

9 On the Europeanization of minority rights protection*

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Introduction

This chapter departs from a discussion of rational-choice and sociological institutionalism to shed light on the impact of Europeanization on minority rights in Turkey. In accordance with the aims of this volume, this study aims to provide a scorecard of achievements and shortcomings as far as human rights are concerned. It also aims to explain the significant bifurcations that emerged in the field of minority rights as far as progress achieved since the slowdown of Turkey's EU accession negotiations. Minority rights were one of the fields where a clear misfit existed between EU standards and Turkish state practice. While protection of minority rights remains one of the fields where significant progress is still necessary, European authorities need to put more emphasis on the acceleration of EU-Turkey accession negotiations, as well as devise new tools in order to unlock the transformative potential of Europeanization in Turkey.

While the history of republican Turkey has been characterized by concerted efforts to achieve national and ethnic homogenization, the promulgation of the Copenhagen Criteria in 1993 meant that respect for minority rights became an explicit condition for EU membership. Consecutive EU Commission reports addressed deficiencies of Turkey's legislation and recommended reform steps. Between 1999 and 2005, a series of constitutional and legislative reform packages contributed to substantial steps regarding the improvement of human and minority rights. The role of the European Union as a trigger and a guarantor of the reform steps was undoubted (Tocci, 2005). Given the impeccably authoritarian nature of the 1982 Constitution, the need for a new, civilian constitution, which would prioritize individual autonomy over state interest, was also underlined. While key veto players were gradually losing their ability to block developments in the direction of consolidating human and minority rights protection, the gradual slowdown of EU-Turkey accession negotiations and rising Turkish ambitions for an independent regional and global role have weakened the appeal of EU membership for Turkey as well as the effectiveness of EU conditionality. As the reform process lost most of its traction, it maintained some momentum as far as minority rights were concerned. This raised questions about the reasons of this bifurcation as well as about the real impact of Europeanization.

Institutionalisms and minority protection in Turkey

The case of minority protection provides an opportunity to think about the applicability of different theoretical tools in Turkey's Europeanization experience.¹ Despite the long period of interaction, many problems have remained to undermine the course of Turkey's EU accession negotiations and show the incomplete nature of Turkey's Europeanization. Rational choice and sociological institutionalist approaches have been juxtaposed as possible analytical tools. The study of minority rights reform helps suggest two points. First, the relevance of rational-choice institutionalism appears strong, as major legislative initiatives are normally linked with critical junctures in EU-Turkey relations and the establishment of conducive opportunity structures in Turkish politics. Second, reform can be also explained in terms of the prevalence of ideational frameworks that may or may not be linked with the European Union and Turkey's EU membership process. While between 1999 and 2005 Europeanization provided a solid analytical framework enjoying explanatory power regarding the course of minority rights in Turkey, this may not have been the case thereafter. In other words, Europeanization alone may no longer provide an adequate explanation for the diverging fortunes of minority rights protection in Turkey. As EU-Turkey relations and Europeanization were conditioned by changing domestic and international circumstances, alternative normative frameworks competed with Europeanization as far as influencing minority rights was concerned. This could result in improving the protection of minority rights not in the context of Turkey's democratic consolidation process, but rather through the rising popularity of a communitarian understanding of human rights whose traces could be found in the Ottoman years. One possible explanation could be to index improvement of the status of human rights not to recognition of equal rights to all citizens of the Republic of Turkey regardless of religious or ethnic affiliation, but to a revival of rights of religious communities, as they were prescribed in the Ottoman years. In other words, reform has occasionally been justified on the basis of alternatives to Europeanization normative frameworks, e.g. on the reinstatement of the country's perceived Ottoman legacy, or pure political calculations, domestic or regional. Under these circumstances, the advancement of the rights of some minorities became possible through reference to republican Turkey's historical legacy, the Ottoman Empire and its high degree of diversity. The rights of non-Muslim minorities could continue improving, as this could resonate well with the Ottoman tradition of *dhimmi*. On the other hand, Alevi and seculars could not expect a more flexible approach vis-à-vis their grievances, as they could not fit in an Ottoman-inspired model of social and religious pluralism. Moreover, in the view of several experts, the reinvigoration of the "Kurdish Opening",² for example, was not as much linked to the influence of the European Union as to that of the "Arab Spring", the need to promote the chances of the election of Prime Minister Erdoğan to the presidency, as well as to rally Kurdish political support for the AKP-sponsored constitutional reform. Nevertheless, it was still far from certain that the extent of reform would meet the expectations of an ever more ambitious and assertive Kurdish minority.

The backdrop of minority rights protection before 1999

The Treaty of Lausanne, the founding document of republican Turkey, had several ambitious provisions about the protection of minority rights in accordance with most of the treaties devised in the interwar years. Article 38§1–2 stated that

[t]he Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Article 39 of the Treaty declared that

Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honors, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

Article 40 added that

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

(Carnegie Endowment for International Peace, 1924)

Despite the sacrosanct status that the Treaty of Lausanne enjoyed in Turkish public discourse, its provisions on minority rights were never fully implemented. Only Armenians, Greeks and Jews were recognized as non-Muslim minorities by the Turkish state, which deprived minority status of other non-Muslim communities such as the Assyrians (*Suryani*), Chaldeans (*Keldani*),

Protestants and Catholics. In addition, no minority status was recognized for the Kurds and the Alevis. While the lack of official recognition meant that no minority rights would be conferred to these groups, the rights of Turkey's Armenians, Greeks and Jews also faced severe restrictions. In fact, anti-minority policies were one of the key features of republican Turkish politics. Achieving the maximum degree of homogeneity was perceived as imperative for the success of Turkish state-building.

While the introduction of multi-party politics raised liberalization hopes, this did not prove to be the case for minority rights. On the contrary, anti-minority policies rose in the 1950s on the pretext of the Cyprus question and greatly contributed to the shrinking of Turkey's non-Muslim population, in particular the Greek minority. The rise of Alevi identity and Kurdish nationalism in the 1960s and 1970s underlined the limits of the republican Turkish nation-building and posed a challenge for Turkish state institutions. In particular, the armed insurgence of the Kurdish Workers' Party (*Partiya Karkaren Kurdistan* [PKK]) in the 1970s had a profound political and societal impact in eastern and southeastern Turkey, as it polarized relations between the Turkish state and a large part of the Kurdish minority. Kurdish secessionism together with communism were the two threats that were used as pretexts for the 12 September 1980 military coup. A sharp deterioration in the record of human and minority rights in Turkey was one of the most important legacies of the 1980–1983 military regime. The 1982 Constitution prioritized security, stability and state interests against pluralism and the fundamental rights of citizens. This allowed for substantial limitations to human rights to be embedded in Turkey's constitutional and legislative order. While other Southern European states were proceeding with democratic consolidation, Turkey was moving in the opposite direction. Consequently when Turkey's revival in the late 1980s of its application for EEC membership again gained impetus in the 1990s, there was a big gap between European and Turkish norms.

The lack of an effective international system of minority rights protection meant that external adjustment pressures would be negligible. Turkey was not a signatory of the Council of Europe Framework Convention for the Protection of National Minorities, yet she was not alone among European states (Hale, 2003: 116–118). Key problems existed in the constitutional and legislative treatment of minority rights. Article 90§5 declared international agreements in which Turkey had been a signatory to have the binding force of law. This in effect subordinated the Lausanne Treaty to the Constitution itself. Other constitutional stipulations limited minority rights. Article 3 declared that the Turkish state (*Türkiye devleti*) is in indivisible integrity “with its territory and nation” and that its language is Turkish. Article 26 forbade the use of “any language prohibited by law for the expression and dissemination of thought,” while Article 28 also forbade publications “in any language forbidden by law.” Article 42 also banned the teaching of any language other than Turkish as a “mother tongue.”³ Article 24 made religious – in effect, Sunni – education mandatory in primary and secondary education, while Article 136 also outlined the role of the Directorate of Religious Affairs as part of the state administration. The identification of Islam with the

Sunni Hanefi School led to heavy violations of the rights of Turkey's non-Sunni Muslims (Kurban, 2004: 41–42).

Strong opposition against minorities left a heavy imprint on the collective conscience of minorities themselves. Given the discriminatory measures against Turkey's recognized minority groups, membership of a minority group was understood as conferring "second-class citizen status." This created a schizophrenic situation whereby minority group representatives would dispute their minority status and insist on their "first-class citizen status." This was particularly the case with some representatives of the Alevi minority (Çandar, 2004).

Improving EU-Turkey relations and reform

As Turkey gained candidate status following the decision of the 1999 Helsinki European Council decision, EU leverage on Turkey increased sharply. This facilitated reform aiming at improving protection of minority rights (Grigoriadis, 2007: 425–427). Major constitutional amendments were introduced in October 2001. The Preamble of the Constitution had declined protection of "thoughts or opinions" which were against "Turkish national interests, Turkish existence, state and indivisible territorial integrity, history and moral values of the Turkish nation, Atatürk's nationalism, principles, revolution and civilization." In the new text, the term "actions" replaced the terms "thoughts or opinions," which meant that limitations in the constitutional protection of freedom of thought were lifted. Article 13 was also modified in the direction of advancing fundamental rights and freedoms. In the original text, fundamental rights and freedoms could be restricted on grounds of the "indivisible integrity of the state with the nation and the country, national sovereignty, the Republic, national security, public order, general order, public benefit, public morals and public health." Following the reform, limitations to fundamental human rights and freedoms could only be imposed "by law and in conformity with the reason mentioned in the relevant articles of the Constitution without infringing upon their essence." Article 14 was amended so that "constitutional rights and freedoms might not be used to destroy the indivisible integrity of the state with the country and the democratic and secular Republic, based upon human rights." The clause "no language which is banned by law can be used for the expression and circulation of thoughts" was eliminated from Article 26 (Commission of the European Communities, 2002: 41). Similar was the fate of the clause "no publication can be made in a language which is banned by law" in Article 28. A new constitutional amendment was introduced in May 2004, which aimed to harmonize the Constitution with the Copenhagen Criteria. Article 90 resolved possible conflicts between a valid international treaty on fundamental rights and freedoms and a subsequent domestic law in favor of the first (Commission of the European Communities, 2004: 24). Hence, the provisions of the Lausanne Treaty could no longer be blocked by domestic legislation. In Article 30, the clause that allowed the confiscation of publishing houses in case of conviction for crimes against "the basic principles of the Republic and national security" was removed (Commission of the European Communities, 2004: 38).

Legislative reform in the “golden age” of EU-Turkey relations (1999–2005)

The legislative framework of minority rights was also influenced by EU leverage.⁴ In the first reform package of February 2000, Article 312 of the Penal Code was modified so that statements inciting the public “to hatred and enmity with regard to class, race, religion, religious sect or regional differences” would only be considered as criminal acts if they were expressed “in a manner which could be dangerous for public order”. A clause was also added penalizing provocations which could offend “a part of the people and harm human dignity”. In the second reform package, of March 2002, the ban on publications in banned languages was removed from the Law on the Press. In the third reform package, of August 2002, limitations on the teaching and broadcasting of “languages and dialects traditionally spoken by Turkish citizens” were lifted. The Law on Foundations was also modified, so non-Muslim foundations could acquire immovable property following a decision of the Council of Ministers. A chance to reopen closed civil and criminal cases based on the amended legal framework was given. According to the fourth reform package, of January 2003, the acquisition of immovable property by non-Muslim foundations simply required the approval of the Directorate. Subsequently, the abolition of Article 8 of the Anti-Terror Law in July 2003 that was frequently interpreted rather broadly to punish Kurdish minority rights activism broadened freedom of expression. The definition of terrorism was also updated to include the use of violence. Broadcasting of private TV and radio stations in minority languages and dialects became legally possible. The freedom to erect a place of worship regardless of religion and belief was recognized. Limitations on the names given to infants were also lifted.

Progress was also noted regarding international conventions on human rights. In June 2003, the Parliament ratified the UN International Covenant on Civil and Political Rights and the UN International Covenant on Economic, Social and Cultural Rights, but only after declaring reservations regarding minority rights.⁵ Learning of minority languages – notably Kurdish – was facilitated, and the opening of private establishments teaching minority languages was allowed (Commission of the European Communities, 2004: 38).

The question of implementation

Legal reform had a variable influence on administrative practices. In the case of broadcasting in minority languages, progress was remarkable but not without obstacles. After long hesitation, in June 2003, the state broadcasting corporation (*Türkiye Radyo-Televizyon Kurumu* [TRT]) announced its intention to introduce programmes in minority languages under certain conditions.⁶ The first Kurdish-speaking film with Turkish subtitles was aired by a local television channel in Diyarbakir in May 2004 (Oran, 2004: 102). In June 2004, the TRT introduced its own programmes in minority languages (Ankara Bürosu, 2004). These broadcasts had high symbolic significance, but in practice they had little more than

cosmetic value. Initially the TRT refused to organize special channels broadcasting in minority languages. This taboo was eventually broken with the launch of TRT-6 (TRT Şeş) and TRT-7 (TRT Seba), broadcasting in Kurdish and Arabic respectively. As far as private media were concerned, broadcasting in minority languages became possible in January 2004, but only under strict conditions.

As far as minority language education was concerned, stiff bureaucratic resistance was noted. Although reform measures clearly acknowledged the right to open private minority language schools, several bureaucratic obstacles emerged. When over 10,000 university students applied for the opening of Kurdish language courses, 446 were prosecuted for “sheltering illegal groups”, 533 were arrested, 3,621 were taken into custody and 15 were sentenced to up to three years in prison (Oran, 2004: 104). Finally, six private schools started teaching *Kirmanci* Kurdish in Van, Batman and Urfa in April 2004, in Diyarbakir and Adana in August 2004 and in Istanbul in October 2004 (Commission of the European Communities, 2004: 49). Yet there was no move towards introducing minority languages into the curriculum of public schools. This eventually became one of the key demands of the Kurdish minority. It was not met by the government in the latest “democratization package” introduced in October 2013.

Similar resistance was noted in the case of non-Muslim minority foundations. Bureaucratic insistence on viewing these non-Muslim minorities and their foundations as “foreign” and suspect and on stressing the principle of “international reciprocity” in acknowledging minority rights⁷ did not disappear at once. In June 2004, a Regulation on the Methods and Principles of the Boards of Non-Muslim Foundations was adopted. This Regulation sought to address the problems with respect to elections to the boards of non-Muslim foundations, which could not be held regularly, due to membership diminution. Yet the progress made was only limited, as discretionary powers remained in the hands of state authorities (Commission of the European Communities, 2004: 43).

Minority rights reform after 2005

Following the launch of EU-Turkey accession negotiations on 3 November 2005, relations cooled off for a number of reasons. The rise of centre-right administrations in key EU member states that preferred Turkey’s privileged partnership with the European Union to its full membership was a key reason. The entry of the Republic of Cyprus without a prior solution of the Cyprus question was an additional complicating factor. Conditionality was also harmed due to the imperfect human rights record of the European Union member states themselves (Grigoriadis, 2008a: 38). Turkey’s emerging ambitions to play a regional and potentially global role as a member of the group of emerging powers also detracted the attention of Turkish politicians from the EU membership project. In the domestic political field, the AKP administration was eventually able to defeat bureaucratic opposition and bring an end to the tutelary role of the military on Turkish politics. All these reduced the leverage that EU authorities had on the Turkish government. As Turkey’s EU membership was becoming less probable and less appealing, the

incentive of the Turkish government to take courageous initiatives in the direction of promoting reform according to EU criteria and norms became severely limited. In light of these, the reform process in some key areas was stalled. This was not the case for all minority rights. While there was indeed a slowdown in some key reform areas, improvement in some minority rights areas continued unabated.

While some progress was noted in minority rights, the state of freedom of expression raised concerns inside and outside the country. Meanwhile, the constitutional debate shifted focus from aiming for the consolidation of Turkish democracy through full and effective protection of human rights to pursuing the introduction of a majoritarian system. According to this, excessive powers would be awarded to the President at the expense of the existing checks-and-balances system.

These developments have raised a paradox. How could minority rights reform proceed unabated while civil liberties would not be improved or even face curtailment?

To answer this question, one could investigate alternative critical junctures that modified the influence of Europeanization on the reform process. Critical junctures could include the verdict of the European Court of Human Rights in the Leyla Şahin case (ECtHR, 2004), which manifested that European institutions would not be willing to help the AKP government resolve the headscarf issue as well as reform mainstream attitudes about the role of religion in the public sphere. The second critical juncture was the end of the military-bureaucratic tutelage over Turkish politics. This was highlighted through the launch of the Ergenekon, Balyoz and Andıç criminal investigations and the imprisonment of dozens of high-ranking officers. The third critical juncture was the outbreak of the global economic crisis in 2008 that soon transformed into a European sovereign debt crisis, while Turkey was able to weather the worst consequences of the economic turmoil and join the group of emerging powers. These removed the most powerful informal balance against the AKP administration, which considered EU support to be crucial for the consolidation of its legitimacy domestically and abroad. The civilianization process of Turkish politics proved to be not synonymous with democratic consolidation, as the question of establishing sound and functioning checks and balances remained very pertinent. While hopes were raised that a new, liberal democratic constitution could be introduced, soon the debate shifted towards the introduction of a presidential system, and the constitutional debate eventually lost its high relevance to the better protection of minority rights in Turkey. On the other hand, piecemeal improvements were noted.

The Kurds

The Kurdish question attracted most of the attention.⁸ This was understandable given the size of the minority, the activity of the PKK and regional developments in the Middle East. The emergence of the Kurdistan Regional Government (KRG) in northern Iraq, the Syrian civil war and the emergence of a *de facto* Kurdish entity in northern Syria made it imperative that Turkey deal with the questions

of its own Kurdish minority population. Yet the rising demands and expectations of Turkey's Kurds could not be met by a hesitant and often apprehensive Turkish government. The "Kurdish Opening" remained high on the agenda of the AKP government, despite the overall deceleration of the democratization process, as it was closely related with domestic political calculations. Appealing to the Kurdish vote was a key aim of the AKP administration, because Kurdish support was instrumental in achieving its political hegemony in Turkey.

One of the first major initiative was undertaken in January 2009 when TRT-6 (*TRT Şeş*), the first public Kurdish-language TV channel, began broadcasting. In October 2009, thirty-four PKK militants were allowed to return to Turkey. These raised hopes about a possible amnesty for all PKK members. Yet a backlash by Turkish public opinion led the AKP government to backpedal.

A new boost in the peace process was given in 2013, when following secret negotiations between the Turkish government and the PKK, the latter declared a ceasefire and announced that it would withdraw its forces from Turkey. This marked the longest non-violent period since the outbreak of the Kurdish armed insurgency in eastern and southeastern Turkey in the late 1970s. Nevertheless, it remained unclear whether the Turkish government was willing to deliver on some of the key demands of the Kurdish minority, such as decentralization and the introduction of the Kurdish language into the curriculum of public primary education in the provinces inhabited by Kurds. A decisive shift in state policies that would reach the point of recognizing Kurdish-language education in public schools appeared to be beyond the intentions of the AKP administration. These underlined that instrumental calculations were more likely to be the reasons behind the initiatives linked with the Kurdish Opening. On the other hand, Turkey's social dynamics, which Turkey's democratization process had unleashed, were making it increasingly unlikely that this slowdown would be welcomed by wide segments of Turkish society.⁹

The non-Muslims

As with Kurdish minority rights, there were improvements regarding the rights of recognized non-Muslim minorities. The implementation of some of the legislation introduced during the reform process led to substantial improvements in some fields. Non-Muslim pious foundations reclaimed immovable properties previously confiscated through decisions of the ECtHR.¹⁰ Minority pious foundations, which were taken over by the state, were reinstated through decisions of the General Directorate of Pious Foundations (*Vakıflar Genel Müdürlüğü*). Valuable immovable assets of pious foundations that were confiscated according to discriminatory laws until the early 2000s were returned to their legal owners by court decisions implementing new legislation.¹¹ At the symbolic level, Greek Orthodox and Armenian masses were held in historic religious sites of Anatolia for the first time in republican Turkish history. A Greek Orthodox mass was held in the historic Orthodox Soumela monastery near Trabzon, while a mass was held in the Armenian Akhtamar Church at Lake Van. Both events took on an

annual character and were welcomed by Turkey's Armenian and Greek minorities, as well as Greeks and Armenians worldwide. High-level contacts between non-Muslim minority leaders and the Turkish government increased in number and established a communication channel. On the other hand, flagship issues such as the reopening of the Orthodox Seminary in Heybeliada (Halki) remained unresolved despite persistent rumours about a breakthrough.

*The Alevi*s

In contrast to positive steps as far as Kurds and the recognized non-Muslim minorities were concerned, little progress was recorded regarding the rights of the Alevi after 2005. The picture was more optimistic in the late 2000s, when the AKP government announced an "Alevi Opening" (*Alevi açılımı*) aiming to bring all Alevi grievances to the surface and contribute to their resolution. Seven "Alevi workshops" (*Alevi Çalıştayları*) were held in 2009 bringing together Alevi civil society organizations, opinion leaders, intellectuals and human rights activists. These meetings aimed to identify problem areas and come up with policy solutions. A final report was published in 2010 which contained a detailed account of these deliberations and suggested a set of policy measures aimed at building confidence between Alevi and the state (T. C. Devlet Bakanlığı, 2010). Steps toward the official recognition of Alevism and Alevi identity as separate from mainstream Sunni Islam were suggested, as well as measures for the protection and promotion of Alevi culture (T. C. Devlet Bakanlığı, 2010: 87–100). Other suggestions included constitutional and legal reform aimed at the better protection of Alevi rights (T. C. Devlet Bakanlığı, 2010: 101–114) and the abolition or radical reorganization of the Directorate of Religious Affairs so that it ceased being a Sunni-colored institution (T. C. Devlet Bakanlığı, 2010: 115–132). Special attention was given to the question of religious courses in public education, and policy proposals were suggested in line with the ECtHR decisions and respect for religious diversity (T. C. Devlet Bakanlığı, 2010: 133–160). Also suggested were the recognition of *cemevis* as houses of religious worship and the bestowal of public services on them in similar fashion with Sunni mosques (T. C. Devlet Bakanlığı, 2010: 161–178). Last but not least, there was a proposal about a novel state approach on an incident that hurt Alevi and reminded them of bloody conflict in the 1970s: the arson of Hotel Madimak in Sivas on 2 July 1993, where 35 people, mostly Alevi intellectuals, were murdered. The report asked for the full recognition of the tragic event by the state and the conversion of the Hotel to a museum commemorating the tragic event (T. C. Devlet Bakanlığı, 2010: 179–188).

Yet despite the optimism which this initiative generated, not much changed on the ground. No path-breaking measures were adopted in areas such as the recognition of Alevi houses of worship (*cemevi*), the end of Sunni influence on the Directorate of Religious Affairs and equal treatment of Alevi and Sunni religious personnel. Despite repeated promises about the institutional recognition of the Alevi and the bestowal of a status equal to Sunni Islam, the Sunni character of the state-controlled Directorate of Religious Affairs remained intact. Alevi

cemevi were not bestowed with house of worship status. While the ECtHR in the Zengin case paved the way for legislative reform as far as the mandatory character of religious education was concerned, there was no formal recognition of Alevi Islam (ECtHR, 2007). On the contrary, the rhetoric that there is no such religious community as Alevi and that they constitute in fact a part of Sunni Islam resonated again among leading government figures. A new reform of religious courses in public education raised more concerns among Alevi and other non-Sunni Muslims. Rising social polarization between the religious conservative and the secularist segments of Turkish society exacted its toll on the Alevi question as well, as Alevi opposed government policies on a number of issues related to state/religion relations.¹² As social tension was on the rise, a sectarian interpretation of events such as the Gezi protests of May-June 2013 was often promoted by government-leaning media. As social divisions grew, most Alevi associations appeared at loggerheads with the AKP government. Even the sincerity of the government intentions of solving the Alevi question was debated.

Conclusions

While secularist Turkish governments either denied the existence of minority groups or attempted their forced assimilation, Turkey's prospective EU membership contributed to substantial reform as far as minority rights were concerned. As minority rights protection substantially improved between 1999 and 2005, one could clearly describe this process as transformation. Progress continued albeit on a piecemeal basis even after EU membership ceased to be a priority in Turkey's agenda, as the military-bureaucratic tutelage over politics came to an end and Turkey's emerging power ambitions reduced the appeal of EU membership. These substantially reduced the reform impetus of the Turkish government. While the rights of Kurds and non-Muslims continued improving, one could talk about the emergence of inertia as far as Alevi rights were concerned. This seeming paradox could be explained through the rising influence of alternative normative frameworks. As the dynamic of Europeanization was waning, a vision of Ottoman-style religious pluralism gained traction within Turkey's government party. This helps explain divergence as far as the improvement of minority rights of Kurds, non-Muslims and Alevi is concerned. These observations underscore the relevance of rational-choice theories of Europeanization, as far as the policies of the AKP government are concerned, as well as the relevance of sociological institutionalism, in terms of the impact of normative frameworks in shaping national interest. They also invite a discussion about the policy tools that would revitalize the potential of Europeanization to catalyze change in minority rights and beyond.

Notes

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- 1 On a similar debate, see Nas and Özer (2012). For a comparative approach, see Noutcheva and Aydin-Düzgüt (2012).
- 2 The "Kurdish Opening" was an initiative of the AKP government launched in 2000, aiming to pave the way for the resolution of Turkey's Kurdish question.
- 3 This ban concerned local minority languages, such as Kurdish and Laz, and never Western European languages, which remained the language of instruction in elite schools and universities.
- 4 On this, see also Grigoriadis (2008b).
- 5 See Commission of the European Communities (2003: 23). Turkey reserved the right to interpret and apply the provisions of Article 27 of the Covenant, which referred to minority rights, "in accordance with the related provisions and rules of the Constitution of the Republic of Turkey and the Treaty of Lausanne of 24 July 1923 and its Appendices."
- 6 Broadcasts would air on national and not local channels. There would be no children's programmes, no minority language teaching programmes, and all programmes would be subtitled or simultaneously translated into Turkish.
- 7 On state policies vis-à-vis the minority pious foundations, see Kurban and Hatemi (2009). For a comparative study between Greece and Turkey, see Kurban and Tsitselikis (2010).
- 8 On the same issue, see Cengiz and Hoffmann (2013).
- 9 For a normative framework and the prospective resolution of the Kurdish issue, see Ozkirimli (2013).
- 10 A prime example was the Büyükada Orphanage, which was returned to the Ecumenical Patriarchate following an ECtHR decision.
- 11 Information on such decisions can be found at the website of the Association of Greek Pious Foundations (*Rum Vakıfları Derneği* [RUMVADER]), at www.rumvader.org.
- 12 The decision, for example, of the AKP government to name the third bridge to be built across the Bosphorus after Sultan Selim I (Yavuz Sultan Selim) raised uproar among the Alevis, as Selim was considered responsible for large-scale massacres of Alevi populations. This appeared as evidence of the absence of any intention of the AKP government to mend fences with the Alevi minority.

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