990s. The dramatic political changes in Eastern Europe became a precedent for Turkey because of the assumption that “the development of democratic government depended not just on the establishment of the rules and state institutions of democracy, but the existence of strong social forces and structures, encouraging free debate, effective participation and mediation which would counterbalance and influence the forces of the state”¹²⁸. A vibrant and robust civil society is a prerequisite for consolidation of democracy.

In this chapter one of the most effective civil society organizations in Turkey, TUSIAD (The Turkish Industrialists’ and Businessmen's Association), is closely examined. The most important reason for choosing TUSIAD as a case study is that TUSIAD stresses the idea of democracy more than any other civil society organization. Firstly, I shall examine the reasons for the establishment of TUSIAD. In the second part, state-business relations are considered in detail. Thirdly, the basic characteristics of TUSIAD and of the members of TUSIAD are analyzed. Fourthly, the objectives of TUSIAD and the role it plays are

¹²⁸ S. Yerasimos, ‘Sivil Toplum, Avrupa and Turkiye’, in S.Yerasimos (ed.), *Turkiye’de Sivil Toplum ve Milliyetçilik*, (Istanbul: Iletisim Yayincilik, 2001), 14.

presented. In the final part of the chapter, I shall concentrate on the report written by TUSIAD, **Perspectives on Democratization in Turkey**.

4.1 Reasons for the Establishment of TUSIAD

TUSIAD was founded as a result of social and political needs in Turkey in 1971. The first reason is inadequacy of TOBB (Turkish Union of Chambers) in representing the interests of the private sector. “Since membership in the TOBB was compulsory, the organization did not distinguish between large and small members, as both sets enjoyed the same rights”¹²⁹. Feyyaz Berker, the first president of TUSIAD, articulated the reasons behind the need to establish a new autonomous association when there were two other representatives of business association: TOBB and the Chamber of Industry:

“Like its counterparts in Japan, England, Germany, Sweden, Belgium and Greece, TUSIAD, was founded to set up strategies for the Turkish economy at a macro level which were in the nation’s best interest, as well as to bring the results of its beneficial research t the attention of the policy makers and public opinion... At the time, business organizations like TOBB and the Union of Chambers of Industry established according to act 5590- which membership was compulsory and were under close influence of political parties which were incapable of

¹²⁹ Henry Barkey, *The State and the Industrilization Crisis in Turkey*, (Colo: Westview Press, 1990), 112.

shaping common economic and political programs to promote the general interests of Turkish private sector.”¹³⁰

According to Bianchi, “the inability of the Union of Chambers of Industry to achieve more effective industrialist representation through existing corporatist structures has encouraged many industrialist to shift their efforts to the pluralist arena of voluntary associations.”¹³¹ Moreover, Ayse Oncu states that “dissatisfaction with the existing chambers such as lack of representation of big business in the elected bodies and discrepancies in the size and interests of the members was considered to be a problem.”¹³² Another reason is the challenge from the ‘Left’. The foundation of TUSIAD was stimulated by the growing power and influence of trade unions and socialist ideologies. In the late 1960s and the early 1970s, there was an upsurge of the ‘left’ in Turkey.

¹³⁰ Sebnem Gulfidan, *Big Business and the State in Turkey: The Case of TUSIAD*, (Istanbul: Bogazici University, 1993), 30.

¹³¹ Robert Bianchi, *Interest Groups and Political Development in Turkey*, (Princeton: Princeton University Press, 1984), 264.

¹³² Sebnem Gulfidan, *Big Business and the State in Turkey: The Case of TUSIAD*, (Istanbul: Bogazici University, 1993), 30.

Ayşe Bugra articulates the reasons for the establishment of TUSIAD as follows:

“In the late 1960s, political and social movements have shown an unprecedented dynamism in the liberal atmosphere largely created by a really democratic constitution prepared. There was an increasingly strength of the left wing criticism of capitalism, even a greater hostility against the private sector. Such an increasing significance of left wing social movements and radical unionism has been an important factor for the foundation of TUSIAD.”¹³³

Another point of view presuming the reasons of the establishment of TUSIAD is that TUSIAD emerged as a result of “the revival of the Turkish economy and particularly of the private sector in the 1950s and 1960s”¹³⁴. In this period, the private sector was divided between the small and/or middle scale enterprises and big holding companies. TOBB was unable to represent the big business companies. Hence, a group of leading businessmen in the country founded TUSIAD.

¹³³ Ayşe Bugra, 2001. “Class Strategy and Private Interest: The case of the Social Project Promoted by TUSIAD”. Paper presented at the Conference on “Civil Society and Democracy”, held in Bilkent University, Ankara, Turkey, April, 8.

¹³⁴ Karin Vorhoff ‘Turkiye’de Isadami Dernekleri: Islevsel Dayanisma, Kulturel Farklilik ve Devlet Arasinda’, in S. Yerasimos (ed.), *Turkiye’de Sivil Toplum ve Milliyetcilik*, (stanbul: Iletisim Yayinlari, 2001), 317.

4.2. Basic Characteristics of TUSIAD

TUSIAD is a heterogeneous group that represents big business and holding companies in Turkey. TUSIAD member companies are fairly large enterprises, mainly located in Istanbul. As of February 2001, it had 458 members¹³⁵. The overwhelming majority of the association's members are well-educated people who are university graduates¹³⁶. Most of the members of the association know at least one foreign language. Its membership is composed of owners and managers of individual firms, groups of companies and holding companies operating in the Turkish manufacturing and service sector¹³⁷. Hence, Ayse Bugra articulates TUSIAD members as an elite group who, not only by virtue of the small number, large size and geographical concentration of their enterprises, but also thanks to their socio-cultural background¹³⁸.

However, Arat argues that TUSIAD is a small association with select membership ensuring homogeneity.¹³⁹ Such homogeneity denotes relative homogeneity of interests regarding which macro-economic policies to

¹³⁵ www.tusiad.org

¹³⁶ Ayse Bugra, 1998. "Class, Culture and State: An Analysis of Interest Representation by Two Turkish Business Associations", *International Journal of Middle East Studies*, 30, 526.

¹³⁷ www.tusiad.org

¹³⁸ Ayse Bugra, 1998. "Class, Culture and State: An Analysis of Interest Representation by Two Turkish Business Associations", *International Journal of Middle East Studies*, 30, 526.

¹³⁹ Yesim Arat, 'Politics and Big Business: Janus-Faced Link to the State', in Metin Heper (ed.), *Strong State and Economic Interest Groups: the Post-1980 Turkish Experience*, (Berlin –New York, Walter de Gruyter, 1991), 138.

support.¹⁴⁰ It is claimed that that selective membership also implies that the association has a strong financial base. Therefore, Arat states that with a small and cohesive membership, a strong financial base, and powerful leadership, TUSIAD was well equipped to pursue its goals.¹⁴¹ In this sense, it can be argued that that equipment gives TUSIAD the ability to impact to Turkish politics.

According to Barkey, TUSIAD represents the largest of the commercial and industrial interests¹⁴². Similarly, Bianchi states that TUSIAD represents the largest and best-known entrepreneurs' efforts to combine industrial and finance capital¹⁴³.

4.3. Main Objectives and Functions of TUSIAD

The main of objectives of TUSIAD are expressed in the preface of the report,

Perspectives on Democratization in Turkey as follows:

¹⁴⁰ That homogeneity started to change in the 1990s because of the fact that the number of the members has increased. Still the members agree upon the macro-economic policies; however, their views diverge regarding other issues such as democratization, education.

¹⁴¹ Yesim Arat, 'Politics and Big Business: Janus-Faced Link to the State', in Metin Heper (ed.), *Strong State and Economic Interest Groups: the Post-1980 Turkish Experience*, (Berlin –New York, Walter de Gruyter, 1991), 139.

¹⁴² Henry Barkey, 1990. *The State and the Industrialization Crisis in Turkey*. (Colorado: Westview Press), 110.

¹⁴³ Robert Bianchi, 1984. *Interest Groups and Political Development in Turkey*. (Princeton: Princeton University Press), 259.

“TUSIAD is a non-governmental organization working for the public interest. Committed to the universal principles of democracy and human rights, together with the freedoms of enterprise, belief and opinion, TUSIAD tries to foster the development of a social structure which conforms to Ataturk’s principles and reforms, and strives to fortify the concept of a democratic civil society and a secular state of law in Turkey, where the government primarily attends to its main functional duties.”¹⁴⁴

The association’s goals are explained as serving Turkey’s democratic and planned development and its rise to the level of Western civilization. In addition, the basic objectives of TUSIAD are stated in its Charter as follows: “to advance the legitimate economic interests of leading industrialists; to improve the image of the private sector in general, and that of the businessmen in particular in the eyes of the political elites and the public at large; to function as a research body to keep the public informed about the group’s needs and opinions, and to help the government make policies in line with the interests of its members; and, lastly, to promote public welfare through free enterprise.”¹⁴⁵

According to Bugra, the social role of the association became increasingly important in the 1980s, in an international and domestic

¹⁴⁴ *TUSIAD Report Perspectives on Democratization*, 1997 see the web page of TUSIAD, 1.

¹⁴⁵ Sebnem Gulfidan, 1993. *Big Business and the State in Turkey: The Case of TUSIAD*. (Istanbul: Bogazici University), 26.

environment where political developments were clearly favorable to the private sector.¹⁴⁶

The ultimate objective of TUSIAD is to make the business community take an active part in the political life of the country and contribute to policy debate. It is believed that such a thing will constitute a major change in the traditional role of business organizations that consisted of manipulating politicians by giving individual favors in return for the satisfaction of short-term economic interests¹⁴⁷. Furthermore, TUSIAD defines itself as an association that “aims at establishing the legal and institutional framework of the market economy and ensuring the application of internationally accepted business ethics.”¹⁴⁸

The philosophy of the association articulated by Sahap Kocatopcu, former president of the association, as follows:

“TUSIAD will be close to the governments according to the degree of their loyalty to a free market economy and a mixed economy. But this does not entail being close to a political party... If we wish the dialogue with the government to continue, TUSIAD should know to keep its mouth shut.. Many persons who are in fierce competition with each other in many fields of business have agreed on

¹⁴⁶ Ayse Bugra. 1998. “Class, Culture and State: An Analysis of Interest Representation by Two Turkish Business Associations”, *International Journal of Middle East Studies*, 30, 526.

¹⁴⁷ *TUSIAD Progress Report*, 2001.

¹⁴⁸ *TUSIAD Progress Report*, 2001, foreword on the web.

a common denominator in TUSIAD. The points are agreed upon are: Defending democracy; staying outside the orbit of a political party; giving priority to the country's interests.”¹⁴⁹

TUSIAD has played a leading role in the promotion of democratization in the context of the 1990s.¹⁵⁰ For the first time, TUSIAD published a number of different reports designed to highlight certain inherent deficiencies of the democratic order and to propose ways of overcoming those deficiencies, and enhance democracy in Turkey.¹⁵¹ In the 1990s, TUSIAD has concentrated on ‘good governance’ for the purpose of establishing a new pattern of relations with the state designed to put an end to the highly discriminatory and clientelistic style of interactions based on individualized and personalized access to state resources.¹⁵² TUSIAD has stressed a smaller, accountable and neutral government. Thus, stability, predictability and accountability have been the key concerns of TUSIAD for democratization.

¹⁴⁹ Ergun Ozbudun, *Contemporary Turkish Politics: Challenges to Democratic Consolidation*, (London:Lynne Reinner, 1999), 134.

¹⁵⁰ The organization concentrated primarily on economic issues during the two initial decades after its inception. Ziya Onis and Umut Turem, *Business, Globalization and Democracy: A Comparative Analysis of Four Turkish Business Associations*, unpublished paper, 2001.

¹⁵¹ Ziya Onis and Umut Turem, 2001. “Business, Globalization, and Democracy: A Comparative Analysis of Four Turkish Business Associations”. Paper presented at the Conference on ‘Political Parties, Civil society and Democracy’, held in Bilkent University, Ankara, Turkey, April 27-28, 8.

¹⁵² In the 1990s, patron-client relations were stressed in Turkey as one of the political demises, and it was tried to overcome this problem. Ziya Onis and Umut Turem, 2001. “Business, Globalization, and Democracy: A Comparative Analysis of Four Turkish Business Associations”. Paper presented at the Conference on ‘Political Parties, Civil society and Democracy’, held in Bilkent University, Ankara, Turkey, April 27-28, 9.

4.4. Business- State Relations

There is always a tension in the relationship between the state and business in Turkey. Such tension was manifested in several times in a way that “impatient state authorities accuse private businessmen of thinking about nothing but their private interests, being engaged in speculative activities or not contributing to the economic development of the country.”¹⁵³ The reason is that the role of the state in the Turkish economy has been crucial considering its impact on private sector development.

State support by different forms, the business sector has always been considerable in Turkey. The private sector has grown in an environment protected against foreign competition, benefiting from state contracts for infrastructure projects relying on subsidized credit and cheap inputs provided by public enterprise. Beside, “individual businessmen have received favors from the political authority which has often acted in a way to undermine the legal and bureaucratic mechanisms of intermediation in state-business relations.”¹⁵⁴

According to Bugra, it was mainly in this environment that the association began to question and “contest the historical legacy of the highly unequal partnership between state and business, in which the state appeared as

¹⁵³ Ayse Bugra. 2001. “Class Strategy and Private Interest: The case of the Social Project Promoted by TUSIAD”. Paper presented at the Conference on “Civil Society and Democracy”, held in Bilkent University, Ankara, Turkey, April, 6.

¹⁵⁴ Ayse Bugra. 2001. “Class Strategy and Private Interest: The case of the Social Project Promoted by TUSIAD”. Paper presented at the Conference on “Civil Society and Democracy”, held in Bilkent University, Ankara, Turkey, April, 6.

the dominant partner.”¹⁵⁵ Such a state-business relationship was challenged by a group of big businessmen whose aim was a secure basis for their property and sufficient space to enable them to exercise their hegemony as the dominant class.

With respect to state-business relations, TUSIAD is making an attempt to redress the balance of power between the state and the big business community on the behalf of the latter.

4.5.Views on the Report

TUSIAD has become active in Turkish politics by dispersing information so as to shape public opinion in the 1990s. In its publications, TUSIAD has criticized the traditional role of the state in the Turkish economy and society. In the report, **Perspectives on Democratization in Turkey**, “a boldly critical stand is adopted in the evaluation of certain legal and social problems which hamper social stability and create the risk of isolation from the Western world.”¹⁵⁶

The significance of the report is due to the fact that TUSIAD criticized sensitive issues which are usually untouchable in Turkish politics, such as

¹⁵⁵ Ayse Bugra. 1998. “Class, Culture and State: An Analysis of Interest Representation by Two Turkish Business Associations”, *International Journal of Middle East Studies*, 30, 526.

¹⁵⁶ Ayse Bugra. 1998. “Class, Culture and State: An Analysis of Interest Representation by Two Turkish Business Associations”, *International Journal of Middle East Studies*, 30, 527.

freedom of expression; an extension of the language; cultural rights; and the need, and institute civilian control over the military. The report dealt with and suggested deep reforms in the two key areas which are the most troublesome and problematic¹⁵⁷ aspects of Turkish democracy; minority rights and the pervasive role of the military in Turkish politics.

According to Ozbudun, “TUSIAD has recently taken an active interest in democratization. Its well-publicized report, **Perspectives on Democratization in Turkey** received a good deal of attention and gave rise to discussions both within the association and among the general public.”¹⁵⁸ Ayse Bugra says the report “probably constitutes the most important item in the list of TUSIAD publications.”¹⁵⁹

The report was presented to the President of the Turkish Grand National Assembly, Mustafa Kalemli. Then, Halis Komili, the president of TUSIAD, offered the report to the Chief of the General Staff, Ismail Hakki Karadayi. This visit was explained as the ‘civilian intervention’ because of the content including the military.

¹⁵⁷ Ziya Onis and Umut Turem, 2001. “Business, Globalization, and Democracy: A Comparative Analysis of Four Turkish Business Associations”. Paper presented at the Conference on ‘Political Parties, Civil society and Democracy’, held in Bilkent University, Ankara, Turkey, April 27.28, 9.

¹⁵⁸ Ergun Ozbudun, 1995. *Politics in developing countries : comparing experiences with democracy*. Larry Diamond ed. (Boulder: L. Rienner Publishers), 134.

¹⁵⁹ Ayse Bugra, 2001. “Class Strategy and Private Interest: The case of the Social Project Promoted by TUSIAD”. Paper presented at the Conference on “Civil Society and Democracy”, held in Bilkent University, Ankara, Turkey, April, 14.

Komili stated that the political regime could not renew itself since the suppression of the opposing views was preferred for the purpose of the maintenance of the political power.¹⁶⁰ According to Komili, TUSIAD diverges from a political party to the extent that it has no political expectations; hence, the report was prepared without short-term political interests in mind.¹⁶¹

Media reactions varied. In the media, the report was described as an honor for Turkey “since it was the first time that a civil society organization in Turkey consisting of a group of businessmen took a bold and right step on the question of democratization. It was a great contribution to Turkish democracy.”¹⁶²

According to Candar, only TUSIAD is able to propose suggestions regarding the reestablishment of the state and is able to make serious changes in this respect.¹⁶³ For him, the trickiest part of the report was the part regarding the issue of civilianization, in which military authority is subject to civilian authority in a democratic system, and the functions of defense and internal security are separate (hence, the military authority is concerned solely with national defense, while responsibility for domestic security is undertaken by the civilian authority)¹⁶⁴ With regard to the Kurdish question, the diagnosis and suggestions were qualified to a certain extent.

¹⁶⁰ January 21, 1997, Sabah,

¹⁶¹ January 21, 1997, Sabah,

¹⁶² January 22, 1997, Sabah. This comment was made by M. Ali Birand.

¹⁶³ January 23, 1997, Sabah.

¹⁶⁴ TUSIAD Report

According to Atikan, TUSIAD perceived that it was necessary to be a part of democracy in Turkey so as to become a part of the integration to the world.¹⁶⁵ Also, she states that the report was significant in reflecting the evolution of TUSIAD as an instrument for criticizing the regime.¹⁶⁶ Toker asserts that different sectors criticized aspects of the report that overlapped its interests.¹⁶⁷

A strongly critical view held that TUSIAD was against the indivisibility of the country, and in favor of the ‘separatist groups’ and fundamentalists, and wanted to harm the basic institutions of the state.¹⁶⁸ M. Ali Birand interprets this view as being directed towards sustaining the existing regime, and not to lose authority in the hands of some people or institutions.

4.6. An Analysis of the Report

The reasons for the report being prepared were explained in the foreword of the report:

“The Susurluk investigation¹⁶⁹ had been closed and 35 people had been convicted; a young woman’s religious convictions were exploited and she was later abused by the

¹⁶⁵ January 23, 1997, Hurriyet.

¹⁶⁶ It is argued that TUSIAD supported the 1980 military intervention, but now TUSIAD is in favor of democratization.

¹⁶⁷ January 31, 1997, Milliyet.

¹⁶⁸ January 23, 1997, Sabah.

¹⁶⁹ There was a car accident in Susurluk. A politician, a polis chef, and a mafia leader were in the same car. This accident was so important that a sort of patron-client relation appeared.

leader of her religious sect; Ozdemir Sabanci was assassinated; it was the first anniversary of journalist Metin Goktepe's¹⁷⁰ death in police custody; and it was the moment when the graverobbers who had stolen the corpse of Turkey's beloved and distinguished Vehbi Koc were arrested. All these events form an embarrassing picture of democracy, human rights, clean politics/clean society and humanity in Turkey."¹⁷¹

In this context, TUSIAD, while trying to find ways of strengthening and stabilizing the economy, also emphasized the need to eliminate the deficiencies of Turkish democracy insofar as political instability was no longer an obstacle in the path of economic development.

Apart from these, there had been a growing tendency toward democratization and democratic consolidation around the world¹⁷². Political parties were unable to produce alternative ideas, while "dispersion and fragmentation in political life is the main trend. Parties of the center are losing strength while those of the extreme right are on the rise."¹⁷³ Finally, according to TUSIAD report, lack of trust in civilian political institutions was becoming more widespread.

¹⁷⁰ He was a journalist. It was argued that he was killed by the police. This is also an important fact in Turkey by showing the pressure on the media as well as by implying that there has still been torture and human rights violation in Turkey.

¹⁷¹ TUSIAD Report, *Perspectives on Democratization in Turkey*.

¹⁷² TUSIAD Report, *Perspectives on Democratization in Turkey*, p. 2

¹⁷³ Ergun Ozbudun, 1999. *Contemporary Turkish Politics: Challenges to Democratic Consolidation*. (London: Lynne Rienner).

The report consists of three parts: Political dimension, human rights and state of law.

4.6.1 Political Dimension

The political dimensions of democratization include issues concerning political parties, elections (the manifestation of the national will) and the activities of the Grand National Assembly.

The TUSIAD report argues that there were many problems in the definition of political parties. “Political parties are organizations whose goal for the nation is to reach the level of contemporary civilization within a democratic order of state and society by ensuring the formation of the national will...(Article-3 of the Constitution).”¹⁷⁴ According to the report, of the two criteria included in the above wording, one is too narrow and the other completely unnecessary. The expression "ensuring the formation of the national will" is correct and appropriate but not sufficient.

Another problem regarding political parties arises from the phrase “political parties are the indispensable elements of democratic political life, and

¹⁷⁴ *TUSIAD Report, Perspectives on Democratization in Turkey*, 18.

they operate in loyalty to the principles and reforms of Atatürk (Article 4).”¹⁷⁵ The criticism of this phrase is that the first sentence of the paragraph is simply a reiteration of the provision contained in the Constitution; however, the second sentence is completely unnecessary and even dangerous. It is claimed that “to operate in loyalty to the principles and reforms of Atatürk” is related neither to the property of being a political party nor to the "indispensable" character of political parties; it is even alien to these.”¹⁷⁶ Moreover, "the principles and reforms of Atatürk" are something whose legal content is difficult and even impossible to define. There is no consensus even among historians on what those "principles" are, and it is very natural that there should not be. In order to see the diversity of opinion on this issue, it is enough to look at the textbooks on this subject.

TUSIAD proposes that the words “they operate in loyalty to the principles and reforms of Atatürk” should be removed from the text of the law. The most important problem regarding political parties concerns protection of the democratic state order. TUSIAD argues that the words “may not pursue the goal of changing the principles laid down in the Preamble to the Constitution” in Article 78/a of the LPP should be removed from the text. Concerning political parties, another issue is related to Article-81. According to that Article, political parties shall not:

¹⁷⁵ *TUSIAD Report, Perspectives on Democratization in Turkey*, 19.

¹⁷⁶ *TUSIAD Report, Perspectives on Democratization in Turkey*,. 19.

- a) argue that there exist in the territory of the Republic of Turkey any minorities based on differences of national or religious culture or differences of sect, race or language;
- b) pursue the goal of disturbing, or seek to disturb, the integrity of the nation by creating minorities in the territory of the Republic of Turkey through protection, development, or promotion and dissemination of languages and cultures other than Turkish language and culture;
- c) use any language other than Turkish in the drafting and publication of their statutes and programmes, and in their outdoor or indoor meetings, rallies and propaganda activities, use or distribute placards, posters, records, audio and video tapes, brochures and declarations written in a language other than Turkish, or remain indifferent to the commission of such acts and actions by others, save that they may translate their statutes and programmes to a foreign language other than one which is prohibited by law.”¹⁷⁷

TUSIAD claims that this Article is too excessive and makes the legal system anti-democratic and gives it a chauvinistic and authoritarian nature. The democratic and rational approach requires that political parties seeking to represent different ethnic and religious identities, as long as that they are not separatist, should not be excluded from the system but included in it.

¹⁷⁷ TUSIAD Report, *Perspectives on Democratization in Turkey*, 24.

With respect to the political dimension, elections should also be considered, since elections are the most important channel through which the national will is manifested.

TUSIAD asserts that with regard to the principle of free and equal competition in the electoral system, it is obvious that certain problems exist. As mentioned above provisions of the LPP including the prohibitions on political parties and the grounds for their dissolution, confine parties to narrow limits. According to TUSIAD, “in a political arena surrounded by so many prohibitions, it is not possible for political parties and candidates to compete freely and equally.”¹⁷⁸ The abolition of those provisions and their replacement with more democratic ones are necessary not only for the freedom of political parties but also for free and equal elections.

It is argued that there has been no stability with regard to electoral systems in Turkey, with a different system used in every election. None of the political parties can be said to be pleased with this situation and with the existing system(s). However, neither can they agree on a lasting system. The problem is that the present electoral system is a proportional system with only a national threshold 10 percent. None of the parties is able to obtain a majority in parliament. Returning to the issue of what amendments should be made within the existing system, it may be useful to start discussing it with regard to the national threshold of 10 percent. In western democracies that have a national threshold in their

¹⁷⁸ *TUSIAD Report, Perspectives on Democratization in Turkey*,. 26.

respective electoral systems, it is around 5 percent on the average. It should not be overlooked that the failure of some of the parties to enter parliament could result in graver political instabilities. On these grounds, the proposal of TUSIAD is to reduce the national threshold to around 5 percent. In addition, it would be useful to adopt the "preferential voting" system which allows a voter to choose not only a political party but also a particular candidate.

4.6.1.1.Human Rights

The general provision of the Constitution relating to the restriction of fundamental rights and freedoms is Article 13. According to the provisions here, fundamental rights and freedoms may be restricted both on special grounds indicated in the relevant articles and on general grounds indicated in this article. These general reasons are listed as follows: “the indivisible integrity of the State with its territory and nation, national sovereignty, the Republic, national security, public order, general peace, public interest, public morals and public health.”¹⁷⁹

For TUSIAD, another variable which closely concerns the functioning or non-functioning of democracy is the state of intellectual freedom. To this group, freedom of religion, freedom of thought, freedom of press and freedom of association ought to be added.

¹⁷⁹ *TUSIAD Report, Perspectives on Democratization in Turkey*, 1.

With regard to freedom of religion, TUSIAD asserts that there are at least two significant examples of unjust interventions in freedom of belief by law and legislation. The first is compulsory religious education, and the second example is “the provision in the 1st paragraph of Article 43 of the Civil Status Law No. 1587 dated 5.5.1972 that a person's ‘religion’ be indicated in his birth registration.”¹⁸⁰ The contradiction here is that the ‘laic’ State that ought to remain neutral regarding Islam and other religions has itself come to occupy the position of being a religious propagator.

Another point is that TUSIAD claims that the State possesses three main channels for religious propagation and instruction: The Department of Religious Affairs; high schools for the training of religious functionaries; and compulsory religious classes in primary and secondary education. TUSIAD comments that the last two are the first to come to mind when one addresses the subject of religious training.

Regarding human rights, the other type of freedom is the freedom of thought. In pluralistic-liberal democracies, the phrase ‘freedom of thought’ signifies the freedom of expression. This freedom occupies a privileged position. “The doors are open to the expression of thought and its defense and closed to ‘Thought Crimes’.”¹⁸¹

¹⁸⁰ *TUSIAD Report, Perspectives on Democratization in Turkey*, 14.

¹⁸¹ *TUSIAD Report, Perspectives on Democratization in Turkey*, 17.

However, there are restrictions on the freedom of thought. Regardless of method or objective or idea, no written or verbal propaganda and meetings, demonstrations and marches may be held that aim at “impairing the indivisibility of the Republic of Turkey” according to the Constitution. Those who do so shall be subject to the law. The specific problem for scientific work is the 'thought crimes'. The main problem for works of art on the other hand, is with the administration. Artistic works such as films, musical pieces, videos, and plays are frequently faced with such acts of the administration as censorship, control, banning, and even outright destruction (of films).

Musical performances, concerts and other audio-visual performances have also been subjected to strict controls. Concerts and video and music cassette tapes can be banned. In such administrative measures it is again the governorships that play the major role, but the influence of the ministry in the background is discernable. In other words, a political structure obstructs scientific and artistic production. TUSIAD proposes that the Provision of Article 27/2 of the Constitution which restricts the freedom to promote science and arts. “In addition to legal prosecutions, another threat to the freedom of press is the precautionary measures and decisions involving prevention of distribution, suspension of publication, seizure, banning of the entry to the country and distribution of publications.”¹⁸²

¹⁸² TUSIAD Report, *Perspectives on Democratization in Turkey*, 24.

TUSIAD asserts that the state should take the necessary measures to ensure the freedoms of press and information in accordance with the needs of a pluralistic society. “Freedom of the press and freedom to obtain information should be limited to the purposes of protecting secrecy required by national defense, or public morality, of preventing attacks on individuals' honor, dignity or rights, or prevention of crime, or of ensuring the proper functioning of the judiciary.”¹⁸³

Regarding human rights, the last issue is the Kurdish question. Several deficiencies and defects are observed in Turkey, and TUSIAD makes several recommendations. A direct or an indirect prohibition of Kurdish names and surnames appears. Until recently, application, too, was this direction, including judicial sanctions. According to the report, “by making the necessary modifications in the Civil Registration Law and related regulations, the ‘freedom to name’ should be ensured and the ‘national culture’ condition should be terminated.”¹⁸⁴

The 1983 Law on Broadcasting and Publications to Be Made in Languages Other Than Turkish effectively banned Kurdish. However, this restriction was abolished by the latest amendments in 2001.

¹⁸³ *TUSIAD Report, Perspectives on Democratization in Turkey*, 27.

¹⁸⁴ *TUSIAD Report, Perspectives on Democratization in Turkey*, 39.

In addition, TUSIAD argues that provisions of Articles 26 and 28 of the Constitution relating to "prohibited languages" should be taken out of effect. Finally, the Constitution defines citizenship as: "everybody bound to the Turkish State through the bond of citizenship is a Turk (Article 66/1)."¹⁸⁵ The criticism of TUSIAD here is that this statement cannot be taken to mean "everybody in Turkey is Turkish" or "there are no Kurds in Turkey." It is not possible to share interpretations and criticisms along these lines. The above formula relates solely to the definition of citizenship and is a legal formulation. It is not correct to extrapolate a cultural or social (ethnic) meaning from this. "TUSIAD regards this formulation of being a "Turk" as related to a legal bond, that is, "citizenship", and believe that keeping it within these limits is a democratic attitude."¹⁸⁶

4.7.Views on the Impact of TUSIAD on Democratization

TUSIAD gives priority to the dissemination of information. Hence, the association has many publications, periodicals, and reports. The reports are related to economy, government, democracy, and education, EU. Conferences and seminars are arranged to discuss economic and social issues. The power to affect the economy and politics comes from the economic power of TUSIAD since there

¹⁸⁵ *TUSIAD Report, Perspectives on Democratization in Turkey*, 40.

¹⁸⁶ *TUSIAD Report, Perspectives on Democratization in Turkey*, 40.

is a very important capital behind TUSIAD.¹⁸⁷ Thus, the opportunities that TUSIAD possesses enhance the influential power of the association.

Also, the bargaining power, or pressure power in the words of Can Paker¹⁸⁸, the chairperson of the Parliamentary Commission of TUSIAD, of TUSIAD comes from the credibility of the association in the eyes of the public. For him, TUSIAD receives its pressure power from the respect embedded in the public.

According to Paker, the social and cultural structure of the Turkish society tends to protect the state.¹⁸⁹ In Turkish history, the state has been beyond the individual. Therefore, Paker states that the experience of civil society protecting the rights of the individual in Europe differs from that of the civil society preserving the state in Turkey. However, TUSIAD, particularly in recent years, has tried to limit the state power, and control of the state by society.

TUSIAD is aware of the fact that the role of the state in the economy should be limited; therefore TUSIAD urges the privatization of the economy. The very reason for this is that the Turkish bourgeois finds the guarantee of its future in democratic areas.¹⁹⁰ The Turkish bourgeois which developed under the protection of the state, then started to challenge to the state because the state prevented its further development of the bourgeois. TUSIAD, consisting of the

¹⁸⁷Paker, Can. April 24, 2002. The interview with Can Paker. Istanbul, Turkey.

¹⁸⁸ Paker is against the concept of bargaining power since it is impossible to bargain something with the state by a civil society organization.

¹⁸⁹ The interview with Can Paker.

¹⁹⁰ The interview with Can Paker.

bourgeois, raises its voice as a civil society organization.¹⁹¹ In this sense, the significance of the association as a civil society organization has been increased.

According to Paker, the impact of TUSIAD and its publications and its reports is not merely related to the question of how many of its suggestions are acted out law, but more importantly whether TUSIAD is influential in the preparation of the adequate environment for the consolidation of democracy in Turkey.¹⁹² Paker claims that TUSIAD tries to fulfill its responsibility regarding the consolidation of democracy as a civil society organization.

¹⁹¹ The interview with Can Paker.

¹⁹² Can Paker always emphasizes this point in the interview.

CHAPTER V

CONCLUSION

In the 1990s, there has been a growing impact of democracy on the development of civil society organizations because of the changes in the world such as the end of Cold War, collapse of the Soviet Union, increasing trend towards democracy and democratic consolidation everywhere in the world. The availability of a vigorous civil society is the prerequisite of democracy. There is an indispensable relationship between the democratic consolidation and civil society. In the second chapter, this relationship has been described.

In the third chapter, the development of the concept of civil society and of civil society organizations in Turkey was explained. In order to clarify such development, the chapter was separated in to four parts; the Ottoman period, the Republican era, the pre-1980 period, and the post-1980 era. In these developments, changes in the Constitution were influential. The number of civil society organizations and their appearance on the public have rise in recent years.

TUSIAD, one of the most effective civil society organization in Turkey has been examined in the fourth chapter as an example. The influence of TUSIAD comes from its economic power and its selected members. The emphasis of

TUSIAD on democracy has increased in the late-1990s because of its economic interests¹⁹³. TUSIAD contributes democracy in ways that it promotes researches on education, elections, political parties, and European Union¹⁹⁴, and draws public attention through media.

It is obvious that there can not be a clear-cut measurement of the impact of such an organization over democratic consolidation. This study tries to demonstrate that such a relationship is not impossible.

¹⁹³ This was claimed by Can Paker.

¹⁹⁴ www.tusiad.org

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