

CIVIL SOCIETY AS A DRIVING FORCE FOR TURKEY'S ACCESSION  
TO THE EUROPEAN UNION

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## **ABSTRACT**

### **CIVIL SOCIETY AS A DRIVING FORCE FOR TURKEY'S ACCESSION TO THE EUROPEAN UNION**

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This thesis analyses whether the European Union acts as a trigger for Turkey's democratisation process within the pre-accession period. This study claims that although Turkish civil society has practically been characterised as weak and inactive, the impact of the European Union's politics of civil society on Turkish civil society organisations is a substantial contribution to democratic consolidation in Turkey, where the weakness of democracy has always been an obstacle for the country's integration to the Union. In accordance with this claim, three civil society organisations, which have been previously awarded European Union funded grant, were selected and a printed media screening study covering the period from the Helsinki Summit of 1999, when the European Commission took Turkey's membership application into consideration, to Turkish General Elections of 2011, was carried out. Through this study, the main purpose was to observe to what extent civil society organisations, having been financed under European Union funded grant schemes, provided contribution to Turkey's democratisation process.

Keywords: Civil Society, Democracy, Civil Society Organisations, Democratisation, European Union

## ÖZ

### TÜRKİYE'NİN AVRUPA BİRLİĞİNE KATILIMI İÇİN İTİCİ BİR GÜÇ OLARAK SİVİL TOPLUM

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Bu tez, katılım öncesi dönemde Avrupa Birliği'nin Türkiye'deki demokratikleşme süreci için tetikleyici olma rolünü ne derece başardığını incelemektedir. Bu çalışma, kavramsal olarak zayıf ve etkisiz olarak nitelendirilen Türk sivil toplumunun güçlendirilmesine katkı bağlamında Avrupa Birliği sivil toplum politikalarının etkisinin önemli olduğunu iddia etmektedir. Bu iddia ile bağlantılı olarak, daha önce Avrupa Birliği fonlu hibe kazanmış olan 3 sivil toplum kuruluşu seçilmiş ve bu 3 kuruluş ile ilgili olarak Avrupa Komisyonu'nun Türkiye'nin üyelik başvurusunu dikkate aldığı 1999 Helsinki Zirvesi'nden 2011 Genel Seçimlerine kadar olan dönemi kapsayan süreç ile ilgili yazılı basın taraması yapılmıştır. Bu çalışma sayesinde, Avrupa Birliği finansmanlı hibe programları kapsamında fon alan sivil toplum kuruluşlarının Türkiye'nin demokratikleşme sürecine ne derece katkı sağladıklarının gözlenmesi amaçlanmıştır.

Anahtar Kelimeler: Sivil Toplum, Demokrasi, STK, Demokratikleşme, Avrupa Birliği

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## LIST OF ABBREVIATIONS

AKP	: Justice and Development Party
BDI	: Federation of German Industries
CFCU	: Central Finance and Contracts Unit
CHP	: Republican People's Party
CoE	: Council of Europe
CSD	: Civil Society Dialogue
CSO	: Civil Society Organization
DCAF	: Democratic Control of Armed Forces
DEVCO	: Development and Cooperation
DG	: Directorate-General
DGMs	: State Security Courts
DİSK	: Confederation of Turkish Revolutionary Labour Unions
DSP	: Democratic Left Party
EC	: European Commission
ECD	: Delegation of the European Commission
EEC	: European Economic Community
EIDHR	: European Initiative for Democracy and Human Rights
ESC	: Economic and Social Committee
EU	: European Union
EUD	: Delegation of the European Union
EUSG	: Secretariat General for EU Affairs
GTP	: Strong Turkey Party
HSYK	: Supreme Board of Judges and Prosecutors
IMF	: International Monetary Fund
İHD	: Human Rights Foundation of Turkey
İKV	: Economic Development Foundation

MEDA	: Mediterranean-European Development Agreement
MHP	: Nationalist Movement Party
NGOs	: Non-governmental Organizations
OHCHR	: Office of the High Commissioner for Human Rights
OSCE	: The Organisation for Security and Co-operation in Europe
PKK	: Kurdistan Workers' Party
SPO	: State Planning Organisation
SSR	: Security sector reform
STGM	: Civil Society Development Centre
STGP	: Civil Society Development Project
TCK	: Turkish Penal Code
TEPAV	: Economic Policy Research Foundation of Turkey
TESEV	: Turkish Economic and Social Studies Foundation
TESKOMB	: Union of Credit and Guarantee Cooperatives For Tradesmen and Craftsmen of Turkey
TİHV	: Turkish Human Rights Foundation
TOBB	: The Union of Chambers and Commodity Exchanges of Turkey
TOHAV	: Foundation for Society and Legal Studies
TSK	: Turkish Armed Forces
TÜİK	: Turkish Statistical Institute
TÜRK-İŞ	: Confederation of Turkish Trade Unions
TÜSİAD	: Turkish Industry & Business Association
UN	: United Nations
UNDP	: United Nations Development Programme
UNICE	: Union of Industrial and Employers' Confederations of Europe
UNICEF	: United Nations Children's Fund
UN-NGLS	: United Nations Non-Governmental Liaison Service
USA	: United States of America
YSK	: Higher Election Council

## **CHAPTER I**

### **INTRODUCTION**

“We are on the threshold of yet another great transformation of the self-understanding of modern societies” (Cohen and Arato 1992, 1). These words of Jean Cohen and Andrew Arato offer us to find out certain reasons why we have found ourselves on such a societal and political environment challenging the traditional and classical ways of self-understanding. Among these challenges, one can refer to the globalization process, in which it includes the conflict between the global and the local and the tension between difference and equality, in order to understand the rationale behind the great change. In addition, growing substantiality of identity politics including nationalism, citizenship, multiculturalism, social equality and democracy are the remaining elements to redefine those challenges.

One can assume that all the above mentioned issues are another manifestation of an early question that the humanity has been dealing with since centuries: the relationship between the individual and the community in smaller and larger scales. In this regard, it is possible to read the entire history of social and political thought from different perspectives ranging from the most famous philosophers of the antiquity to today’s important theoreticians including the Ancient Greek philosophers, the thinkers of the Enlightenment and the French Revolution as a period of radical social and political upheaval in French and European history which firstly introduced the ideals of liberty, equality and brotherhood through the “Declaration of the Rights of Man and of the Citizen” in France in 1789, the theorists of identity politics in the 20th century and the theorists of globalization and democratic consolidation since they have all been concerned with the issue of revealing the best way regarding the relationship of the individual to the community.

Recently, such efforts focusing on the concept of civil society have been part of modern political theory and the issue has always been under examination by different ideological positions to demonstrate the relevance of the notion of civil society to modern political theory and design the framework of civil society which is adequate to explain the contemporary conditions of the modern democratic life.

Concepts of civil society have a long history from the age of Ancient Greece. However, Edwards claims that over the last fifteen to twenty years interest in the subject of civil society has been enormous (Edwards 2009, 2). As Burnell and Calvert claim, these concepts have been moved to the centre of the international stage and the literature since they have grown exponentially (Burnell and Calvert 2004, 1). Discourses repeatedly including words such as the renaissance, re-emergence, rebuilding, restructuring and reconstruction of civil society have been very common nowadays (Cohen and Arato 1992, 29).

Today, as claimed by the UN's at its forty-ninth session of the Commission for Social Development, civil society can be assumed as a tool in eradicating poverty, fighting against discrimination, resolving social conflict and supporting for political pluralism, a free media and sound justice system through strengthening and promoting human rights, democracy, the rule of law and good governance (UN-NGLS Office 2011). Therefore, it is obvious that the notion of civil society has established itself as a dominant sphere within the core of many theoretical debates as well as the discourses of political activists.

"Today, civil society remains a popular idea among government officials, journalists, funding agencies, writers and academics" (Edwards 2009, 2). As Edwards claimed in his phrase, the popularity of civil society organizations has also been globally increased. This societal and political transformation at both discursive and practical levels

can be observed as a global phenomenon and Turkey constitutes no exception to this accelerated trend within the framework of globalisation process.

As will be seen in the following chapters, especially during the post-1980 period, the concept of civil society has entered into the core terminology of Turkish politics as a paradigmatic concept in the European integration process (İçduygu 2011, 381). Since then the subject has become a central issue both in academic literature and political discourse as parallel to the global developments, the number and diversity of civil society actors has been increased in Turkey during the last decade.

Without hesitation, the decision of the EC taking Turkey's membership application into consideration regenerated the notion of civil society and, thus, democratic consolidation process in Turkey (Kubicek 2005, 361). In this regard, the purpose of the thesis is to analyse the role of the civil society, which is a tool on breaking the political monopoly with participatory behaviour, considering it as a driving force for democratisation within Turkey's EU membership since the Helsinki Summit. For doing so the thesis is divided into sections: The first chapter is designed to examine the role of democracy as a breaking point within Turkey's path to the EU membership. The second chapter helps us understand the correlation between two interrelated concepts, democracy and civil society, in a theoretical framework. This section also enables us to acknowledge the origins of the concept of civil society and liberal democracy. The third chapter studies the EU dimension of the concept of civil society. In this section, EU's definition of civil society, EU's civil society politics, the role of democracy and civil society in Turkey-EU relations are under examination. The third section ends up with how the EU promotes democracy, human rights and civil society through developing and implementing aid programmes for CSOs in Turkey. This part also includes also EU programmes targeting the development of civil society dialogue in Turkey. In the fourth chapter, the impact of the EU programmes on CSOs in Turkey is under

investigation. In the first part, we will try to find the answer of the following question: "What do donor agencies seek to achieve by implementing civil society development programmes?" In the second part, the selected CSOs are presented. The reason behind selecting these three CSOs, TÜSİAD, TESEV and İHD, is as follows: TÜSİAD is the biggest civil society actor, having a solid historical background, representing the private sector's leaders in Turkey. TESEV is one of the major think-tanks conducting socio-economic studies and producing substantial reports on hot topics of Turkish socio-economic life. İHD is the most active civil society actor in the field of democracy and human rights in Turkey. In the third part, you will find the opportunity to make an assessment on whether these three selected CSOs contribute to Turkey's democratisation process within the EU pre-accession period or not. In order to do so, a media monitoring study concerning the period between the Helsinki Summit of 1999 and June 12, 2011 Turkish General Elections was carried out. In this regard, Zaman Daily Newspaper (with English edition, called Today's Zaman), a printed media organ with conservative political alignment, was selected as the printed media source since it has the highest circulation on an average day. Lastly, the conclusion part takes place and this section introduces whether the EU can achieve to be a trigger and a driving force to promote the development of civil society dialogue in Turkey in order to contribute democratic consolidation in Turkey's Europeanization path.

## CHAPTER II

### DEMOCRATIC CONSOLIDATION: A SIGNIFICANT ISSUE WITHIN THE EUROPEAN UNION'S RELATIONS WITH TURKEY

There is only one way to escape these dangers, which is to emulate the progress of the Europeans in science, industry and military and legal organization, in other words to equal them in civilization. And the only way to do this is to enter the European civilization completely (Gökalp, quoted in Devereux 1968, 46)

While Turkey pursues a policy of constructive engagement in its neighbourhood and beyond, full integration with the EU is and will remain the priority. Membership in the EU is Turkey's strategic choice and this objective is one of the most important projects of the Republican era (Davutoğlu 2010, 1)

These words of Ziya Gökalp, a Kurdish and reformist intellectual of the late Ottoman Empire and a mentor of Turkism who had been supporting Turkey's orientation towards the Europe, and Ahmet Davutoğlu, the Minister of Foreign Affairs of the Republic of Turkey, are among the best statements explaining Turkey's EU journey since the late nineteenth and early twentieth century although the relations between Turkey and the European actors have never been easy due to the paradox of both sides.

According to Ali Aybey, the Sevres Treaty materializing "intentions" of the Europeans towards the Turks and the expansionist policy of the Ottoman Empire into Europe have always caused a deeply rooted mistrust between the parties (Aybey 2004, 20).

Hakan Yılmaz refers to two discursive perception of elite-level Euro-scepticism in Turkey, namely Tanzimat and Sevres "Syndromes", which have been the general disapproving behaviour of the nationalist conservative political parties and intellectuals to Turkey's integration with the EU since Western powers played a determining role in the collapse of the Ottoman Empire. According to Yılmaz, the Sevres "Syndrome" was consisted of two imperatives: isolationism, which means not to enter into economic, political and

cultural collaboration, and westernisation without the West, which means governmental and military modernisation without any collaboration with the West (Yılmaz 2006, 12).

Against this background, the establishment of a new Turkish Republic was not only a turning point but also a starting point for the Turkish society. In that respect, the onset of the Cold War in 1946 and, thus, the Western states' willingness to integrate Turkey into its European institutional structures were the major milestones as an encouragement for the country's desire to join the European Community due to the existence of Tanzimat and Sevres "Syndromes" (Aybey 2004, 21).

Turkey's involvement with the European Community, a political and economic single entity which has been perceived also as a "modernisation" project in some aspects, has been a long lasting and chequered history. During the period concerning the Ankara Agreement, which was an association agreement signed with the ECC in 1963, the Additional Protocol (1970), which targeted the completion of the Customs Union, Turkey's application (1987) for full EEC membership, which was rejected in 1990 by deferring the issue to more favourable times, citing Turkey's economic and political situation, as well its poor relations with Greece and the conflict with Cyprus as creating an unfavourable environment with which to begin negotiations, and the approval of Turkey's membership to the Customs Union in 1995; Turkey have experienced difficult years regarding democratization and the relations with the EEC (SPO 1963).

As Ergun Özbudun and Serap Yazıcı underline, some of the Turkish democracy's characteristics are civil-military relations and privileges enjoyed by the military over state control and governance. In this regard, Özbudun and Yazıcı claims on constitutional and legal reforms present considerable steps forward in consolidation of democratic principles in Turkey within Turkey's candidacy for the EU (Özbudun and Yazıcı 2004, 32).



Atila Eralp examines Turkey's relations with the EU between 1959 and present through focusing on the roles of two factors: "temporality", which means time factor, and "role of interaction" to explain the ups and down. He claims that these two factors are important to better understand how European integration and Europeanization lead to domestic changes. By looking at the relations between Turkey and the EU in the changing context, Eralp's analyses are as follows. First, although there is a growing interaction between the parties, the relationship has always remained at governmental level between the years of 1959 and 1999 and it was problematic due to unconsolidated democracy in Turkey. Second, non-governmental interaction became operational only after Turkey became first a candidate country and then a negotiating country. At this stage, business elites and different societal actors have started to be part of increasing non-governmental interaction. One of the interesting points was the positive turn in the relationship after 1999, although Turkey was still experiencing problematic days due to unconsolidated democracy in political affairs. Third, the increasing interaction at non-governmental level resulted in major democratic reform initiative as a part of Europeanization. Fourth, Turkish politics have become less sensitive about the democratic reform process since the time-frames of the EU and Turkey have diverged. In this regard, one can consider unconsolidated democracy in Turkey as a political obstacle and breaking point for the country's accession to the EU (Eralp 2009, 3).

As Atila Eralp also claimed, one of the turning points for Turkey's European integration was the Helsinki Summit where Turkey had been officially recognized as a candidate country without any precondition on equal footing with the other candidate countries (Eralp 2009, 3):

The European Council welcomes recent positive developments in Turkey as noted in the Commission's progress report, as well as its intention to continue its reforms towards complying with the Copenhagen criteria. Turkey is a candidate State destined to join the

Union on the basis of the same criteria as applied to the other candidate States. Building on the existing European strategy, Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms. This will include enhanced political dialogue, with emphasis on progressing towards fulfilling the political criteria for accession with particular reference to the issue of human rights, as well as on the issues referred to in paragraphs 4 and 9(a). Turkey will also have the opportunity to participate in Community programmes and agencies and in meetings between candidate States and the Union in the context of the accession process (Helsinki European Council 1999).

These words expressing Turkey's EU candidacy were the starting point of a new era for Turkey in the new millennium. Turkey's candidacy put Ankara's EU bid into a new perspective. However, it was obvious that this shift in the attitude of the EU towards Turkey would put new responsibilities on Turkish politicians' shoulders in terms of democratization reforms. On the other hand, the recognition of Turkey as an EU candidate country at the Helsinki Summit changed the attitude of the Turkish side towards the Community. Therefore, the candidate country status which it gained at the Helsinki Summit of 1999 should be considered as a substantial step for Turkey's efforts to become a full member of the Union.

Another key date for Turkey's path to the EU was December 2004 when the European Council defined the conditions for the opening of accession talks for Turkey (EC 2011). For the country, this was a kind of affirmation of a long-awaited project which had been dated to the beginning of the Turkish Republic although there was no eventual membership. However, many people in the Europe were still against Turkey's accession.

On the other hand, the EU's decision indicating that Turkey had met the political aspects of the Copenhagen criteria for membership was in a real contrast to EU's decision in 1997, when Ankara's EU bid was rejected due to the shortcomings of Turkish democracy and the issue of civil society development as a significant element of Europeanization (İçduygu 2011, 381). Therefore, there is no doubt that the Turkish political life has been

recently re-structured by a new start of a “liberal political avalanche” of democratization. Although there have been a considerably major group of intellectuals calling for democratization and liberalization of political monopoly in Turkey, the rationale behind this immediate transformation was the decision taken by the EC at the Helsinki Summit of 1999 (Kubicek 2005, 361).

In the aftermath of the Summit, successive Turkish governments (Bülent Ecevit’s three-party coalition government under the umbrella of DSP and Recep Tayyip Erdoğan’s one-party government under the AKP umbrella) had to pursue a new reform process. In that respect, several major harmonization packages including major amendments to the Turkish legal system were prepared and entered into force (Kubicek 2005, 362) Therefore, no one can refuse or deny that these political reforms such as the freedom of thought and expression, the freedom of association, amendments to the Turkish legal code and the abolition of lifting legal restrictions on individual cultural rights have been indexed to Turkey’s EU bid (Yeşilada 2006). Yet, democratization should not be perceived as easy as preparing major reform packages and voting in the National Assembly to put them into force. Their implementation always remains a problem. Therefore, perceiving rationale behind democratic consolidation gains importance to understand the overall progress of democratization in a country.

So what, then, are the characteristics of a consolidated democracy and what are the driving forces to improve the overall quality of democracy in a transition period of democratization?

As Juan Linz and Alfred Stepan defined, there are three minimal conditions which are necessary to be able to speaking of democratic consolidation. Firstly, a state existence is a must for democratic consolidation. It is impossible to exercise democracy in a political

system where free elections cannot be held, political monopoly is one's hand or rule of law does not exist. So it is "no state, no democracy". Secondly, democratic consolidation follows transition to democracy. Therefore, the completion of the latter does not guarantee the former. Holding free and authoritative elections can be never seen sufficient when the political and judicial powers are still constrained by an authoritarian structure. Thirdly, a regime should never be called democratic if its rulers do not govern democratically and even if its executives are freely elected. In consolidated democracies, no ruler has the right to infringe upon the constitution, violate individuals and minorities' rights or fail to govern a state within the bounds of law (Linz and Stepan 1997, 15).

Yet, even these minimal conditions mentioned above are not sufficient in some cases although democratic transition period is completed. As Linz and Stepan claim, there are still many tasks to be accomplished, conditions to be established, and attitudes and habits to be cultivated before democracy can be regarded as consolidated. In that regard, they favoured a narrower definition of democratic consolidation in a three-dimension political development: behavioural, attitudinal and constitutional (Linz and Stepan 1997, 15).

Behaviourally, democracy becomes consolidated when no significant political group obviously tries to overthrow the democratic regime or to escalate political tension and promote violence in the region in order to secede from the state. Attitudinally, a democratic regime is consolidated when a significant majority of public opinion believe that democratic principles and institutions are the most appropriate way to sustain the current regime even in the moment of severe political and economic crises. Constitutionally, democracy becomes the only game in town when the political conflict is believed to be resolved according to established procedures and institutions sanctioned by the new democratic process (Linz and Stepan 1997, 15).

According to the Linz and Stepan's theoretical model, Turkish democracy is not able to satisfy or fulfil any of these dimensions. Behaviourally, although political parties in Turkey are system oriented without any significant sign on undermining of democracy, the PKK, a Kurdish separatist group which is labelled sometimes as a political actor and terrorist organisation, still continues to conduct strikes inside Turkey (Yeşilada 2006).

Attitudinally, as long as any political party with an Islamic fundamentalist roots or an anti-democratic agenda continues to take part in Turkish political scene, consolidation of democracy in Turkey would be jeopardized. Although one can argue that Turkish political system achieved considerable progress in consolidating democracy as Islamist Saadet Party received only 2.49 and 2.39% of the votes in the 2002 and 2007 general elections, one must make assessment on whether or not the immediate successor to the Fazilet Party, the AKP is loyal to the secularist democratic order in Turkey. The Fazilet Party which received 15.41% of the votes in the 1999 general election is a successor to the banned Islamist Refah (Virtue) Party which received 21.38% of the votes in the 1995 general election. Then, now Prime Minister, Recep Tayyip Erdoğan, and President, Abdullah Gül, left the Fazilet Party in 2001 to establish the AKP on the basis of bringing economic and democratic reform to Turkey, including membership in the EU. A moderately conservative party, the AKP won significant victories receiving 34.29 and 46.58% of the votes in the 2002 and 2007 general elections (TÜİK 2008, 97). Although the leaders of the Party have always rejected the term Islamic, they have strong political background in the Islamist doctrine known as Milli Görüş (National View), which is a conservative political ideology standing on religion and the idea of *ümmeçilik* which means solidarity among the Muslims' world, that is, Islamic internationalism (Kakizaki 2010, 236).

Progress in Turkey inspires reformers and acts as a catalyst for democracy and human rights in the whole region. Of course, progress is not always straightforward with positive developments. We also see developments that give reason for concern, and when this is the case,

we raise these issues in a very serious manner with the Turkish authorities and we use those instruments that we have, thanks to the conditionality of the EU accession perspective... The democratic opening of Turkey in relation to the Kurdish population is an example of such a development. In the summer of 2009, the Turkish Government launched this democratic opening aimed at rising democratic and living standards for all Turkish citizens. This important initiative addresses the Kurdish issue through dialogue and within the framework of Turkish democratic institutions. A number of landmark reforms have been carried out to date. Some of these were next to impossible only a few years ago: think of the Kurdish-language TV programmes, which are now broadcast by private and public broadcasters. They are a telling example of such welcome changes and transformation (Rehn 2010)

Constitutionally, as Olli Rehn also mentions in his speech, huge progress has been made so far but the process has not been fully completed yet. Despite its deficiencies and insincerity in implementation, the reform process undertaken by the last three Turkish governments is one of the most remarkable success stories in the Turkish politics. Since the Helsinki Summit where Turkey gained the candidacy status for the EU membership, Turkey's democratic reform process gained full momentum with the ratification of the harmonization packages and these amendment packages included crucial changes in some sensitive areas such as death penalty, human rights, cultural rights, freedom of thought and expression, education and broadcasting in the Kurdish language, abolishment of the DGMs (Gürkan and Beriş 2004, 1). To name a few, the AKP government signed the European Convention for the Protection of Human Rights and Fundamental Freedoms' Protocol, assuring the abolishment of the death penalty. Moreover, human right committees and High Board of Human Rights were created for each province and district (Gürkan and Beriş 2004, 5). In September 2003, AKP leaders set up the Reform Monitoring Group, composed of Minister of Foreign Affairs, Ministry of Justice and Ministry of Internal Affairs plus high level bureaucrats (Gürkan and Beriş 2004, 5). The monitoring group is created to assess the implementation of new laws and regulations regarding human rights and civil liberties (Aybey 2004, 35). The Reform Monitoring Group, in addition to the newly established EU Communications Group, regularly

informs the embassies of the EU Member States on the steps taken and progress made by Turkey in the implementation of key democratic reforms (Gürkan and Beriş 2004, 5).

Although recent democratic changes are the notification of a fundamental shift in the Turkish political life and institutional structures, in some circles, both in Turkey and abroad, there has been a common perception that these reforms as a concession to the EU are externally imposed and do not have a strong internal impetus.

It must be said that Turkey has experienced positive changes. The European perspective has given Turkey particular motivation to follow a path, in a positive sense, toward democratising changes and democratic consolidation... Inadequacies still clearly persist in the specific area on which this debate is focused, the area of democracy and respect for fundamental liberties. We still consider as insufficient the levels of protection and the guarantee of certain freedoms, such as freedom of expression, of the press, of religion, or the rights of unions, the rights of minority groups, the rights of women and children, the fight against discrimination and equality between men and women. This has led us to propose to Turkey, as part of this process, a series of constitutional reforms, without which it would be difficult to move forward in any of those areas (Garrido 2010).

As Diego Lopez Garrido, Spanish Secretary of State for the EU and the other EU officials continuously remind that passing legal reforms alone does not ensure the proper implementation. Thus, they insist on that the process of these democratic reforms should be permanent regardless of Turkey's integration into the EU and the actual objective should be to ensure the implementation of these reforms as a democratic routine for the consolidation of democracy in Turkey (Gürkan and Beriş 2004, 6).

Conducting a short assessment on Turkey's EU bid and defining that democratic deficit is one of the major obstacles within Turkey's path towards the EU, it is obvious that numerous question marks remain about Turkish democracy from the EU perspective. In order to illuminate the main issues behind the democratization within the goal of

Europeanization, we should clarify the Turkish governments' foreign policy perspective towards the process since the Helsinki Summit.

Let me repeat that membership in the EU is the strategic objective of our foreign policy. We will undertake whatever is necessary. My government is determined to advance its comprehensive reform agenda with this aim in mind. The components of our "homework" are clearly and extensively stated in regular reports of the European Commission. We take good note of these to-do lists and undertake to accomplish whatever necessary (Davutoğlu 2010, 6).

This quote from Ahmet Davutoğlu, the Turkish Minister of Foreign Affairs, is one of the best indicators to understand the general perspective of the Turkish foreign policy towards politics. The Turkish governments have always considered themselves like students, the EU Commissioners like teachers, the democratic reforms like homework and the Progress Reports like student reports. As Cüneyt Ülsever also complaint in his column, the perception of state officials in Turkey towards the EU accession is equal to that of students doing their homework only because their teacher wants them to do it (Ülsever 2010). Therefore, in the light of a Turkish foreign policy responding more to the consequentiality rather than the appropriateness, democratization is considered as an externally-imposed factor led by the EU (Kubicek 2005, 362).

Without question, democracy has been the major political obstacle for Turkey's EU bid and civil society in Turkey has always been portrayed as passive and controlled by the governmental structures. In this regard, debates over reform led by Western powers do pre-date the Tanzimat period of the Ottoman Empire. Since the West played a determining role in the collapse of the Empire, democratic reform attempts had always been considered as Turkish elites' policy. Therefore, in order to ease Turkey's political integration into the EU, the EU encouraged democratic consolidation process in Turkish politics through designing, developing and implementing grant schemes aiming at developing and strengthening Turkish civil society rather than promoting state-building democracy. In this regard, we will



analyse two interrelated concepts, democracy and civil society, in a theoretical framework in order to study the correlation between them.

## CHAPTER III

### DEMOCRACY AND CIVIL SOCIETY

#### 3.1. DEFINING AND CONCEPTUALIZING DEMOCRACY AND CIVIL SOCIETY IN A THEORETICAL FRAMEWORK

Fuat Keyman questions whether civil society is a stereotype having no exact definition but which has become popular within public, academic and political contexts by 1980s, or not. Therefore, he claims that the notion of civil society is very important if the humanity desires a democratic world in which people participate in politics and reflect their identity for any negotiation. In this regard, he considers civil society as one of the concepts which would influence the 21<sup>st</sup> century politics and emphasizes that the concept has to be deeply analysed in a theoretical framework since it has major problems in itself as a concept (Keyman 2004).

After the collapse of the Soviet Union, the notions of civil society and civil society organisations have gained importance in the academic literature of social sciences as an ideal social and political structure. Especially, the last democratization wave, called as the "third wave" by Samuel Huntington, has enabled the revival of civil society within the democratic theory. In this regard, the new concept of civil society was considered as a tool of democratic consolidation. Therefore, one can assume that the concept of civil society has gained a central role in consolidating and promoting democracy.

The concept of civil society had a long history. Although the first attributions to civil society - democracy relationship were witnessed in early 19<sup>th</sup> in Alexis de Tocqueville's work, *Democracy in America*, until the second half of the 20<sup>th</sup> century, the term civil society was interpreted with consideration to its consequence with politics. In this scope, we can assume that the conceptual foundations of civil society were constituted by the

representatives of the social contract tradition in 17<sup>th</sup> century as well as the 18<sup>th</sup> and 19<sup>th</sup> century Enlightenment thinkers.

### **3.2. THE ORIGINS OF THE CONCEPT OF CIVIL SOCIETY**

Although today most people perceive the role of the civil society as a new tool to eradicate poverty, promote employment and social equality, fight against discrimination, resolve social conflict and support political pluralism, a free media and sound justice system through strengthening and promoting human rights, democracy, the rule of law and good governance, the “mission” of the civil society dates back to the Age of Enlightenment (Edwards 2009).

Actually, civil society has a rich history as Michael Edwards also claims. Collective action aiming at searching the good society has always been a universal attempt for the humanity since the age of the Ancient Greece. Although it is only in the last twenty years that the notion of civil society has moved to the centre of global politics, we should not deny that such similar attempts in Europe originally date back to the Enlightenment (Edwards 2009).

The appearance of the term dates back to Greek political philosophy and it was first Aristotle who used the concept as “*politike koinonia*”, which is interpreted as political society or political community and the Latin translated the term as “*societas civilis*”. The term was referring to political society of free and equal citizens under a legal rule of law which is identical with the state (Cohen and Arato 1992, 84).

There was no distinction between the state and the society in Aristotle's conception. Although there was a duality between the “*polis*” (city) and the “*oikos*”

(household) in his conception, this duality did not constitute an opposition since the term was only representing the private life of individuals and, thus, the natural background of the term "*polis*" (Cohen and Arato 1992, 84). In this regard, civil society was considered as the political society encircling the whole city (Tosun 2001, 31).

The Aristotelian conceptualisation of state and society followed a similar way until Hegel, including the social contract philosophers Hobbes, Locke and Rousseau. The re-emergence of the concept civil society in 17<sup>th</sup> and 18<sup>th</sup> centuries was completely associated with theories of individual rights and the idea of social contract (Kaldor 2003, 6). Within the social contract tradition, civil society is understood as a society where individuals associate in order to end the state of nature, whose outcome was expressed as the existence of a state under the rule of law. However, the contractual thinkers among each other were differentiated basically on their views about the nature of relationship between state and civil society.

According to Cohen and Arato, the society of the Enlightenment Age as a new form of life, is the prototype of the contemporary notion of civil society since plurality and differentiation were parts of a unique and single model in a very dramatic way in the medieval era. This uniform and homogenous structure in which citizens "enjoyed" the political ideal was actually based on a single form of life (Cohen and Arato 1992, 88).

The term Enlightenment, an intellectual movement which began in England in 17<sup>th</sup> century and developed in France in the 18<sup>th</sup> century, has long been used as a concept to describe the relationship between the individual and the state through the leading ideals and attitudes of the elite and it still provides the best way to understand the intellectual atmosphere of the late eighteenth century. The Enlightenment embraced so many different philosophers, thinkers and institutions that it is impossible to describe it as a simple civil

movement (Simpson and Jones 2000, 12). In 1784, the German philosopher Immanuel Kant addressed this civil movement through his famous essay, entitled "An Answer to the Question: What is Enlightenment":

Enlightenment is man's emergence from his self-imposed immaturity. Immaturity is the inability to use one's understanding without guidance from another. This immaturity is self-imposed when its cause lies not in lack of understanding, but in lack of resolve and courage to use it without guidance from another. Sapere Aude! [Dare to Know] "Have courage to use your own understanding!" - That is the motto of enlightenment (Gay 1973, 8).

During this period, absolute monarchy and all forms of socio-economic, political and religious privilege came under critical scrutiny due to this "international" civil movement in Europe. Among the European thinkers and philosophers, French authors were the most influential. In "*L'Esprit des Lois* (Spirit of the Laws)" published in 1748, Montesquieu attacked the despotism and expressed his preference for a balanced constitution in which power would be checked within the new political system. In the "*Encyclopédie*" launched in 1751, Diderot cited that no man has the right to command others as received from the nature and liberty is granted for all without any discrimination (Cohen and Arato 1992, 87).

In Thomas Hobbes's theory, it was only the state created by the social contract to accomplish the fusion of society (Cohen and Arato 1992, 87). In this scope, Hobbes characterised the concept of civil society as a social order designed by the state in opposition to the state of nature, which means war in Hobbesian theory. On the other hand, what is different in Hobbesian conception from the Aristotelian term is that the *societas civilis* in the Aristotelian model is still a natural society while the same term is an instituted society in Hobbesian model and the difference probably came from the fact that while the Aristotle's concept relied on a notion of moralized law rooted in ethos, Hobbes's model is based on a positive law which makes "*societas civilis*" an artificial society (Bobbio 1989, 35).

Another Enlightenment philosopher Locke's conception of civil society differentiates from Hobbes' model and the reason is their understandings of the state of nature. According to Locke, the state of nature is a state of freedom and equality, where the political and judicial powers are reciprocal, rather than an inevitable state of war. Locke describes the state of nature as a law of nature to govern it, where all mankind is equal and independent and no one ought to harm another's life, health, freedom and possessions. In this regard, Locke considers the social contract as the consolidation of the existing harmony among the individuals living in nature rather than a tool to put an end to war. On the other hand, Locke specifies the product of the social contract as "political or civil society" where men agree to behave and act as a sole body in order to provide the society with a legislative power, as the public good requires. Therefore, Locke seems having an Aristotelian understanding in which there is no state-society differentiation. However, according to Locke, men could not submit themselves to absolute government since men's natural freedom was a moral right. In this regard, Locke clearly seek to differentiate between government and society as he advocates that freedom and the rule of law should be defended against the government as the Enlightenment notion of "society as contrasted with the state" does. In that sense, one can say that Locke provides conceptual background for the modern redefinition of civil society (Pedlowski 1997, 15).

Rousseau also used the notions of "civil society" and "political society" reciprocally. However, as different from Locke and Hobbes, he attributed a new approach towards the definition of civil society. In his work, "Discourse upon the Origin and the Foundation of The Inequality among Mankind", he claimed that the equality among men in the state of nature disappeared with the rise of private property. In this respect, Rousseau made a "strong-weak" and, thus, "rich-poor" differentiation appeared between individuals as a result of the different natural conditions that men were exposed to. In this scope, Rousseau considered

the conceptualisation of civil society as the appearance of property, which led to a growing inequality among mankind (Rousseau 1762).

According to Rousseau, the new-born state of society as a consequence of the rise of private property destroyed the equality and peace in the state of nature and gave rise to a horrible state of war. In this regard, one can say that Rousseau differs from Hobbes since Rousseau thinks that the state of nature is not a state of war without men get into a state of war (Rousseau 1762). Nevertheless, Rousseau put forward the solution in his later work *Social Contract* by saying:

The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before (Rousseau 1762).

In *Social Contract*, Rousseau explained that the transition from the state of nature to the civil state was accomplished through the introduction of the social contract. As Locke did, Rousseau also advocated that the state of war could come to an end only by the legalization of private property through the completion of the social contract. Rousseau also emphasized on the concept of citizen significantly in his conception of civil society since he considered each member as an indivisible part of the whole (Rousseau 1972).

In that regard, one can say that the Enlightenment thought led to the growth of a social life sphere independent from the political society which was founded upon the newly emerged bourgeois. Moreover, in the sphere of civil society, the individual appeared for the first time as an independent owner of private property. Therefore, private property appeared here as the material form in which individual rights.

Starting with the late 18<sup>th</sup> century, especially with the contributions of Hegel and the Scottish Enlightenment thinkers, the concept of civil society entered into a new phase of development with regard to its definition.

On the other hand, Fuat Keyman claims that the definition of civil society goes back to 14<sup>th</sup> Century referring to John Ball, who was an English Lollard priest taking part in the Peasants' Revolt of 1381. To Keyman, Ball defines civil society by saying that "friendship is life and there is no amity in the hell since people exists there individually", which is called as volunteer collectivism (Keyman 2004, 2).

### **3.3. THE CONCEPT OF CIVIL SOCIETY**

The main distinction between civil society and the state is associated with the concept of "national state" in the late 18<sup>th</sup> and 19<sup>th</sup> centuries, a period for the centralization of state power. Therefore, the generation of organized groups and pluralisation of the society started to undermine the traditional identification of civil society with the state. Furthermore, with the rise of commercial volume became a central part of the discussions on the concept of civil society.

The notion of a civil society sphere distinguished from the state can be seen in the works of Scottish Enlightenment thinkers. The period of transition from the political order of feudal hierarchy and the development of commercial society in 17<sup>th</sup> and 18<sup>th</sup> centuries created the problem of maintaining order within the society and this made the Scottish Enlightenment thinkers debate how to give rise to an ordered society with limited interventions from the state (Varty 1997, 32). In this regard, a new way for the identification of civil society concept reversing the old Aristotelian exclusion of the economic from *politike koinonia* was emerged (Cohen and Arato 1992, 90).



The Scottish Enlightenment thinker Adam Ferguson, who was inspired by the outstanding effects of the new industrial age, was concerned that commercial society could lead to the destruction of moral basis of personality and of public spirit. In this regard, he considered the market sphere as a serious threat to civic virtue. This shift would limit the state's role in upholding security of its citizens (Baker 2002, 4). In this regard, his consideration was that market could lead to corruption and political despotism within the society (Varty 1997, 37). Therefore, Ferguson encouraged a self-regulating market system, which was free from state interference. In this respect, he described associationalism as an activity outside of the state for the rising tension between individualism and community. According to Ferguson, men needed to take an active interest in the government of their polity rather than accumulating wealth simply in order to have a civil society. Therefore, Ferguson's dividing line was between civil society and despotism instead of being between civil society and state.

In parallel with Ferguson, another significant Scottish Enlightenment thinker Adam Smith also attracted attention to the impact of rise of commerce on the development of civil society. However, Smith's emphasis was more on a reconstruction of morality through new forms of moralization and individualization rather than a stress on the corrupting character of commercial society. According to Smith, commercial society and ethics would not lead to the corruption of people's moral sentiments. He characterised his commercial society model through the concept of "labour division", a systematic exchanges and commodity production and a particular form of social cooperation, in order to solve the conflict between self-interest and virtue. In this regard, he defined the interdependence as based on mutual self-interest. Within this framework, he called that civil society as a "society of strangers", a "negative" constitution of society on the basis of the rationality of the division of labour (Ioannidou 1997, 53).

Hegel, who was strongly influenced by the Scottish Enlightenment thinkers, was the first philosopher to develop the modern notion of civil society through referring the idea of civil society with the proper relation between the state and the civil society as separate spheres in his work, "Philosophy of Right", written in 1821 (Baker 2002, 5).

Hegel linked the concept of civil society to the emergence of capitalism and modernity. He equated the notion with the term "*bürgerliche gesellschaft*", which means bourgeois society and defined civil society as the difference between the family and the state. Hegel explained civil society as an association of members or independent individuals in a formal universality and finally the state which is needed for the maintenance of the universal (Kitchener 2001, 132). Hegel discussed the transition from family to civil society by the dissolution of the family unity and the confrontation of independent individuals outside the family realm. According to Hegel, the system of needs is the first phase for the emergence of civil society and he attributed the administration of justice as the second level of civil society. Finally, he included the police and corporation in his theory as the third level of civil society, mainly for the security of the person and property, and the recognition of men's well-being (Kitchener 2001, 184). In this regard, the police control and provision represents the penetration of the state into civil society.

Hegel's model on civil society emphasizes the disintegration from the ethical life represented by the family and transition into a world of alienation through division of labour. Nevertheless, when he argues the ethical roots of the state, he refers to the family and, later, civil society (Cohen and Arato 1992, 95).

According to Hegel, the role of the state should be supervising civil society especially at the level of the social needs. In this respect, if a dispute cannot be controlled and regulated politically by the state, it could not stay as "civil" (Keane 1988, 52). In that

sense, Hegel perceives civil society as a dimension of the modern state and as a moment in the formation process of the state (Tosun 2010, 31).

Although we can assume that Hegel followed the Scottish Enlightenment tradition, he differentiated from the Scottish philosophers by considering civil society as a sphere of contradictions which could be resolved in the higher institution of the state (Shaw 1999, 270). Furthermore, contrary to the conception of Adam Smith, he recognizes that civil society can neither restrict itself to economic relations nor permit them to have free sway. In this regard, his conclusion is that the economy has no more than its own logic of self-determination to prevent any crises, overproduction, unemployment and an amassing of riches by the growing poverty of others.

The Hegelian concept "*bürgerliche gesellschaft*" was later followed by Marx and Engels who emphasized the role of economy in their conception of civil society. Marx not only focused on the negative aspects of civil society and but also deepened the analysis of the economic dimensions of the system of needs. He also went beyond Hegel's model in analysing the social consequences of capitalist development (Cohen and Arato 1992, 117).

Marx principally related the concept of civil society to the relations of production and considered the socio-economic transformations in 17<sup>th</sup> and 18<sup>th</sup> centuries as led by the emergence of the bourgeois class' economic activities, which were not controlled or checked politically. In this regard, we can assume that he viewed civil society as the social movement of the bourgeois class.

Unlike Hegel, Marx and Engels considered the state as secondary to civil society and as an instrument in the hands of the dominant classes (Kaldor 2003, 20). According to Marx, the state is not a power which resolves the contradictions in civil society and

coordinates collective interest (Tosun 2010, 41). He just describes the state as a tool for the reinforcement and reproduction of particular interests and as an entity providing for its continuation and preservation rather than eliminating the state of nature. That is, according to Marx and Engels, it is not the state, which controls and supervises civil society, but it is the civil society which regulates and conditions the state. Marx's conception of civil society is a realm of contradiction between classes (bourgeois and proletariat) rather than individuals. Therefore, according to Marx, the basic defining character of civil society is the division between the property owner classes (bourgeois) and those who do not have property (proletariat).

As clearly seen, Marx attributed a considerably negative meaning to civil society, which was later criticized by Cohen in his "Class and Civil Society: The Limits of Marxian Critical Theory that Marx" since Marx had become unsuccessful in realizing the positive and progressive dimensions of civil society, such as pluralism or autonomy.

In 20<sup>th</sup> century, the content of the concept has been narrowed to social interaction as being distinct from the state and the market. As one of the followers of the Marxist theory, the Italian philosopher Antonio Gramsci contributed much to the revival of the concept of civil society in early 20<sup>th</sup> century. However, he generated his own conception of civil society directly from Hegel through excluding the economy from his conception of civil society and recognising pluralism and association which are specific to modern civil society (Cohen and Arato 1992, 143). In this regard, Gramsci strongly criticized Marx's economic reductionism within the conceptualism of civil society.

Gramsci considers civil society as an intermediary terrain between the state and the economy, where hegemonic relations are exercised and continuous class struggles take place for domination. In this respect, Gramsci developed a hegemonic concept of civil

society, a realm where a dominant group (bourgeois class) imposes its hegemony through a powerful set of norms and institutions, based on the consent of the secondary groups (working class). However, Gramsci also emphasized that civil society may also act as a sphere where the secondary groups can create and organize alternative (counter) hegemony in opposition to hegemonic group. In that sense, one can say that Gramsci is the first to express the idea that civil society could be resistant to state power (Baker 2004, 6).

### **3.4. DEFINING LIBERAL DEMOCRACY**

Since April 1974, the Portuguese military overthrew the 50-year-old Salazar-Caetano dictatorship, the number of democracies in the world has increased dramatically. Before the beginning of this global democratic trend, there were approximately forty democracies. The number of democratic countries has multiplied moderately through the early 1980s since several states experienced transitions from authoritarian to democratic rule. This democratic trend accelerated remarkably in the mid-1980s and by the end of 1995, there were 117 democracies. Actually, as there were multiple approaches defining democracy, the number of democracies was not the same for each party (Diamond 1999, 1).

As Larry Diamond mentioned in his book that Samuel Huntington defines these groups of democratic transitions as the “waves of democratisation” and he called this post-1974 period the “third wave”, in which the global democratic expansion has attracted a central importance and demonstrated regional and international effects. He identified two previous waves of democratisation as the “first wave”, a long and slow period from 1828 to 1926, and the “second wave”, the post-World War II period (Diamond 1999, 2).

On the other hand, Larry Diamond referred to different social scientists through explaining their views on democracy views as follows: Philippe C. Schmitter labels this period

the "fourth wave" of global democratisation but he does not alter the trends and issues analysed here. By contrast, Robert A. Dahl defines three historical waves of democratisation period based on the type of political transformation. He addresses the "first wave" (nineteenth century) as the transition from hegemonies into competitive oligarchies, the "second wave" (early twentieth century) as the transition from near polyarchies into full polyarchies, and the "third wave" (before and after World War II) as the further democratisation of full polyarchies (Diamond 1999, 281).

The democratisation period started in Southern part of the Europe in the mid-1970s and this trend affected the military regimes of South America in the late 1970s and early 1980s, and reached East, Southeast and South Asia by the mid to late 1980s. The end of the 1980s witnessed a surge of transitions from communist authoritarian rule in Eastern Europe and the former Soviet Union and a trend towards democracy in Central America as well. Finally, the trend of democratisation spread to Africa in 1990. By 1998 there were around fifteen democracies on the continent (Diamond 1999, 2).

The first and second waves ended with a reverse wave of democratic retreat. Although one can speak of a democratic recession but should avoid using the term "depression" to characterize the decline in freedom since the number of democracies in the world has always been existed more than had existed prior to the democratic waves (Diamond 1999, 2).

Therefore, only one question comes to our minds when we study the democratic and reverse waves since the nineteenth century. Why democracy? One can observe that the democracy has always been considered as the best form of government and this normative approach is very applicable. However, this earlier perspective of democracy had not been applicable in each period of the political thought history.

Aristotle, a Greek philosopher, cited in *The Politics* that the basis of a pure democratic state is liberty. Dating back to Greek philosophers, Aristotle and Plato, although democratic political thought has been defined as the best realisable form of government in which freedom and popular sovereignty are secured by the rule of law, a state of pure democracy where the multitude have the supreme power for ruling was considered by Aristotle as a type of government having risk to degrade and become a form of despotism (Diamond 1999, 2).

Therefore, as several contemporary political philosophers (Locke and Montesquieu) asserted, the political thought that only a constitutional government controlling the supreme power of the majority can defend individual freedom produced a new political thought – liberalism – and, thus, the concept of liberal democracy. Although the history of democratic theory has reflected a number of political models such as direct participatory democracy, one-party people's democracy and social democracy, the concept of liberal representative democracy in the free-market context has always been considered as the most efficient and equitable organizing principle of modern society in the immediate post-Cold War context with the motto of "The End of History", an ethos produced by Francis Fukuyama referring to the end of ideological history, since the social and people's democracies came to an end in the post-Cold War world (Linz and Stepan 1997, 3).

Here comes the second question. Why liberal democracy? The term *liberal* means a political system in which individual freedoms and group liberties are protected and in which there exist autonomous peripheries of civil society and private life isolated under state control.

One can consider that democracy is simply a type of government based on the rule of the people, a system in which governments offering the best prospect for

accountable, transparent, peaceful and good governance come to the power through free and fair electoral competition at regular periods. In that regard, one can argue that liberal democracy is an instrument for freedom in three ways. First of all, free and fair elections are the way to express political rights. Secondly, democracy is a type of government maximizing the opportunities for self-determination. Finally, it ensures the ability for each individual citizen to make his/her own normative and political decision in terms of self-governing. Therefore, democracy can be considered as a process promoting human development, which means personal responsibility and intelligence, in order to secure and advance their interests (Diamond 1999, 3).

In that regard, government is better when it is more democratic since more democracy makes government more responsive to a wider range of citizens in a system in which constitutionalism and representative democracy are the essential principles. That is, the greater opportunities to represent political preferences, the greater number of preferences to be represented in policy making (Dahl 1989, 26).

According to Larry Diamond, above the transparency and responsiveness of governments to the ruled representing different interests and preferences and the minimization of violence in political life is liberty. In the twentieth century, the liberty and freedoms of the individual to think, believe, worship, associate, express him/herself, become informed, avoid from torture are recognised as universal human rights (Diamond 1999, 4). From the Universal Declaration of Human Rights which adopted and proclaimed in 1948 by the General Assembly of the UN to the World Conference on Human Rights held by the United Nations in 1993, these rights have been taken into consideration by more and more governments in the world. At Vienna, all 111 countries which attended the Conference agreed and reaffirmed their commitments to the purposes and principles contained in the Universal Declaration of Human Rights and the Vienna Declaration and Program of Action



(Diamond 1999, 4). This "Vienna Declaration and Program of Action" referred to the termination of a long review and debate process over the status of human rights in the world. It also pointed out the start of a renewed effort to implement the action items regarding the human rights which have been painstakingly based on the Universal Declaration of Human Rights since the year of 1948 (OHCHR 2011).

Therefore, one can argue that liberal democracy is a type of government ensuring protection for human rights and, thus, the best of government among all forms of democracies. However, how does liberal democracy extend beyond the other democratic conceptions such as electoral democracy? In addition to the elements of electoral democracy, liberal democracy requires, first, the absence of reserved domains of power for the military or other actors not accountable to the electorate, directly or indirectly. Secondly, in addition to the vertical accountability of rulers to the ruled, it requires the horizontal accountability of policy makers which helps protect constitutionalism and legality. Third, it involves extensive provisions for political and civic pluralism as well as for individual and group freedoms, so that contending interests and values may be expressed and compete through on-going processes of articulation and representation, beyond periodic elections (Diamond 1999, 10).

Freedom and pluralism can be secured only through the rule of law in which legal rules are implemented fairly, consistently and predictably across equivalent cases, irrespective of the class, status or power of those subject to the rules (Diamond 1999, 11).

Larry Diamond claims that liberal democracy has consisted of ten conditions. First, while control of state with elected officials is primary, the military should be subordinate to the authority of elected civilian officials. Second, executive power should be constitutionally constrained by the autonomous power of other governmental institutions. Electoral

outcomes should be uncertain. Fourth, cultural, ethnic, religious and other minority groups should not be prohibited to express their interests in political affairs or to speak their mother tongue or to practice their culture. Fifth, beyond political parties and elections, citizens should have multiple channels to participate into political sphere in order to express and represent their interests and values and they should have the freedom to associate. Sixth, there should be alternative resources for citizens like independent media. Individuals should also have substantial freedom of belief, opinion, discussion, speech, publication, assembly, demonstration and petition. Eight, citizens should be politically equal under the law. Ninth, individual and group liberties should be effectively protected by independent judiciary. Last, the rule of law should protect citizens from unjustified detention, exile, terror, torture and undue interference in their personal lives not only by the state but also by organised non-state and anti-state forces. Thus, liberal democracies have to be constitutional since the lack of constitutional understanding and structure is the main weakness of many illiberal third-wave democracies, especially in the post-communist world (Diamond 1999, 12).

## CHAPTER IV

### CIVIL SOCIETY POLITICS OF THE EU

#### 4.1. DEFINING CIVIL SOCIETY IN THE EU

Concerning the civil society politics of the EU, consultation and participation of civil society in policy-shaping and rulemaking was strongly emphasized. However, the fact that there is no legal definition of the term CSO at the EU level complicates to identify the actors of civil society.

In this regard, one of the basic EU-level documents trying to address the question of EU definition of civil society is the ESC opinion on "The Role and Contribution of Civil Society Organizations in the Building of Europe" dated 1999.

In its attempt to define civil society, the ESC repeats that there is no hard and fast definition of civil society at the EU level since the concept is closely associated with specific historical developments in individual societies. On the other hand, the ESC describes civil society as a normative concept embracing democracy. In this sense, the ESC defines civil society as a "school for democracy" since the concept leads to pluralist discussion for an "intelligent" democracy that can generate an on-going process of social learning. More specifically, it defines it as a collective term, with its dynamic nature for all types of social action led by individuals or groups, which is not initiated by the state and is not run by it. One of the distinguishing feature of the concept of civil society is symbolising both situation and action. The participatory characteristic of civil society also provides an opportunity to consolidate the democratic system so that a more favourable climate for freedom, reform and innovation can develop (ESC 1999).

On the other hand, the ESC defines CSOs in abstract terms as the sum of all organisational structures whose members have common objectives and responsibilities that are of general interest and views CSOs dynamically as a locus of collective learning in complex societies, which cannot be run on a centralised basis and where problems can only be resolved with active grassroots participation. In this regard, the ESC perceives the effectiveness of CSOs as crucially dependent on their members' commitment to help start democratic debate, achieve consensus through public and accept the outcome of a democratic policy-making process. Within this framework, according to ESC, the CSOs include; so-called labour-market players, i.e. the social partners; organisations representing social and economic players, which are not social partners in the strict sense of the term; NGOs bringing people together in a common cause, such as environmental organisations, human rights organisations, consumer associations, charitable organisations, educational and training organisations, etc.; organisations set up within society at grassroots level which pursue member-oriented objectives, e.g. youth and family associations and all organisations through which citizens participate into local and municipal life; and religious communities (ESC 1999).

Recently, the EU definition of civil society as well as the actors were revised both in the EC's White Paper on European Governance in July 2001, the basic document adopted with the aim of establishing more democratic forms of governance and specifying the EU's civil society politics. This paper put forward a more inclusive definition in the sense of representing interests of individuals. Therefore, one can say that the EC see civil society as an actor or entity excluding the state to a considerable extent.

## 4.2. CIVIL SOCIETY IN THE EU

The EU as a sui generis actor has become an attractive and interesting subject of international relations especially within the last two decades since the signature of the Maastricht Treaty (Treaty on EU) representing a new stage for European political integration (EC 2003). By enlarging geographically and expanding into new areas of integration, the Union has become a very complex structure to manage. As a result, the Union has started to operate as an entity isolated from its citizens. Therefore, no one can deny that public debates on the future of the EU have been intensified and the legitimacy of the Union has started to be questioned.

In that regard, the academic literature has started to focus on the importance of a consolidated European civil society for the sake of the Union's future. The desire to make the European political integration deeper by constructing a consolidated European public sphere has made the idea of "European civil society" a much more popular notion in the last decade. Therefore, the EU institutions have committed themselves to the design and development of new community policies for an increased role of civil society in order to promote the European integration process and close the gap between the community and its citizens.

There are different perspectives perceiving European civil society as the best way and the most appropriate solution to bridge the gap between the Union and its citizens and this concept has been on the agenda with all its attractiveness. However, it is almost impossible to offer a consensus on the role and function of the European civil society since these approaches widely differ. As mentioned above, the only common point is that every approach considers the European civil society as a part of the solution. Therefore, we should

first put emphasize on the main lines of these different perspectives concerning the role and function of the civil society within the EU.

The most challenging point is that these perspectives differ widely in terms of the subject. By focusing only on one dimension of the issue, it is unavoidable to accept that every perspective attributes different roles to the European civil society. Although some approaches focus on the issue in terms of democratic deficit, some others link the European civil society with the modern global system.

The reasonable man adapts himself to the world; the unreasonable one persists in trying to adapt the world to himself. Therefore, all progress depends on the unreasonable man (Shaw 1903).

The small quotation from the play of George Bernard Shaw, "Man and Superman", leads us to remind one of the scholars, Jürgen Habermas, who examines the subject of European civil society within broader perspective. Regarding the inquiry of whether the European democracy should be founded on a "European people" or a "European nation", Habermas criticizes the perspective that a democratic order must be based on a "nation". As Shaw mentioned in his play, Habermas thinks that the Union would not be able to make progress as a reasonable man adapting itself to the world. On the contrary, in order to create a European identity, he puts the emphasis on the European citizenship, which has to be considered in the context of integration process (Habermas 1999, 367).

With the establishment of a European single market, the social mobilization and migration from less developed countries have increased. These two events requiring design and development of new community policies such as social inclusion and job creation resulted in fostering and enriching the multi-cultured structure of the EU. On the other hand, this cultural enrichment led to a social tension. In contrary, Habermas has always perceived this social tension as a possibility and, even, as an opportunity to successfully create a post-

nationalist European citizenship concept which would lead to advance political mobilization and which would encourage social movements necessitating a particular cooperation at the European level (Habermas 1999, 367).

As Habermas does, José M. Magone perceives the question of European civil society from a similar perspective and emphasizes on a future project in which European civil society mobilize a global governance within the context of modern world system. In the context of a gradual transformation of the global governance system, he sees the EU as an uncompleted sui generis political structure which leads within the post-national system of the last half-century and he mentions on the importance of the role of European civil society in the reconstruction of the modern global political system (Magone 2000, 1).

Magone sees the EU as one of the most advanced part of global integration and consequently he considers the emergence of a European Civil Society, which is no longer one-dimensional but multidimensional, as substantial experiences to understand future global developments and the Union as a social, economic and political actor which tries to diffuse its values in matters that had to be solved at the European level (Magone 2000, 18).

Moreover, he emphasizes on the shared sovereignty of the EU Member States, as the most realistic outcome of the European Union, which requires cooperation in particular policy areas. In that regard, Magone criticises the EU's constitutionalism in itself as an unsuccessful solution way for the integration process and he considers the role and function of European civil society as a heuristic device to understand the growing transnational demands of interest groups, subnational agencies and citizens (Magone 2000, 22).

In the aftermath of the Soviet Union's collapse in late 20<sup>th</sup> century, the concept of civil society has become interesting not only for Central and Eastern Europe and the

developing world, but also for the European Union. Together with “accountability” and “transparency” under the concept of good governance, the notion of civil society has been popular in the recent attempts of the EU institutions to shed their image of vast and remote bureaucracies (Spichtinger 2003, 1).

By the 1990s, the literature on the democratic deficit issue in the EU has become remarkable as a standard criticism towards the system. The criticism refers to a perceived lack of accessibility and representation of the ordinary citizen and lack of accountability of EU institutions. In this regard, the project of democratic consolidation at the EU level has led to the promotion of civil society. Therefore, the key to establish a more reflexive, deliberative and participatory EU system is seen as lying in a modification of the EU governance system by pluralisation rather than in reshaping of how the EU works (Spichtinger 2003, 1).

In this scope, civil society is considered as the only way out of EU’s democratic deficit and the participation of civil society in policy and decision making processes is supposed to enhance the EU’s legitimacy. However, before exploring the details regarding the substantial role of the civil society in the EU governance and politics, first of all, it is necessary that we should have a look at how the EU defines civil society.

#### **4.3. THE ROLE OF DEMOCRACY AND CIVIL SOCIETY IN TURKEY-EU RELATIONS**

Ahmet İçduygu claims that the role of the civil society concept is substantial within EU’s conceptual approach for the promotion and consolidation of democracy in Turkey within its overall integration process (İçduygu 2011, 385).



On the other hand, Fuat Keyman tries to question whether civil society is a stereotype which has become popular within public, academic and political contexts by 1980s, or an important notion which will influence the 21<sup>st</sup> Century world politics. In this regard, although he considers Turkey as a successful country in terms of establishing a modern state in 1923, he does not hide that he defines Turkey as unsuccessful in transforming the modern state to a liberal, democratic and multicultural modern state. Therefore, he refers the dilemma in Turkish politics. To Keyman, the best example is the transition from single party period to multi party parliamentary period in Turkish Republic in 1945s, the years when the Latin American and Eastern European Countries were shifting to undemocratic regimes (Keyman 2004, 9).

Keyman claims that the concept of civil society is considerably important upon discussing the dilemma of modern state, democratisation and civilisation of democratic consolidation since civil society means to ensure transparency in governance in western politics. In this regard, Keyman tries to create an overview of civil society in Turkey. In terms of civil society organisations which are interested only in social matters rather than politics and economics, Keyman claims that he has witnessed a substantial development of Turkish civil society (Keyman 2004, 10).

On the other hand, the EU has tried to widen and deepen in parallel for years. In this scope, Keyman assesses the current situation of Turkish civil society as follows: one can easily observe that there is a dramatic increase in the number of civil society organizations in Turkey in line with the global revitalization of the notion of civil society by the end of 1980s, the level of deepening of the civil society in Turkey is far away from the target (Keyman 2004, 10). However, when it is looked at the general picture of civil society in Turkey, these CSOs define and consider themselves as the representatives of public good introducing different opinions.

On the one hand, although the increasing number of CSOs appears to be a positive picture regarding civil society-democracy relationship, most of those organizations have limited impact on democratic consolidation in Turkey. Considering their objectives and purposes, a considerable majority of those organisations is consisted by mutual relief associations based on religious, communal or ethnic values or charity organizations seeking to collect donation for building public institutions such as schools, worship places, etc. and these CSOs constitute a proportion of 65.3% (Gönel 1998, 21). Therefore, strengthening of Turkish civil society becomes considerably questionable.

Since the deficit of building an active civil society in Turkey has always constituted a behavioural problem, democratic consolidation in Turkey has long been a significant concern for EU, which has been an important supranational actor giving great emphasis on the spread of democratic norms and institutions by the late 1980s. In this regard, Turkey has been exposed to heavy international criticism due to its poor human rights performance. Starting from the 1980 military coup, Turkish governments' human rights records and the challenge of Kurdish issue have become gradually substantial within Turkey's relations with the EU (Kramer 2000, 231). Especially, within the Helsinki process, the deepening European integration process with a strong emphasis on European political morals and values have become the main leverage behind the EU's human rights promotion policies (Kardaş 2003, 5). In parallel, the EU has engaged in a gradually increasing cooperation with CSOs in Turkey. In this respect, the EU has initiated and been supporting various programmes in Turkey, with the objective of promoting the technical and financial capacity of CSOs as well as helping them to take active role within the process of democratization. In this regard, one can claim that Turkey-EU relations have been characterized by necessary leverages engaging democracy promotion and strengthening of Turkish civil society.

The date of December 1999, when Turkey was granted applicant status with a view to becoming a full EU Member State, it was clear that two notions; democratic consolidation and civil society development, would become political membership conditionality for the completion of Turkey's accession negotiations with the EU.

Although there were deep concerns about the new era opened by the attacks of September 11, the effects of the new setting was not so grave in the case of Turkey. Turkey's close relations with the Union were offering strong incentives to make the momentum sustainable for the domestic reforms toward democratization, civil society and human rights although there were some setbacks and delays caused by domestic developments dominating the reform process rather than the effects of September 11 (Kardaş 2003, 6).

#### **4.4. EU'S PROMOTION OF DEMOCRACY, HUMAN RIGHTS AND CIVIL SOCIETY IN TURKEY**

Turkish civil society has been characterised as weak and inactive since it is controlled by the state. Actually, it is possible to discuss on several reasons affecting the Turkish political culture in such way. While some would assert that the main reason is the Ottoman political culture, others would point to the early "authoritarian" years of the Turkish republic. Indeed, the common sense about the passive nature of Turkish civil society is that Turks have always considered the state as a "father-state" rather than as an organisational body delivering services for the security and welfare of its citizens.

Although civil society became more visible and effective as a concept in Turkey demanding greater political liberalization by the 1990s, after a substantial economic liberalisation, no one can deny that civil society in Turkey was more activated than ever

before and the state was more on the defensive side until the EU welcomed Turkey in December 1999.

A vibrant civil society is important in any democratic society... [There is a] need to foster the broadest possible consensus among not just the political class, but the population as a whole.... This is a major task. It requires politicians but also other representative voices of civil society like NGOs, churches and academia, to play a clear role (Barroso 2010).

Promotion of democratic consolidation in third countries has consistently been a significant concern for the EU as José Manuel Barroso mentioned above. Specially, within the framework of accession negotiation, one of the EU's main objectives is to formulate a deliberately increasing collaboration with civil society actors in candidate countries. Hence, the EU has been developing and implementing various capacity building and grant programmes in candidate and potential candidate countries with the aim of integrating civil society organizations into the democratic consolidation process. This has also been the case with Turkey's EU accession negotiations.

By the late 1980s, the EU, as a new internationally emerging actor, has struggled to configure a more articulated political role for itself in the international political affairs by putting great emphasis on the spread of democratic norms and institutions. Consequently, the role of democracy, rule of law and human rights in the EU's external relations has gradually been reinforced.

Within the enlargement strategy, conditioning third countries' membership to the Union on some political criteria reached its climax in 1993 at the Copenhagen European Council, when the Union took a decisive step to set political criteria for membership which would be required that the candidate country must have achieved. These political criteria included a fully functioning democratic system in which stability of institutions guaranteeing

democracy, the rule of law, human rights and respect for and protection of minorities has to be ensured (DG Enlargement 2011).

As well-known, the long-standing relations between Turkey and the EU date back to 1959 when Turkish government applied for EEC membership. Although Turkey had disappointments in 1989 and 1997, in the Helsinki Summit of 1999, these disappointments were transformed into renewed hopes for full membership when the EU officially accepted Turkey as a candidate country.

As applicable in almost every field, the accession to the EU led Turkey to major involvements for strengthening civil society in Turkey in terms of democratisation. In this scope, the EU's contribution to the civil society related projects in Turkey has started by the early 1990s in the form of developing and implementing civil society development programmes in collaboration with civil society agents, especially for the projects concerning the development and promotion of human rights and democracy. In that regard, the EC is perceived as an engaged body dedicated in cooperation with a diversity of civil organizations such as NGOs, trade unions, associations, federations and foundations.

If we look at what has actually been done to prepare Turkey for EU membership and to help them fulfil the entrance conditions, we can conclude that far more generous support has been given to other candidate countries, one of which is Poland, than to Turkey. Turkey has a quite different story in terms of EU financial aid. Especially compared to other candidate countries from Eastern Europe, Turkey received almost nothing from the EC for its economic and political development and the supported projects were mostly limited to training programs, event organisations such as conferences and symposiums, and research on human rights and democratization and rather than having long-term goals.

It is only after Turkey has been granted the EU candidacy status in the 1999 Helsinki Summit, then the EC has started to implement new programmes with higher budgets and deliver more comprehensive capacity building projects and grant schemes specifically designed for the promotion of democratic consolidation through strengthening the civil society in Turkey.

It is important to show that the Union is willing to deliver the right policies for its citizens: directly, and by creating an effective and democratic Europe. They are all part of the same effort to get closer to citizens and to serve the common interest (Wallström 2007, 4).

Today, through implementing different capacity building and grant programmes, the EC supports civil society and CSOs in Turkey for the promotion of democratic consolidation. In this regard, we should focus on the below mentioned programmes to have a better understanding of EU's civil society development programmes in Turkey in order to promote a more democratic life:

- MEDA Programme in Turkey
- Pre-Accession Assistance Programme
- EIDHR in Turkey
- Civil Society Dialogue Initiative

#### **4.4.1. MEDA PROGRAMME IN TURKEY**

The MEDA Programme is the main financial instrument of the European Commission for the management and delivery of the Euro-Mediterranean Partnership in partner countries, one of which was Turkey at that time before gaining the candidacy status. The overall objective of the programme is to offer technical assistance through developing and implementing aid programmes in order to promote the reform of economic and social structures in the Mediterranean partners (EC 2011).

Launched in 1995, the MEDA programme, based on the three pillars of the Barcelona Declaration, implemented programmes both bilaterally and regionally to three types of projects, one of which was democratisation and civil society development. Turkey was among the principle partners of the programme since 1995. In this scope, an amount of € 376 million was allocated to Turkey by the EC under MEDA for the management and delivery of bilateral and regional projects aiming at supporting economic transition, socio-economic development, democratization and civil society development (Representation of the EC to Turkey 1999 A).

This sum allocated to Turkey corresponded to 55 projects, among which more than 20 were small-scale projects carried out by CSOs. The overall objective of the most significant projects implemented under MEDA was to strengthen democratic principles and human rights as well as awareness rising in the relevant field. Among them, the project entitled "Civic Education for Reinforcement of Democratic Principles and Rights" can be considered as one of the most successful ones, which were focused on spreading and promoting democratic principles and creating awareness on human rights through organising and delivering training programmes in 25 provinces. Another completed project implemented under MEDA was the "Programme on State Reform in Turkey" with the overall aim of creating a dialogue forum through organising and delivering conferences in order to promote democratic consolidation through enhancing transparency of policy making process of the state (Representation of the EC to Turkey 1999 A).

**Table 1: Small Scale NGO Projects between 1995 and 2001 (Representation of the EC to Turkey 1999 B)**

<b>Beneficiary</b>	<b>Description</b>	<b>Budget</b>
World Academy for Local Governance and Democracy	The purposes of the project were to facilitate the social and economic development of urban communities, strengthening civil society and enhancing decentralization of power within the country.	€1.025.650
Turkish Democracy Foundation	<i>Civic Education:</i> The project aimed at spreading democratic principles and creating awareness and knowledge of human rights at grassroots level.	€250.000
Antalya Bar Association & Friedrich Naumann Foundation	<i>Democratisation Programme:</i> The aim of the project was to increase the awareness of democratization and introduce the modern democratic state concept and the EU human rights standards.	€100.000
Ankara Institute Foundation & the Turkish Social Sciences Association	The objective was to increase the participation of women in public life, through training women in the areas of campaign management on how to run for elected office, governance, fund-raising, leadership and the democratic process.	€170.000
Helsinki Citizen's Assembly	<i>Efficiency In Judicial Decisions:</i> The aim of the project was to empower the functioning and efficiency of the judicial mechanism, provide training for bar associations. Beneficiary is Helsinki Citizen's Assembly - National Branch Turkey.	€60.000
Philosophical Society of Turkey	<i>Human Rights Education for Orphans:</i> The objectives of the project were to train disadvantaged groups of children from slum areas who face problems related to human rights and to protect them against antidemocratic ideologies.	€70.000
Women's Studies Association	<i>International Women's Democracy Centre:</i> The democracy centre conducted workshops and seminars to enhance women's political participation in Turkey, Egypt, Jordan, Lebanon, and Morocco.	€100.000
TESEV - Turkish Economic and Social Studies Foundation	<i>State Reform in Turkey</i> The objective of the project was to support the process of clear policy making of the state and to enhance transparency and accountability of state institutions, through creating a forum for dialogue and leading an open discussion about how the current structures could be reformed.	€600.000



#### **4.4.2. PRE-ACCESSION ASSISTANCE PROGRAMME**

In parallel with the new approach followed for all EU candidate countries, from the end of 2001 onwards, all financial instruments previously available for the management and delivery of EU funds have been gathered under a new single budget mechanism. In Turkey's case, this budget line was called as "Pre-Accession Assistance Programme" and it is was the main instrument for Turkey to benefit from the EC's programmes (Representation of the EC to Turkey 2005).

Within the framework of new pre-accession assistance instrument, an amount of more than € 1 billion was allocated to Turkey by the EC for the management and delivery of technical assistance projects and grant schemes aiming at supporting economic transition, socio-economic development, democratization and civil society development (EUD to Turkey 2011). Among these programmes, "Civil Society Development Programme", a 3-year programme between May 2001 and May 2004 with a € 8-million budget, should be considered one of the milestone programmes been implemented so far. The overall objective of the programme was to enhance Turkish civil society and the relevant stakeholders through contributing to the maturing of democratic practice. In this scope, the specific aim of the programme was to stimulate citizen initiatives in all parts of the country and generally enhance NGOs' capacity for dialogue, networking and partnership projects. In line with these goals, the programme was implemented under 6 different grant components such as "local civic initiatives (capacity building for NGOs and public awareness of the potential role of civil society in Turkey)" and "police professionalism and the public (policing in a democratic society)" (Representation of the EC to Turkey 2006).

Another substantial programme was "Europe Horizons Information Programme", a 1-year programme between January 2003 and January 2004 with a € 903.000 budget, in

which İKV and TÜSİAD were the key bodies involved. The overall objective of the programme was to promote the active involvement of the public in Turkey in order to enhance public awareness about the accession process for Turkey (Representation of the EC to Turkey 2006).

A third major programme which contributed to the democratisation process in Turkey was the programme entitled "Rethinking Human Rights and Civil Society in Turkey". The general aim of this 18-month programme with a € 526.364 budget was to highlight the milestones in the historical development of human rights in Turkey, as well as the parallel historical evolution of civil society. Human Rights Foundation of Turkey was one of the key bodies involved (Representation of the EC to Turkey 2006).

Another contract in which a NGO, Social Participation and Development Foundation, was "Turkish Democracy, Human Rights and Civic Participation Network", a 36-month project with a € 750.000 budget. The overall objective of the grant project was to improve awareness of and support for human rights issues in the Turkish society through conducting comprehensive studies, preparation of communication materials and organising discussion forums (Representation of the EC to Turkey 2006). Other programmes implemented by the EC are as follows:

**Table 2: Grants Awarded under Pre-Accession Assistance Programme**

<b>Programme</b>	<b>Description</b>	<b>Budget</b>
Improving Cooperation Between NGOs and Public Sector In Turkey and Strengthening the NGOs' Democratic Participation Level	The main objective was promoting the NGOs' democratic participation level and strengthening the ties between the public sector and the civil society within the framework of EU alignment process in line with the Accession Partnership Document, through preparing and implementing an Action Plan on the "Public Sector - Civil Society Cooperation" with an emphasis on the promotion of such relations within a structured dialogue (EC 2003).	€ 500.000
Small Projects Programme in Turkey: Strengthening Civil Society Dialogue	The overall target was rising awareness and promoting dialogue on democracy and human rights issues within the scope of Turkey's European integration (TESEV was among the key beneficiary bodies) (EuropeAid 2007 A).	€ 1.000.000
Strengthening Civil Society in Turkey: Supporting Networks, Capacity Building and Participatory Local Projects	The overall objective was enhancing participatory democracy through strengthening the capacity of local civil initiatives / NGOs in Turkey through establishing civil society networks and building institutional capacity of local CSOs (EuropeAid 2007 A).	€ 650.000
Consolidating and Promoting Human Rights and Democracy	The overall objective was supporting an all-inclusive culture of human rights, increasing the level of participation in and enhancing the quality of democratic governance in Turkey through promoting civic initiatives focused on issues and deficiencies related to the protection of human rights and the process of democratic consolidation in Turkey in compliance with the Copenhagen criteria (İHD was among the beneficiaries) (EuropeAid 2007 A).	€ 1.500.000
Strengthening civil society dialogue – Participation in NGO events in the EU	The overall objective was to promote the development of a Civil Society Dialogue and enhance participatory democracy through strengthening the capacity of civil initiatives and NGOs in Turkey. Human Rights component was one of the thematic areas (EuropeAid 2007 A).	€ 50.000
Supporting Civil Society in Turkey: Local Mobilization for Participatory Democracy	The main objective was to enhance participatory democracy through strengthening the capacity of civil initiatives and NGOs in Turkey. Human Rights component was among the thematic areas (The main beneficiary was STGM (EUSG 2006).	€ 400.000

#### **4.4.3. EUROPEAN INSTRUMENT FOR DEMOCRACY AND HUMAN RIGHTS (EIDHR)**

The challenge to achieve the protection of the human rights of every individual has a quite rich background in the history. From their place in European continent, such as the English Magna Carta (1215) and the French Declaration of the Rights of Man and the Citizen (1789), to the construction of the modern UN conception, where the promotion of human rights and democratisation process is of central importance, human rights have been both embraced and violated by states across the world (EU External Relations 2007).

The idea of European integration was formulated in the aftermath of the World War II, to prevent such tremendous killings and massive destruction. Liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, have become founding principles (EU External Relations 2007) and the basis for EU action and it is a common understanding that the EU's support for the promotion of human rights and democratisation is worldwide (EUD to Turkey 2007 A) since these two concepts are considered as universal values by the Community. In this regard, the Union struggles to uphold the universality of human rights as reconfirmed by the 1993 World Conference on Human Rights in Vienna (European Parliament 2007). Therefore, one of the EU's substantial objectives is to passionately promote these values around the world so that democratisation would be a gradual and continuous process (EuropeAid DEVCO 2007).

Although each country and society is independent to determine its own concepts for democracy and human rights, in the local level, those notions must be persistent with universal values as considered in relevant international and regional conventions (EuropeAid DEVCO 2007). In this regard, the EU, as an important international actor and well placed to promote democracy and human rights, has made human rights and democracy a central principle of its external relations in terms of political dialogue that it holds with third

countries through its development cooperation and assistance and through its actions in multilateral for a such as the UN (EC External Relations 2007). The Treaty of Amsterdam - which came into force in 1999 – is among the most recent proofs regarding the reaffirmation for the protection of universal values, human rights and democracy, by the Union as expressed in its Article 6 that the EU “is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles that are common to the Member States” and emphasises in its Article 49 that the respect of these principles also is required by countries who apply for EU membership (EC External Relations 2007).

The EC protects human rights and promotes the democratisation process in partner countries through three main instruments. The first tool is to institutionalise political dialogue with these partner governments in order to encourage them to integrate democracy and human rights into their governance model. As the second instrument, the Union seeks to mainstream democratic values in all EC development policies. Those democratic principles such as political participation, representation, accountability, transparency and equality are integrated in the planning, design, development, management, delivery and monitoring of policies and programmes. As the last channel, the EU has formulated specific programmes in the field of democracy and human rights, which are focused on four key areas including (i) the promotion of fair, free and transparent electoral processes; (ii) the strengthening of the institutional and organisational capacities of parliaments; (iii) the promotion of an independent and professional media; and (iv) the encouragement of pluralistic political systems (EuropeAid DEVCO 2007).

In that regard, the EC took the first step in 1994 upon the initiative of the European Parliament (EuropeAid 2005) in order to spread its own democratic governance model and establish a regionally consistent structure among the EU Member States and third

countries for better promotion of democracy and human rights and the EIDHR, a new regional programme implemented by the EC, was designed and developed for the countries that were not members of the EU. In this respect, the achievement of the objective for the establishment and promotion of democratic values in non-members countries is pursued through implementing programmes aiming at promoting rule of law, democratisation and democratic consolidation and respect for human rights and fundamental freedoms.

In many countries of the globe, civil society organisations are struggling with full dedication often in troublesome conditions, for the effective protection and promotion of human rights and democratisation processes in their own countries. In this regard, these civil actors have become strategic partners of the EU in the conduct of its human rights and democracy policy through having an essential duty in monitoring human rights and democratic reform processes in all over the world. Therefore, they are actively involved in the implementation of EU human rights and democracy policy (EC External Relations 2007).

Since its inception in 1994, EIDHR was the principal vehicle and complementary programme management instrument through providing support to civil society activity in the promotion of human rights and democracy in third countries. Moreover, the EIDHR has been supporting the efforts, in the relevant field, of regional and international organisations such as the CoE, OSCE, OHCHR, UNICEF and UNDP. The EIDHR have so far implemented programmes, with average contract value of some 120 million EUR annually, related to the development and promotion of the human rights and democratic consolidation processes in third countries worldwide (EC External Relations 2007).

The EIDHR programme has a particular objective of strengthening NGOs, which by their specific duties and activities can make a contribution to the development, protection

and promotion of a democratic society. In this respect, the EIDHR, which aims at directly supporting the NGOs, is based on four thematic priorities of equal rank as follows:

- ✓ To protect human rights;
- ✓ To combat discrimination and to preserve and respect cultural diversity;
- ✓ To promote democracy and good governance.

Turkey has been part of the EIDHR program since 1993 until today. However, it is only after the candidacy status granted in the 1999 Helsinki Summit that Turkey has become a focus country, which means that Turkey started to benefit from the programme actively since 2002 and the Commission has set itself a new target to support democracy and human rights related projects in Turkey for an average of €2 million per year, allocated both to macro-projects, presently managed by EuropeAid in Brussels, and around €500,000 yearly committed to micro-grants which are administered locally by the EUD to Turkey (Representation of the EC to Turkey 2003).

Since 2002, more than 100 macro (with a € 12 million budget) and micro (with a € 5 million budget) projects addressing issues ranging from freedom of expression, to improved access to justice, to fight against torture and impunity, to protection and respect of cultural diversity have been delivered by the EC (Representation of the EC to Turkey 2003). The EIDHR Turkey Micro-Project Programmes which have been designed and delivered so far are as follows:

**Table 3: Examples of EIDHR Turkey Micro-Projects 2001-2010**

<b>Programme</b>	<b>Results</b>	<b>Budget</b>
EIDHR Turkey 2001 Micro-Project Programme	13 projects were awarded grant and İHD was among the beneficiary organisations (STGP 2002).	€ 600.000
EIDHR Turkey 2002 and 2003 micro-project programme	26 projects were awarded grant.	€ 1.200.000
EIDHR Turkey 2004 micro-project programme	12 projects were awarded grant.	€ 520.000
EIDHR Turkey 2005 micro-project programme	12 projects were awarded grant.	€ 515.000
EIDHR Turkey 2006 micro-project programme	7 projects were awarded grant and Helsinki Citizen's Assembly was among the beneficiary organisations (EuropeAid 2007 B).	€ 385.000
EIDHR Turkey 2007 and 2008 micro-project programme	13 projects were awarded grant and TESEV and Helsinki Citizen's Assembly was among the beneficiary organisations (EuropeAid 2007 B).	€ 1.164.000
EIDHR Turkey 2009 micro-project programme	15 projects were awarded grant and İHD was among the beneficiary organisations (STGP 2002).	€ 1.600.000
EIDHR Turkey 2010 micro-project programme	The evaluation process is still going on.	€ 1.200.000



**Table 4: Examples of EIDHR Turkey Macro-Projects 2002-2011 (ECD to Turkey 2007 A).**

<b>Beneficiary</b>	<b>Project Title</b>	<b>Budget</b>
Economic and Social History Foundation of Turkey	<i>Promoting Human Rights in Primary and Secondary School Textbooks:</i> The project aimed to bring the aspects of human rights education into school textbooks in Turkey in line with modern norms and principles.	€ 468,077
Confederation of Turkish Revolutionary Labour Unions (DİSK)	<i>All Human Rights for All: Programme for the Promotion of Awareness and Respect for Human Rights among DİSK Members:</i> The project aimed at raising awareness among members of DISK on human rights standards.	€ 704,078
Association for Liberal Thinking	<i>Freedom of Expression in Turkey within the Context of Legal and Social Spheres:</i> The project aimed at raising Turkish citizen's awareness about restrictions on freedom of thought and expression in Turkey.	€ 509,172
Human Rights Foundation of Turkey	<i>Project concerning the Treatment and Rehabilitation Centres for Torture Survivors (Follow-up):</i> The project aimed at providing free medical, psychological and social services to torture survivors.	€ 2,159.420
Human Rights Foundation of Turkey	<i>Project Concerning the Treatment and Rehabilitation Centres for Torture Survivors:</i> The overall objective of the project was to assist torture survivors in regaining their health with physical, mental and social aspects by raising the effectiveness of the five treatments and rehabilitation centres.	€ 1.896.628
Helsinki Citizens' Assembly	<i>Strategic Mapping of Torture in Turkey:</i> The project aimed to enhance the competence of the human rights community working on the issue of torture and impunity in Turkey.	€ 242.858
TOHAV	<i>Prevention of Torture Project:</i> The overall aim of the project is to contribute to the prevention of torture and ill-treatment practices in Turkey through creating new and effective prevention methods by establishing a complementary relationship between national and international control mechanisms.	€ 335.113

#### 4.4.4. EU-TURKEY CIVIL SOCIETY DIALOGUE

There are wide differences in the mutual perceptions between Turkey and the EU in the context of the accession negotiations. The EU and Turkey need to understand each other better. This is why the EU calls upon civil society organisations in the EU and Turkey to help build this understanding through dialogue and increasing mutual tie (Pierini 2007)

The concept of accession negotiations is an intergovernmental instrument between sovereign bodies trying to reach an international agreement. Representatives from the EU Member States and candidate countries try to agree on the best terms and conditions for the candidate to join "the club". When the subject is the membership to the EU club, things are different because the accession negotiations are really about how fully the candidate country can absorb the EU Acquis (an official text of over 130,000 pages of community legislation) (ECD to Turkey 2007 B).

Although at first stage, these accession negotiation talks and processes do not seem to require any involvement from the non-governmental sector, the past experiences gained through the past enlargements has taught the EU differently. In fact, accession preparations require such a wide-reaching range of reforms on the part of the candidate country that it is impossible to succeed without the popular support that close cooperation with civil society can give (ECD to Turkey 2007 B).

Civil society thus becomes both a key actor and stakeholder of the accession process, even if it is not directly involved in the negotiations. In this regard, one can assume that its major task and duty is based on raising awareness of the effects regarding accession negotiations period through representing interest groups and providing input to the policy-making process (ECD to Turkey 2007 B). In this scope, with the initiation of CSD in 2005,

the EC targeted to strengthen the contacts and mutual exchange of experience between all sectors of civil society in the EU Member States and candidate countries.

CSD as a policy aiming at supplementing EU accession negotiations has multiple tasks, one of which is to generate better mutual understanding between citizens of Turkey and the EU and to ensure a stronger awareness on the opportunities and challenges of Turkey's EU bid (ECD to Turkey 2007 B).

The dialogue is conducted at the citizens' level in line with the formal accession negotiations and it is also supported by the EC's funding budget. It is constituted of exchange programmes, cultural and scientific cooperation, setting up of civil networks and discussion platforms, organisation of joint events. In this regard, the main purpose is always to create additional terrain where citizens from the EU and Turkey can interact on topics of common concern and values in order to overcome mutual misperceptions (ECD to Turkey 2007 B).

On the other hand, the dialogue has made Turkey better known within the EU. It has been offering the EU citizens an opportunity to experience the historical links, traditions and cultural diversity in Turkey. At the same time, it gives Turkish citizens the chance to learn more about the EU's common values, norms, institutions, and policies (ECD to Turkey 2007 B).

At the beginning, it was believed this programme had been designed exclusively for Turkey since the European Commission had emphasised early on that the CSD Programme has particular importance for Turkey's EU accession process, however, and then enlarged to other EU candidate countries for political correctness since the overall objective of the EU is to integrate citizens into the EU accession process through creating links, and

strengthening solidarity between the societies of EU and candidate countries (ECD to Turkey 2007 B).

Since Turkey's recognition as a candidate country in 1999, the EC has been supporting the civil society in Turkey with the aim to help Turkey as a candidate country in its accession negotiations for EU membership through contributing to Turkey's full adaption with the Copenhagen political criteria. This support involves not only considerable assistance to build Turkish non-governmental sector's capacity, but also to enable the European Commission to closely monitor the legal and socio-political environment in which the Turkish civil society actors function. In this regard, the expected result is an enabled environment for civil society as an institutional actor considerably effective and efficient in policy making in Turkey (ECD to Turkey 2007 B).

One of the milestones regarding the EU-Turkey CSD was the establishment of STGM by a group of opinion leaders and civil activists committed to civil and participatory democracy. Although the association was established in 2004 with the support of the EC, it has become active on September 30, 2005 with its 4 local support centres in the provinces of Adana, Denizli, Diyarbakır and Eskişehir. The impetus behind the establishment of STGM was to define the association as a civic structure constituted by the civil society activists with the purpose of strengthening civil society in Turkey for the promotion of participatory and pluralist democracy through providing capacity building support to civil society organizations to enable and encourage them to undertake more active roles in participatory democracy. In this regard, STGM implemented an EU-funded technical assistance project, entitled "Supporting Civil Society Development and Dialogue in Turkey", between the years of 2007 and 2009 and the objective was to enhance the capacity building process of local NGOs and raise awareness of civil society on freedom of association through promoting STGM's services (EuropeAid 2008).

With the opening of the EU accession negotiations and the launch of the EU-Turkey CSD in 2005, civil involvement of the non-governmental sector in EU-Turkey relations has considerably intensified through the initiatives the European Commission and the Turkish government have started. In 2006, a total of four CSD grant schemes worth € 4.3 million were implemented and 72 project proposals were received grant. The details are as follows:

**Table 5: CSD 2004/2005 (ECD to Turkey 2007 C)**

<b>Programme</b>	<b>Results</b>	<b>Budget</b>
Small Projects Programme in Turkey: Strengthening Civil Society Dialogue	The objective was to realise the goal of deepening dialogue and enhancing mutual understanding between civil society in Turkey and the EU Member States. 19 projects were awarded grant. TÜRK-İŞ, TESEV and TESKOMB were among the final beneficiaries.	€ 750.000
Civil Society Dialogue: Europa-Bridges of Knowledge	The focus was to strengthen existing collaboration between NGOs and universities based in Turkey and the EU to enhance Turkey's expertise on EU law. 28 projects were awarded grant. IKV, TESEV, TEPAV and TESK were beneficiaries.	€ 2.000.000
Strengthening Civil Society Dialogue: Participation in NGO events in the EU	This programme provided financial support for the organisation of study visits, exchanges and NGO participation in platforms, meetings and conferences in the EU. 10 projects were awarded grant.	€ 50.000
Civil Society Dialogue: Culture in Action	The programme provided funding for joint EU-Turkey cultural projects including information/media activities regarding EU affairs. 15 projects were awarded grant. Flying Broom (Uçan Süpürge) is among the final beneficiaries.	€ 1.450.000

Between 2007 and 2008, a total of three CSD grant schemes worth € 14 million, in which CSOs were the final beneficiaries, were implemented and 78 project proposals were received grant. The details are as follows:

**Table 6: CSD 2007/2008 (ECD to Turkey 2009)**

<b>Programme</b>	<b>Results</b>	<b>Budget</b>
Youth Initiatives for Dialogue	The overall objective was fostering the establishment of mutually beneficial and sustainable relationships between youth organizations in Turkey, the EU member states, and other candidate countries. 25 project proposals were received grant.	€ 2.000.000
Professional Organisations Grant Scheme	The objective was to promote dialogue, long-term relationships, and sustainable cooperation between professional organisations in Turkey and in the EU Member States, and other candidate countries. 25 project proposals were received grant. TESK was among the beneficiaries.	€ 3.000.000
Universities Grant Scheme	The grant scheme supported the establishment of long-term cooperation and partnerships between universities, think tanks, and research institutes in Turkey and the EU Member States as well as other candidate countries. 28 project proposals were received grant. TEPAV was among the beneficiaries.	€ 9.300.000

Between 2009 and 2011, a total of three civil society dialogue grant schemes worth € 4 million, in which CSOs were the final beneficiaries, were implemented and 78 project proposals were received grant. The details are as follows:

**Table 7: CSD 2009/2011 (CFCU 2010)**

<b>Programme</b>	<b>Results</b>	<b>Budget</b>
CSD EU-Turkish Chambers Forum EU-Turkey Chambers Partnership Grant Scheme Programme	The overall objective was promoting the integration of EU and Turkish business communities through strengthening the dialogue and co-operation between the Turkish Chambers and their EU counterparts as members of civil society; thus. 22 project proposals were received grant. TOBB was the responsible body for programme monitoring.	€ 2.250.000
CSD EU-Turkey Intercultural Dialogue - Culture and Arts Grant Scheme	The objective was to foster greater mutual understanding between EU and Turkey by increasing intercultural dialogue via culture and arts projects. (on-going evaluation)	€ 1.447.368
CSD II: Micro Grant Scheme	The objective is to provide financial assistance to NGOs through small-scale projects and covering administrative costs of small, grassroots NGOs all over Turkey in order for them to establish successful communication and professional links with institutions from EU Member States and candidate countries. 41 projects were received grant.	€ 200.000
CSD II: Culture and Arts	The aim is to support the establishment of partnerships; promote dialogue between civil societies of Turkish and EU counterparts on Culture and Arts and develop opportunities for cultural and artistic operators. (on-going evaluation)	€ 1.800.000
CSD II: Fisheries and Agriculture Grant Scheme	The objective was to gain a better knowledge and understanding of the European Union policy and practices for accession through strengthening the contacts and mutual exchange of experience between all actors in agriculture, food safety, veterinary and phytosanitary as well as fishery sectors of civil society in the Member States and Turkey. (on-going evaluation)	€ 2.200.000
CSD: Istanbul 2010 European Capital of Culture	The overall objective is to enhance Istanbul's role as a cultural catalyst amongst its geopolitical neighbours between Europe and Turkey. 11 project proposals were received grant. (on-going evaluation)	€ 1.578.900
Developing Civil Dialogue among NGO's	The aim of the programme is to strengthen civil participation through developing civil dialogue among NGOs. (on-going evaluation)	€ 800.000

To sum up, since Turkey's recognition as a candidate country in 1999, the EC has implemented CSD programmes with contract value of more than € 60 million under EU pre-accession. As we mentioned in the first pages of this section, the overall objective of these CSD programmes was the development and strengthening of the civil society in Turkey through implementing capacity building and grant programmes in collaboration with CSOs in

order to help them integrate into the democratic consolidation process within the Turkey's EU accession negotiations.

In the next chapter, three CSOs' relations with the EU will be analysed within the scope of a case study. Based on the case study, their contribution to democratic consolidation in Turkey will be examined and the issue will be supported by mass media's coverage of these 3 selected civil society actors. As mentioned before, the objective is to assess whether the EU's contribution to the development and strengthening of civil society in Turkey as a trigger within Turkey's Europeanization and, thus, democratisation process.



## **CHAPTER V**

### **THE IMPACT OF THE EU PROGRAMMES**

#### **5.1. IMPACT OF THE EU PROGRAMMES ON CIVIL SOCIETY DEVELOPMENT IN TURKEY**

What do donor agencies seek to achieve by developing and implementing CSD programmes? In principle, at least donors try to make a contribution to the strengthening of civil society and promotion of democratic consolidation.

The ending of the Cold War era is very substantial. The collapse of the Cold War does not only mean the collapse of the Soviet Union and Yugoslavia but also new neighbours for Turkey and the emergence of many different groups having expectations like political, economic and cultural support. Due to these serious changes, Turkey had to start to apply a more active policy, compared to previous decades. Therefore, Turkish foreign policy became multi-sided after the end of the Cold War and this included the governmental and non-governmental actors and civil society started to gain an active framework.

In parallel, the popularity of the concept of civil society has gradually increased since its resurgence in the 1980s. Accordingly, a new tendency emerged to impose a certain normative criteria on what civil society has to be. In this scope, the EU had also a tendency to create a policy approach for the concept. In this scope, support for civil society was defined as an instrument of democratic consolidation and this resulted in a system of assistance in which CSOs were awarded grants through projects, schemes and programmes. Doing so, donor agencies became dominant in civil society discourse and one can claim that this is true when we analyse the relationship between democracy and civil society. Moreover, donors started to consider CSOs as the implementing actors of participatory

democracy promoting active citizenship. Therefore, this donor system pushed CSOs to play a greater role in domestic and international politics.

One can assume that there are two ways explaining how the EU supports the development of civil society and promotion of democracy in Turkey. First, the EU has contributed to Turkish civil society development through a legal and structural reform process. Second, CSOs have been engaged into the system through the EU programmes seeking to promote civil society and democracy in Turkey.

The rationale behind the second way is best illustrated by the EU's overall pre-accession strategy for Turkey and one of these objectives is supporting civil society dialogue between two parties, Europe and Turkey. It is not difficult to affirm that the role of civil society dialogue as a central policy through analysing the EU programmes' overall and specific objectives, which seek to increase the technical capacity of civil society agents' to develop new projects promoting civil society and democracy.

Although the mission envisaged for civil society is a non-political and limited role, the dialogue promotes the active participation of civil society in political, cultural and socio-economic life. It also contributes to a vibrant civil society which is the key for the consolidation of democracy and human rights. Therefore, the EU suggests that more active and effective CSOs will help to promote democracy in Turkey, a correlation based on the EU's liberal democratic ideas.

In this regard, by focusing on the recent experience of three selected CSOs including TÜSİAD, TESEV and İHD; the following section will attempt answer to what extent donor agencies achieve to promote civil society and democracy in Turkey through developing and implementing capacity building and grant programmes.

## 5.2. THREE SELECTED CSOs AND THEIR APPROACH TO THE EU

TÜSİAD (Buğra 1994), which is founded in 1971, has become an important actor for promoting the EU. Having secured the support of the EU, TÜSİAD became one of the major supporting agents for the intervention of a civil society actor into politics. TÜSİAD focused on its activities in the economic sphere and the main target was to raise awareness on the importance of the private sector. At the beginning, although it can be argued that some of the TÜSİAD members were against the EU membership and were afraid of the competition that EU membership would bring. TÜSİAD tended to shift its position with the Customs Union between Turkey and EU coming into effect in the mid-1990s.

Although there were hard discussions about Turkey's joining the Customs Union and some were thinking that joining the Union would create potential threats for some specific sectors of the Turkish industry, TÜSİAD decided to support the process beginning from 1994 and it was ready to accept every criticism that the EU would make about Turkey's democracy (Vorhoff 2000, 155).

During the late 1990s, as Karin Vorhoff pointed out, TÜSİAD showed great sensitivity to matters like democracy, human rights and the Kurdish problem and considered lack of democracy and human rights as the problems that could decrease Turkey's competitive power within the Western markets (Vorhoff 2000, 155).

The agenda of TÜSİAD concerning the Union became more intensive and systematic after the opening of the Brussels office in 1997. On the other hand, the submission of a TÜSİAD report, entitled "Package raising the democratic standards", to the attention of European Parliament was another milestone for the association. The objective of the report was to make an assessment on recent democratic reform within the framework of

Copenhagen criteria. Another milestone was another report, entitled "Perspectives of Democratisation in Turkey", drafted by TÜSİAD. The objective of this report was to focus on judicial obstacles blocking democracy and to reflect that democracy should not only be a governmental regime but also a system limited by human rights (TÜSİAD Bülten 1997, 5).

TÜSİAD increasingly deepened its activities in the EU Member States to secure their support before the Helsinki Summit of the European Union Council. Members of the board of directors of TÜSİAD visited several EU Member States including Germany, Sweden, Belgium, Finland, Italy, France, Denmark, Holland and Greece. During these visits, there were three messages given: (i) Turkey would be a benefit to the EU in the future; (ii) development of democratic standards was activated; and (iii) Turkey would be a source of a regional power for the EU.

Our second selected CSO, TESEV, which was re-organised as a non-governmental think-tank based in Istanbul to serve as a bridge between academic research and policy-making process in Turkey through analysing social, political and economic policy issues facing Turkey, was founded in 1994. Since its establishment, TESEV has targeted to promote the role of civil society within Turkey's democratisation process and to share its research findings with public audience through organising regular seminars and conferences, bringing together specialists and policymakers from Turkey and abroad to discuss issues of current concern and drafting policy papers, project reports, books and briefings.

In this regard, TESEV has always been a supporting actor for Turkey's democratisation within the EU path. This policy was also stated among the foundation's mission and aims as follows: "TESEV aims to help make the society in Turkey an integral part of the democratization process, to increase the role of civil society, and to contribute to

Turkey's European Union accessions process, thus promote change in line with the Copenhagen" (TESEV 2011).

Our third case, İHD, was founded in 1986 by 98 human rights defenders. It was established in the wake of military regime of 12th September 1980, during which there were so many violations of basic human rights-freedoms such as torture in police custody and prisons; indeterminate deaths; banned political parties, associations and trade unions (İHD 2011). The attempt to set up such a foundation was initiated by the relatives of the detainees and convicted prisoners, intellectuals, writers, journalists, doctors, lawyers, architects and engineers, who signed the foundation petition of İHD.

Today İHD continues its struggle with 33 branches, 2 representative offices and over 10.000 members and activists and the association's popularity has been gradually increased through its campaigns and special and periodical reports on violations of human right during the 20 years period of İHD.

### **5.3. MEDIA MONITORING (1999-2011)**

#### **5.3.1. POST-HELSINKI PERIOD**

Following the Helsinki European Council Summit (10-11 December 1999), the first comment on the positive decision regarding Turkey's EU candidacy was made by TÜSİAD President Erkut Yücaoğlu. It was clear enough to show that TÜSİAD, as a non-governmental actor, would support Turkey's EU accession process, Yücaoğlu made it clear that he perceived this process as an "impulsive" and "driving" force for the promotion of democratisation in Turkey and that the Turkish civil society has always had a substantial role in this "success" (Zaman Daily, 14 December 1999).

The second comment came from İHD's President Hüsnü Öndül, who spoke in an event where Human Rights Awards were delivered. He said that the Helsinki process could provide a successful political environment for Turkey so that necessary conditions would be available for democratic consolidation in Turkey (Zaman Daily, 11 December 1999). On the other hand, in another event, Öndül criticised the government for not respecting freedom of expression and mentioned that Turkey was not ready for the new millennium in terms of its political and judiciary structure (Zaman Daily, 30 December 1999).

Four months later, in March 2000, a critical period for Turkey since the discussions on the necessity and emergency of privatization due to high inflation issue, TÜSİAD President expressed his views, on privatization, the economy and Turkey's EU accession, to several journalists. He told them that his association would share its opinions and exchange views especially regarding the preparation to the EU accession process (Zaman Daily, 7 March 2000).

On the other hand, TÜSİAD also expressed its views on the Cyprus issue within the EU accession process. According to Yücaoğlu, Turkey should not be the party to leave the table and the Turkish government should act more moderately. However, the State Minister Şükrü Sina Gürel's answer to TÜSİAD President was quite brutal. Gürel mentioned that it was only the Turkish government's duty to identify Turkish foreign policy towards the Cyprus issue (Zaman Daily, 2 April 2000).

Although the Turkish government's approach to civil society was not always receptive, TÜSİAD, as one of the most effective civil actors in non-governmental sector in Turkey, was still trying to involve itself into the policy-making processes. One week after Gürel's comments, TÜSİAD President Yücaoğlu, in a speech, mentioned that Turkey has to return to its political and economic agenda in which the Turkish government has to fulfil the

criteria that IMF stand-by agreement and EU candidacy required (Zaman Daily, 7 April 2000). In another speech that Yücaoglu made in Cyprus, he identified TÜSİAD's major tasks and duties under three headings such as political economy, social priorities and political reforms as the part of Copenhagen criteria and he also added that for the first time, TÜSİAD is able to make strategic plans for the next 10 years due to the positive decision taken in 1999 Helsinki Summit (Zaman Daily, 28 April 2000).

One of the substantial events held by TÜSİAD in 2000 was the conference, entitled "Good Governance in Turkey within the EU path". Following World Bank Turkey Director Ajay Chhibber's speech, TÜSİAD President Yücaoglu made some comments on the concept of "good governance". He expressed that the notion of good governance is not a new term for our country and even the Turkish Republic is based on this conception. However, he added that the concept should be fully absorbed if Turkey wants to be a global actor in international affairs and successful within the EU accession process (Zaman Daily, 20 September 2000).

Although TESEV was not as active as TÜSİAD in taking part of daily political life, no one can deny TESEV's role in democratic consolidation in Turkey. Moreover, TESEV's contribution was one step further since Turkey would be a democratic role model for the Middle Eastern countries. In collaboration with National Democracy Foundation, TESEV was the hosting party of the meeting within the scope of World Democracy Movement. The main themes of the meeting were human rights, women's participation into democratisation process, press freedom, authoritarianism and rule of law (Zaman Daily, 24 September 2000).

İHD completed its first research, titled "Copenhagen Political Criteria and Turkey", in July 2000 through analysing the current legislation in Turkey and made some significant comments regarding democracy, freedoms, rule of law and minority issues. According to

İHD's report, more than 77 articles of the Constitution should be amended within the framework of Turkey's EU accession process. İHD President Öndül mentioned that he would share the report with the government officials (Zaman Daily, 14 July 2000). The next day, Öndül presented the report to the EC and warned the EC officials responsible for EU enlargement by saying that Turkish government did not take any step on democratisation process since the Helsinki summit (Zaman Daily, 15 July 2000).

Since the 1999 Helsinki Summit, the most important curve for Turkey would be the introduction of Accession Partnership Document for Turkey by the EC in November 2000. One day before, a new conference on economy, globalisation and corporate responsibility was organised by Norwegian Industrialists' and Businessmen's Association and the Norwegian and Turkish Ministers of Energy as well as TÜSİAD were among the guests. Here, Norwegian Minister's explanations were quite interesting: "the EU candidacy is a real opportunity for Turkey in terms of democratisation and Turkish government seems to be aware that democratic reforms have to be fulfilled to provide a better democratic life to Turkish citizens and we are impressed by TÜSİAD's contribution to the process" (Zaman Daily, 7 November 2000).

Although TÜSİAD declared that the year of 2000 would be "the Year of USA", Turkey's EU accession was still holding great importance. In November 2000, TÜSİAD President Yücaoglu organised an event in Brussels where the Members of the European Parliament were guested. The agenda was about the Cyprus and the "so-called" Armenian genocide issue and Yücaoglu's request was quite clear. In order to fulfil the Copenhagen criteria, both sides, the EU and Turkish government, should be easy-going and no one should consider these two issues as a priority to solve for Turkey's EU membership and the reform process should continue without any obstacle. These statements were quite important to reflect the role of civil society in policy-making process (Zaman Daily, 18



November 2000). TÜSİAD President Yücaoglu organised another event for the Members of the European Parliament. This time, the meeting was held in Ankara. Following the European Parliament's decision on Armenian genocide, Yücaoglu's speech criticizing the EP's decision was really strong. He said that the EU's decision was totally wrong and that their secret agenda was to prevent Turkey's EU membership through making the genocide issue as a criterion that the Turkish government would have to consider (Zaman Daily, 21 November 2000).

### **5.3.2. DEMOCRATIC REFORM PROCESS IN TURKEY WITH REGARD TO THE EU**

Since the Helsinki Summit where Turkey gained the candidacy status for the EU membership, Turkey's democratic reform process gained full momentum and one of the most sensitive issues was broadcasting in Kurdish language. TÜSİAD, as one of the most effective actor in Turkish civil society, again criticized the Turkish government's approach in a strong way for not allowing broadcasting in Kurdish language. However, the priority should be to implement the Copenhagen criteria within the democratisation process according to TÜSİAD (Zaman Daily, 16 December 2000).

One of the most significant actions in terms of transparency within the democratisation process was a field research initiative led by Sadettin Tantan, Minister of Internal Affairs. In the coalition government of the time, the aim of the study was to draft a report reflecting the current situation of fraud. In this scope, Ministry of Internal Affairs collaborated with TÜSİAD as the sponsoring body and TESEV as the body responsible to conduct the field research. The study would be consisted of two phases. Within the first phase, TESEV would conduct a household study and in the second phase, the questionnaire study would be implemented to civil society organisations and businessmen (Zaman Daily, 9 June 2001). This protocol was a unique step in Turkey for democracy and significant for

understanding the role of civil society organisations. This study should be considered as a first step of Turkey for the concept of good governance and democracy (Zaman Daily, 31 October 2000). The field research of TESEV was also substantial to portray Turkey's fraud map in order to see the level of good governance and democracy in Turkey within the democratisation process (Zaman Daily, 3 November 2000).

Although the priority for civil society organisations was the democratisation of Turkey, their ways to act in order to raise public awareness were different. While TÜSİAD and TESEV were trying to find out new social alternatives to strengthen the democratisation process and civil society in Turkey through "peaceful" and academic activities, İHD (Human Rights Foundation of Turkey) chose civil disobedience to attract public attention to democracy and human rights issues (Zaman Daily, 11 November 2000).

TÜSİAD's efforts to contribute Turkey's democratic reform process has not been slowed down even during the 2001 economic crisis and the Association has drafted a new strategy paper, named "Democratisation Perspectives in Turkey and EU Copenhagen Criteria: Opinions and Priorities", including a demand list (Zaman Daily, 17 April 2000). According to the new TÜSİAD President Tuncay Özilhan, political and democratic deficits in Turkey were one of the main reasons preventing the government to survive the economic crisis. He criticised the Turkish government and assembly for being reluctant, indecisive and unsuccessful in adopting the EU political criteria (Zaman Daily, 22 May 2001).

In another interview, General Director of TESEV, Özdem Sanberk, made some comments on the National Programme coordinated by the EUSG and attracted attention to the issue that Turkey got behind the targets of democracy and human rights mentioned EU Accession Partnership Document. Although he mentioned that he did not consider the result

as a catastrophe and warned the Turkish government to be more active in terms of implementation of democratic values (Zaman Daily, 23 March 2000).

In September 2001, TÜSİAD organised a press conference in Ankara to assess the commitment of the political parties regarding the ratification of the harmonization and amendment packages. Actually, the main target was to conduct a “Yes Campaign” to support the ratification of democratisation packages within Turkey’s EU bid. In this scope, TÜSİAD President Özilhan requested from the representatives of the political parties to reflect their willingness to ratify the democratic reform packages in order to eliminate any political obstacle in the front of Turkey during the EU accession period (Zaman Daily, 14 September 2001).

TÜSİAD President Özilhan made a similar speech in another platform, “10<sup>th</sup> National Quality Congress: CSOs and Good Governance” organised by KALDER. The message was the same: “Governments should be totally transparent and accountable”. According to Özilhan, transparency and accountability were the sole solution to forecast and prevent any unexpected political and economic development and this would be able only by fully implementing the principle of good governance. He also declared TÜSİAD’s new strategy for re-building period and called it “new mentality” in which participatory democracy should be promoted rather than representative democracy and civil society organisations should involve in the democratisation process in order to enlarge the terrain for public participation at a high level (Zaman Daily, 15 November 2001).

Another report prepared by TÜSİAD was “Information Society and e-Turkey within the EU path”. The aim of the report was to raise the public awareness on the transition to information society within the EU accession process. In the scope of democratic consolidation, TÜSİAD has always considered the transparency and accountability of the

government as a prior principle for the development and promotion of democratisation process (Zaman Daily, 16 June 2001).

Although TÜSİAD has been trying to point out on the necessity of the democratic reform process in Turkey in every opportunity, sometime they don't received positive answer from different political parts when the subject is critical for Turkey's internal or external affairs. Regarding the Cyprus issue, President Özilhan's comments indicating that Turkey's EU candidacy should not be jeopardized although Cyprus issue is vital for Turkey's foreign affairs, caused a new discussion on political environment (Zaman Daily, 29 November 2000).

Another issue that TÜSİAD gave its opinion on was about the Article 312, freedom of thought, within the Turkish Penal Code. TÜSİAD's opinion was that the new amendment should be in line with the EU legislation (Zaman Daily, 5 February 2002). In a symposium held in the Turkish Assembly, Özilhan also mentioned that the recognition of cultural rights and the abolition of death penalty are vital for Turkey to start the accession negotiations with the EU since he thinks that Turkey should reflect its credibility to the EU (Zaman Daily, 31 March 2002). On the other hand, TÜSİAD published some advertisements in national daily newspapers in order to attract Turkish political parties' attention to Turkey's EU accession process. The message was simple. The only way for Turkey's bright future was to make the EU membership the sole target in foreign affairs. However, these advertisements were perceived like a diplomatic note by political environments (Zaman Daily, 29 May 2002).

While TÜSİAD was publishing some advertisements in national daily newspapers, TESEV drafted a short text reflecting their views on the current legislative issues within the scope of Turkey's democratisation and accession to the EU. Firstly, TESEV was criticizing the Turkish government negatively not to be fully committed to Turkey's EU bid as a political priority. Also, TESEV was mentioning in the text that the implementation of legislative

amendments and harmonisation should be the main responsibility of the Turkish government against Turkish public rather than the European Parliament. The second criticism was against the amendments regarding the TCK (Articles 159 and 312). TESEV commented on the amendments as imprecise by saying that the legislative harmonisation of TCK was far away of being considered a reform. The third critique was against the Turkish governments' long-standing concern about the "right to self-determination", an article of the UN Convention on Economic, Social and Cultural Rights. TESEV's argue was that the right to self-determination should be considered as constructive instead of separatist. The fourth criticism was the right to petition. TESEV's perception was that the right to petition is universal and every citizen should have the right to learn a second language besides the official language (Zaman Daily, 24 January 2002).

Another CSO criticizing the amendments regarding the TCK (Articles 159 and 312) was İHD. The association's approach was that the limitation on freedom of thought could not be acceptable in democracies and that any law should cover any citizens, not only a majority based on ethnicity (Zaman Daily, 30 January 2002).

TÜSİAD has also been very active through making efforts on lobbying since they believe on the strength of civil society in policy-making process. Therefore, TÜSİAD Board of Members decided to carry out lobbying activities in the EU. In this scope, they organised a "lobbying tour" and the reason was again simple. They would ask to the EU Prime-Ministers the date to start the accession negotiation. On the other hand, the Association was waiting for the result of the general elections. As they have always considered that the current government was reluctant and unsuccessful on carrying out the bilateral relations with the EU since the 1999 Helsinki Summit, the new general elections would decide on Turkey's future path (Zaman Daily, 15 September 2002).

One of the most significant public opinion reports before the 2002 general elections was TESEV's study on Turkey's EU membership. The study was very useful in terms of civil society dialogue since TESEV succeeded to reflect public opinion on Turkey's EU bid. The outputs of the research were interesting: 90% of Turkish people were not happy with the democratic level in Turkey and they were considering that things would be better when Turkey will be an EU member. Therefore, one can assume that Turkish people consider the EU as a better organisation for the functioning of democratic life (Zaman Daily, 29 June 2002).

Regarding the 2002 general elections, İHD criticized the decision of YSK prohibiting the nomination of Necmettin Erbakan and Tayyip Erdoğan as Member of Parliament. It also mentioned that politics should not manipulate the rule of law for the sake of civilisation and democratisation process in Turkey (Zaman Daily, 19 September 2002). İHD also declared that they would establish an election monitoring committee which would be responsible to monitor the elections in each district in order to prevent any violation of human rights (Zaman Daily, 25 September 2002).

On the other hand, İHD Diyarbakır Branch drafted a report on the violation of human rights and the output of the field research was positive since there was a decrease in the number of violation of human rights. These statistics were perceived as a positive development for human rights in Turkey within the country's EU accession and democratisation process. However, dramatic increase in the number of suicides was still questionable (Zaman Daily, 15 November 2002).

### 5.3.3. NEW POLITICAL ERA IN TURKEY: AKP

AKP, which was formed by a group of reformist politicians with roots in the Islamic movement, won the general elections of 3 November 2002 despite its recent inception by 34% of the national vote. One of their mottos was to accelerate the democratic and economic reform movement in Turkey in order to start Turkey's accession negotiations with the EU.

In this regard, two weeks after the parliamentary elections, TÜSİAD representatives joined the visits of Recep Tayyip Erdoğan to the political leaders in the EU Member States. The actual aim of these visits was to strengthen the lobbying activities to open the accession negotiations (Zaman Daily, 18 November 2002).

The new ruling party's main characteristic has been to take quick actions in order to disappear any political obstacle in front of Turkey. Since the major current issue was to identify the date for Turkey's EU accession negotiation, the ruling party was really decisive to solve all the problems as soon as possible. Within the framework of Erdoğan's EU visit, new Turkish government presented a new quick action plan to the EU Prime-Ministries, in which a common solution for the Cyprus issue was intended to be found, and TÜSİAD President Özilhan mentioned that his Association support this package and they believe that any tangible step by the EU would solve all the political issues between Turkey and the European side (Zaman Daily, 21 November 2002).

On the other hand, TÜSİAD has continued to create new campaigns in order to make pressure on the EU Member States. This time, the new campaigns has gone beyond the Turkish borders since TÜSİAD prepared new advertisements and published them in more than 40 daily newspapers in the EU. The objective was still the same. TÜSİAD, as a civil

society organisation, was trying to persuade the EU for the start of accession negotiations before the Copenhagen Summit that would be held on 12-13 December 2002 (Zaman Daily, 9 December 2002). However, the decision taken by the Copenhagen Summit was negative. The start for accession negotiation would be dependent to the 2004 Progress Report. Although the result of the 2002 Copenhagen Summit was negative for Turkey, the Turkish government would be at least able to forecast the future process. The statements of TÜSİAD President Özilhan were in the same direction. According to him, Turkish people would not be so pessimist and the Turkish governments should proceed in the European axis (Zaman Daily, 14 December 2002).

After the Copenhagen Summit, the ruling party declared that Turkey would implement democratic and economic reforms as "Ankara Criteria" instead of "Copenhagen Criteria". This statement was reflecting the Turkish government would not be out of the EU axis and reform process would continue. In that regard, the government prepared the 6<sup>th</sup> Reform Package and TÜSİAD gave full support to the implementation of these democratic reforms since the Association saw this package as a milestone and historical responsibility for Turkey's integration to the EU (Zaman Daily, 21 May 2003). TÜSİAD, again, was trying to make pressure on the government for the healthy continuation of democratic reform process for the promotion of democratic consolidation in Turkey within the framework of the EU path (Zaman Daily, 12 June 2003). Following the ratification of the 6<sup>th</sup> harmonisation package, TÜSİAD continued to give the same support for the ratification of the 7<sup>th</sup> package (Zaman Daily, 27 July 2003).

Although the ruling party declared that the government would implement new reforms as "Ankara Criteria", the EC DG Enlargement Commissioner Günter Verheugen was not happy with İHD's raid by national security forces. He expressed his unhappiness by saying that ECD to Turkey provided grant support, an amount of 309.000 EUR, to the



association between 1992 and 1999 and that these negative developments regarding the political reform would certainly affect Turkey's 2004 Progress Report and this report would accordingly have a negative impact on Turkey's calendar to start the accession negotiations with the EU (Zaman Daily, 5 May 2003). Also the European Parliament drafted a recommendation for the EC advising to raise the financial grant support for İHD (Zaman Daily, 16 May 2003).

On the other hand, İHD continued to enjoy the new democratic right, "freedom of expression" in mother tongue, and the Diyarbakır branch of the association posted bills in Kurdish all over the province to celebrate the International Day for Peace on September 1. Head of Branch, Selahattin Demirtaş, mentioned that the people in the region were now able to post bills in their mother tongue since the new EU harmonisation laws allow them and finally expressed their happiness about the reform process (Zaman Daily, 28 August 2003). Moreover, the decision made by local courts to suppress the campaign bills in Kurdish was cancelled by the Supreme Court of Appeals in line with the EU harmonisation law since Turkey was hugely criticised not to implement political reforms within the democratisation process (Zaman Daily, 23 December 2003) One of the major reasons to cancel the judiciary decision was İHD's complaints to Ministry of Foreign Affairs, Ministry of Justice, Ministry of Internal Affairs and EUSG, Turkish Grand National Assembly and Prime Ministry Directorate for Human Rights. The Association warned the ruling party to increase the technical capacity of Reform Monitoring Group in order to prevent the re-occurrence of similar cases in the future within Turkey's democratisation process (Zaman Daily, 15 December 2003).

Although İHD was mentioning that the association was happy with some positive developments in the field of freedoms, the report on torture concerning the period between 1999, the year Turkey became an EU candidate country, and 2003 showed that the cases of

torture were not decreased but the methods of torture was changed (Zaman Daily, 4 December 2003).

Since Turkey's destiny was related to the 2004 Progress Report in order to start the accession negotiations, even the 2003 Progress Report was considered as a substantial curve by the political parties and civil society actors in Turkey. Therefore, one month before the introduction of the 2003 Progress Report, TÜSİAD was again carrying out lobbying activities. This time, the target of TÜSİAD was the Head of the EC, Prodi. The answer of Prodi was very similar to other European leaders' explanations. He explained that he just wants to see the implementation of the reforms and Turkey's self-confidence (Zaman Daily, 17 January 2004).

Following the 2003 Progress Report, TÜSİAD's new target was judicial issues in Turkey. According to TÜSİAD President Özilhan, a new judicial reform process should start since the current judicial system was an obstacle for Turkey's harmonisation to the EU. In addition to these explanations, the Association published also a paper, prepared under the coordination of Süheyl Batum who is constitutional lawyer and Rector of Bahçeşehir University at that time, to criticize judicial system (Zaman Daily, 20 January 2004).

In 2004, TÜSİAD continued to carry out its lobbying activities in the EU. Under the leadership of Ömer Sabancı, new TÜSİAD President, the Association opened its first office in France and asked for support from the EU regarding Turkey's future on EU accession negotiations. Ali Babacan, Turkish Minister for EU Affairs, was among the spokespersons. TÜSİAD's strategy was to receive the French support through strengthening economic relations between two countries under the leadership of private sector representatives (Zaman Daily, 20 January 2004).

Another substantial and quite supportive explanation came from Ömer Sabancı was about the Turkish government's policy on the Cyprus issue. According to Sabancı, the result of the referendum would be positive in both southern and northern part of the island and Cyprus would be the EU Member State as a whole (Zaman Daily, 3 April 2004).

Tension continued to escalate between İHD and police forces in 2004. In a conference, titled "Harmonisation Laws and Democracy", Hüsni Öndül, Head of İHD, criticised the police forces recording the discussion panel and the panel moderator, spokespersons and panellists refused to carry out the discussion if the police would continue recording. The audience reacted brutally against the police since their action was a limitation against the freedom of expression (Zaman Daily, 20 January 2004).

In March 2004, the agenda of TESEV was the global terrorism. In this scope, TESEV organised a conference in İstanbul where intellectuals from different Muslim countries took place as panellists. The main issue of the panel was the responsibilities of the Muslim countries to fight against global terrorism and the common decision was not very interesting for liberal ideology. More participatory and liberal democracy and human rights were jointly considered as the only tool to prevent terror (Zaman Daily, 2 March 2004). Therefore, the promotion of democratisation process had been again gained importance in international politics.

In April 2004, TESEV completed another field research on local governance reform. The study was completed as third phase of TESEV's fraud research in 2000. The issues of democratisation and human rights in Turkey were behind the economic problems (Zaman Daily, 1 April 2004).

One of the major events in 2004 was the document in which Turkish Armed Forces Command asked from local authorities to collect intelligence about pro-EU and pro-US people in Turkey. The event was more than a speculation since the TSK justified the document. TESEV was very anxious and Can Paker, Head of Board, mentioned that he did not want to believe such a document within the democratisation process of Turkey. İHD's comment on the document was more brutal and the Chairman, Hüsnü Öndül, summarized the document as military bureaucracy's paranoia over people as separatist, communist, Islamist fundamentalist although Turkey proceeded too much in terms of democratisation (Zaman Daily, 11 March 2004).

#### **5.3.4. TOWARDS OCTOBER 2005**

Since the 2004 Progress Report would be determinant for Turkey's destiny regarding the start of accession negotiations, TÜSİAD had started to accelerate its lobbying efforts. One of the concrete steps taken by TÜSİAD was to get Federation of German Industries' (BDI) support for Turkey's accession negotiations. BDI President Michael Rogowski was very optimistic about the EU's decision and his estimated date for the accession negotiations was the year of 2005 since Turkish governments have taken very concrete steps so far in terms of democratic and economic reforms through the ratifications of the harmonisation packages (Zaman Daily, 23 April 2004). Another success for TÜSİAD was to get UNICE's support for Turkey's EU membership before the EU Summit that would be held in December 2004 (Zaman Daily, 26 November 2004).

Towards October 2005, İHD accelerated its activities and prepared its first draft constitution including 182 articles. The aim of the study was to help the Assembly draft a fully civilian and democratic constitution in line with the EU Copenhagen Criteria to replace with the 1982 Constitution. The associated shared the draft constitution as a

recommendation document with the ruling party, AK Party, and the main opposition party, CHP. The major points of the document were the abolition of military judiciary, National Security Committee and Directorate for Religious Affairs and the promotion of democracy, minority rights, and freedom of expression (Zaman Daily, 18 May 2004).

One of the major issues in 2004 was the Aachener Peace Award which had gone to Eren Keskin, Vice President of İHD. Keskin just gave a very short interview by saying that this award is the biggest one in Germany and their association was not used to get this kind of an award since they always face suppression and coercion in Turkey (Zaman Daily, 6 September 2004).

Another special event TOBB, TÜSİAD and İKV contributed to its organisation was "High Level European Policy Summit" held in June 2004. The objective of the summit was to make a final evaluation and assessment before the EC's decision on Turkey's progress. Therefore, besides the civil society actors in Turkey, Turkish politicians, diplomats and European officials from the EC were the guests of the event (Zaman Daily, 16 June 2004).

Before the announcement of the decision regarding Turkey's accession negotiation with the EU, İHD prepared a booklet as a report on violation of human rights in Turkey. The association disseminated the booklet to all European Embassies in Turkey as well as EUD to Turkey. The association declared that the target was not to jeopardize or ruin Turkey's EU bid and that İHD was one of the major supporters of Turkey's Europeanization process and this was the impact of CSOs on Turkey's Europeanization process and prospects of EU membership as a sign of the democratic consolidation in Turkey (İçduygu 2011, 382). According to İHD's Vice President, Şükran Buldu, the aim of the report was to raise awareness on the violation of human rights, which was not a secret for anybody (Zaman Daily, 24 November 2004).

On the other hand, İHD organised a press conference in Istanbul within the framework of "International Day for Human Rights" and İHD Head of Istanbul Branch, Eren Keskin, criticized the Turkish government by saying that although there were some positive developments in terms of constitutional reforms on democratisation and human rights within Turkey's EU bid, the implementation of these reforms had always remained very limited, below the expected level (Zaman Daily, 11 December 2004).

As expected the 2004 Progress Report was positive for Turkey and the historical decision taken by the EC on the starting date of 3<sup>rd</sup> October 2005 for accession negotiation was a real milestone. In this regard, new brutal discussions between the civil society and Turkish government were inflamed. The first issue was on who would be the Chief. Actually both civil society actors, business environments and the EU were happy with the appointment of Ali Babacan as the Chief Negotiator since he is well-equipped in terms of EU affairs and close to the ruling party. Therefore, TÜSİAD's approach to this appointment was negative as there would be a strong communication within the EU, the EUSG and the Turkish Government triangle (Zaman Daily, 25 May 2005). The second issue was about who would be the Vice Negotiators and how the private sector would be involved in the accession negotiations. According to the Turkish government, the private sector representatives would be gathered under the umbrella of TOBB since TOBB was a public entity established according to public law. Therefore, TÜSİAD was not happy with the decision and TÜSİAD President Sabancı's argument was that this kind of classification would not be democratic (Zaman Daily, 26 June 2005) and that TÜSİAD should be considered as a civil society organisation rather than a business association (Zaman Daily, 15 June 2005). On the other hand, Sabancı argued that TÜSİAD has more than 30 years of experience in contributing to the policy-making process within Turkey's EU bid and, thus, they are more experience than TOBB (Zaman Daily, 1 June 2005).

On the other hand, although TESEV was not too much active in daily politics, the association was carrying out symposiums regarding the development of democracy in Turkey. One of these symposiums was that Abdullah Gül, former Ministry of Foreign Affairs, was the spokesperson. The agenda was the promotion of women's participation into the public life. According to Gül, Turkish women were the fundamental of Turkish society and their role in promoting democracy should be strengthened as soon as possible (Zaman Daily, 20 June 2005).

İHD was also among the passive associations in 2005 in drafting and producing new reports and campaigns in the field of democracy and human rights. In this regard, the most effective campaign of İHD was the demonstrations in Istanbul against the military coup of 12 September 1980 (Zaman Daily, 12 September 2005).

On October 3, 2005, Turkey's bid to join the EU turned a corner with the opening of long-awaited accession negotiations and following the EC's positive decision, TÜSİAD commented on it as a giant step for both Turkey and the EU (Zaman Daily, 5 October 2005).

### **5.3.5. IN THE AFTERMATH OF OCTOBER 3, 2005: ACCESSION NEGOTIATIONS PERIOD**

With the start of the EU accession negotiations, democratic reform process has been accelerated again. In this regards, TÜSİAD has exhibited they would support Turkish government in the Europeanization path. The first indicator was TÜSİAD's explanation on the next general election. TÜSİAD President Sabancı's statement "there is no need for early elections" was the reflection of the positive political and economic environment (Zaman Daily, 23 December 2006). The second indicator was TÜSİAD's support to Abdullah Gül,

Minister of Foreign Affairs, regarding the ratification of 9<sup>th</sup> harmonization package (Zaman Daily, 14 April 2005).

In this regard, TÜSİAD's primary aim was to gather all the political parties under a single target of EU membership. For this reason, Arzuhan Yalçındağ, new TÜSİAD President, had argued that the CHP is not sufficiently enthusiastic on Turkey's ambition to gain full membership in the EU. Therefore, two leaders held a meeting in CHP headquarters and a press conference, where Yalçındağ said that some increased participation and enthusiasm from the CHP for Turkey's EU bid would greatly benefit the country followed it (Today's Zaman Daily, 8 March 2007).

In another press conference, Yalçındağ made a speech supporting Turkey's EU membership by saying that Turkey had to continue its work on the way to full EU membership by 2014, without focusing on short-term developments and that full membership by Jan. 1, 2014 must be a target for the Turkish population (Today's Zaman Daily, 31 March 2007).

One of the major discussion since October 3, 2005 was the "Law to Fight Terrorism". According to TESEV Chairman Can Paker, the new law would not be effective and the only way was to consolidate democracy in Turkey to challenge terrorism since the social structure of the population in Turkey had changed. Therefore, he considered democracy for constructive solution for Turkey bidding for the EU membership (Zaman Daily, 31 August 2005).

The news about a new "Human Right" library in Istanbul led by İHD is one of the most important steps taken by the association within the EU's civil society development programmes. The library, consisted of more than 8000 books, of which 300 in Kurdish, and



25 computers, was established in order to enable disadvantaged and violated people to make research on human rights and democracy issues to gain a better understanding. The librarian declared that an average of 30 people visits the library every day and that the subjects of law, prison and women rights are the most common key words searched in the library database (Zaman Daily, 26 March 2006).

News in 2006 led by İHD was about again an EU funded grant project, entitled "Civil Rights in South-Eastern Turkey", awarded to the Association. Halil Bayhan, İHD Head of Diyarbakır Branch, made some explanation about the content of the project and finalised the interview by saying that Joost Lagendijk, Chair of the Delegation to the EU-Turkey Joint Parliamentary Committee, would join the kick-off conference of the project in order to promote the visibility of the grant project (Zaman Daily, 2 May 2006).

Halil Bayhan and Joost Lagendijk jointly shared their views in the kick-off conference of the project led by İHD by saying that the "Case of Şemdinli" was holding a symbolic value for the EU and therefore this case should be considered as a test for Turkish judiciary (Zaman Daily, 6 May 2006).

On the other hand, İHD's Istanbul Branch was busy with criticizing Turkish judiciary, warning Turkish Parliamentary members and making demonstrations against, Hrant Dink, Armenian rooted Turkish journalist, who was on trial according to TCK's Article 301 limiting freedom of expression. Their target was again the same, pushing the Turkish Parliamentary for the abolishment of antidemocratic laws through new reform packages (Zaman Daily, 24 July 2006).

Three months later, the same reaction of İHD was against the President of Turkish Republic, Ahmet Necdet Sezer. The reason of the criticisms was a statement of Sezer in

which he said that basic rights and freedoms could be limited in order to protect the secular Turkish Republic. Sezer's explanation was brutally criticised by similar associations as well as İHD to be totalitarian and secularist, more than secular (Zaman Daily, 3 October 2006).

Another critical curve for Turkish democracy was Turkish military's memorandum and the reply of TÜSİAD to this historical "undemocratic" case was not late. Speaking at the "Turkish Enterprise and Business Confederation" in Samsun, Yalçındağ claimed that Turkey has come face-to-face with a serious political and democratic crisis which is not appropriate for Turkey's current position in the EU and that Turkey should rescue itself from this situation (Today's Zaman Daily, 2 May 2007).

Pointing out the TSK's latest statement pointing out secularism, the Ankara-based İHD urged everyone to claim democracy against the memorandum harming the democratic characteristic of the state and the rule of law. "Even the 1982 Constitution, which we consider anti-democratic and which we are striving to change, defines the Turkish Republican state as 'a democratic state of law'," the İHD President said in a written statement released on Saturday (Today's Zaman Daily, 28 April 2007).

While AK Party was trying to prepare a new civilian constitution in Turkey's history to fulfil a promise outlined in its election manifesto, Turkey's leading business club's Brussels delegate, Bahadır Kaleağası, said changing the Article 301 should be a priority before the EC presents its country progress report in November since in last year's Progress Report, the EC strongly criticized Turkey for undermining its EU membership talks by slowing the democratic reform process on human rights (Today's Zaman Daily, 30 August 2007). Therefore, the EC's approach to the Article 301 was quite clear. Moreover, in a meeting with a TÜSİAD delegation before a critical progress report expected to be released on November 7, EC's DG Enlargement Commissioner Olli Rehn renewed his complaints about Article 301

and said that Turkey's friends in Europe were facing fierce resistance due to the existence of 301 and that Ankara was losing its friends. Therefore, Yalçındağ had to renew her warning to the Turkish government by saying that Turkish prestige had been damaged by the decision to delay the amendment of Article 301 of the TCK (Today's Zaman Daily, 12 September 2007). On the other hand, Can Paker summarised the issue in a democratic way by saying that the issue should be discussed the pro-EU and no pro-EU people since the issue was open to comments (Today's Zaman Daily, 30 September 2007).

Also the tension between TESEV and TSK was increased due to the association's report drafted in September 2006 on the security sector and democratic surveillance. After publishing the report, TESEV was brutally criticized by TSK since the Turkish military had no anti-democratic discourse (Zaman Daily, 3 October 2006). TESEV drafted the report in collaboration with Democratic Control of Armed Forces (DCAF) (Zaman Daily, 5 October 2006), one of the world's leading institutions in the areas of security sector reform (SSR). On other hand, Mensur Akgün, TESEV Foreign Policy Programme Director, clarified some points regarding the report in a conference on the promotion of participatory democracy organised by TESEV and replied General Staff of TSK by saying that the aim of the report was to involve public participation in security issues (Zaman Daily, 7 October 2006).

Following its latest discussion with TSK, A new TESEV report, "Police Reform", had called for expanded police reform to employ younger, more educated and more reform-minded candidates to fight against anti-reform tendencies within the society. One of the significant points of the report was the statement of Volkan Aytar, one of the authors of the report and a program officer from TESEV's democratization program: the pro-EU reformist wing in the police needs the government's support" (Today's Zaman Daily, 26 January 2008).

TESEV organised a new conference, "Turkey, Province by Province, within the EU path", in Kayseri in collaboration with the Swedish Consulate and Chambers of Trade and Industry of Kayseri. The aim of the seminar was to raise public awareness on democracy within Turkey's EU accession process. TESEV Coordinator, Cem Murat Sofuođlu, mentioned that democracy had started to be rooted in Anatolia and emphasized that EU membership was the only target for Turkey's foreign policy (Zaman Daily, 10 December 2008).

Although İHD underlined the increasing number of torture cases and demanded a new constitution in a meeting held with the Prime Ministry's Human Rights Coordination Council, Deputy Prime Minister Cemil Çiçek left the meeting after delivering his remarks without listening to critics and proposals. In this regard, Hüsni Öndül, Chairman of İHD, said that despite reforms made so far, the implementation of the reforms was still below the minimum expectations (Today's Zaman Daily, 16 May 2008). In another press conference, İHD with several human rights organizations repeated their calls for the abolishment of TCK's Article 301, the article limiting freedom of expression (Today's Zaman Daily, 18 April 2008).

Another important issue regarding the democratisation process of Turkey in 2008 was the minority foundation law. Although there were some improvements for the property rights of Turkey's religious minorities, TESEV mentioned through a written statement that these improvements were not satisfactory. According to the TESEV report, the present law was not acceptable since it was violating the fundamental rights and liberties of non-Muslim citizens (Today's Zaman Daily, 5 January 2008).

Another political tension issue between TÜSİAD and the ruling party was the removal of headscarf ban. In that regard, TÜSİAD has criticized the agreement reached by the ruling AK Party and the Nationalist Movement Party (MHP) to lift the headscarf ban at

universities and argued that these two political parties are attempting to divert Turkey from its objective of the EU membership though acting too quickly to solve Turkey's headscarf problem and ignoring the provisions of the Constitution, the decisions of the European Court of Human Rights and the Copenhagen criteria (Today's Zaman Daily, 31 January 2008). Furthermore, Arzuhan Yalçındağ met with TOBB Chairman Hisarcıkıođlu to discuss the effects of recent developments in Turkey on democracy and social peace (Today's Zaman Daily, 26 March 2008). and decided to call on political parties to ease tension through a written statement by cautioning that recent developments may drag the country into polarization which may bring an authority crisis and also the Association dwelled on the significance of respect for law by emphasizing on acting in accordance with existing laws would be one of the fundamental rules of a democratic society (Today's Zaman Daily, 25 March 2008).

On the other hand, İHD Chairman Hüsnu Öndül criticised the closure case of AK Party by saying in a written statement that İHD was demanding freedom and human rights for everyone in Turkey and not only for the political parties facing closure cases (Today's Zaman Daily, 3 April 2008).

Although TÜSİAD had difficulties to get support from Turkish political environment, the Association's commitment to the protection of the EU values such as democracy and human rights during the EU accession negotiations is always appreciated by the EU Officials. In this regard, Austrian President Heinz Fischer support to TÜSİAD Chairwomen Yalçındağ for not losing courage on the way to the EU was quite heart-warming for the whole TÜSİAD members (Today's Zaman Daily, 9 May 2008).

Some time ago, Yalçındağ made a call to the main opposition political party, CHP, for an increased participation and enthusiasm for Turkey's EU bid. However, opposition

leader's approach to contribute to Turkey's accession negotiation process remained the same. Moreover, CHP's refusal to meet with Babacan to discuss the draft Third National Program outlining reforms to meet EU standards for membership reinforced the opposition party's negative stance. However, Arzuhan Yalçındağ could not remain quiet against CHP's political indifference and made a new speech by saying that the opposition parties must be mobilized to support the EU process (Today's Zaman Daily, 10 September 2008). She also added that Turkey should make up for the time it lost over the last two years and that EU reforms should take priority over creating a new constitution since the harmonization package already involves changes in many laws and she finalised her speech by saying that the rejection of the AK Party case should be interpreted as a victory for Turkey's democracy (Today's Zaman Daily, 6 September 2008).

Before the end of 2008, TESEV presented its last report on Kurdish question. According to a report filled with recommendations to the government released in December by TESEV. TESEV's report, which was based on the views of various 35 Kurdish people representing different ideological and political backgrounds as well as face-to face interviews with residents, local authorities and administrators of Kurdish dominated regions in Turkey, was one of the most significant attempts to list common demands of the Kurdish people. The outputs of the report was again addressing to democratic consolidation in Turkey. According to the report, a more inclusive constitution concerning Turkey's various ethnicities and a declaration of unconditional general amnesty for members of the PKK would be able solve the Kurdish question and also Kurds' wide range of political, legislative, socio-economic, cultural and administrative demands from the Turkish state would contribute to the solution of the Kurdish question in Turkey. According to Can Paker, there had been limited contribution made to get a solution and Turkish government had never succeeded to go down to the roots of the issue and he also added that this report should be considered only as a list of recommendations in the context of the Kurdish question for governments,

political parties and universities and that the report is open to any critique since TESEV's overall objective here was to go down to the roots of the Kurdish issue and provide some guidance in order to help all relevant stakeholders develop a comprehensive Kurdish policy (Today's Zaman Daily, 24 December 2008).

Another report drafted by İHD before the end of the year 2008. Despite the government's "zero tolerance for torture" discourse, the number of deaths in demonstrations and prisons resulting from violence on the part of security forces had not been decreased and increased political problems in the field of human rights. According to İHD, eight people were killed in custody and 36 people died in prisons as well nine people shot to death for not obeying security forces' orders (Today's Zaman Daily, 28 December 2008).

In the aftermath of the New Year celebrations, Lale Kemal's article, entitled "Turkish NGO goes local to ease prejudices", in Today's Zaman was interesting since she was referring to some NGOs which started to courageously initiate debates on taboo topics which were still under enormous pressure. In her article, she was referring TESEV and İHD as NGOs which had been attacked and accused of receiving financial support from the EC and other international donors like Soros and she described the rationale behind these accusations as a sign of secret collaboration with those seeking to change the status quo in Turkey (Today's Zaman Daily, 8 January 2009).

#### **5.3.6. A NEW START FOR EU BID**

Only days after being chosen by the Prime Minister Erdoğan as Turkey's new chief negotiator for EU accession negotiations, Egemen Bağış was welcomed by TÜSİAD as new chief negotiator and TÜSİAD described Erdoğan's decision as extremely appropriate decision

since they believed that Bağış would bring in new momentum to Turkey's EU membership process (Today's Zaman Daily, 14 January 2009).

Actually there was only one reason for TÜSİAD's happiness regarding the appointment of a new chief negotiator. TÜSİAD was not satisfied of relations with the EU in the past three years. According to Yalçındağ, both Turkey and the EU should get rid of the political, economic and democratic recession period and non-confidence environment." She also welcomed Prime Minister Erdoğan's visit to Brussels and pointed out the need of Turkey and the EU to become more apparent together in international affairs after the last global economic and political crisis. To sum up, she finalised her speech by telling that Turkey should become a member of the EU in 2014 and be part of the Euro Zone in 2018 (Today's Zaman Daily, 24 January 2009).

Although the year of 2009 was not so active for TÜSİAD, the association tried to be on the agenda of EU politics through using other instruments. For instance, TÜSİAD added a new section on its webpage as a public awareness activity in order to introduce possible contributions of Turkey's membership to the EU in the future. In terms of multiculturalism, TÜSİAD's consideration was that Turkey's membership would strengthen the EU's democracy and this enlargement would be a solid confirmation of refuting the clash of civilizations scenario (Today's Zaman Daily, 10 May 2009).

One of the most significant reports by TESEV was revealed in a panel discussion organised by TESEV. The study the study, conducted through in-depth interviews in 20 provinces in Turkey and with 59 people from various levels of society, indicated that a majority of the Turkish people was considering the judiciary as a government agency and their perception was that the judiciary was not an independent public entity (Today's Zaman Daily, 13 May 2009).



Another study of TESEV which would have a positive impact on Turkish politics' democratisation was the field research on the problem of internal displacement of Kurdish people from the eastern and south-eastern regions of Turkey. Although the government developed an action plan to relocate internally displaced Kurdish people in 14 eastern and south-eastern provinces was considered as a positive step, by TESEV, toward recognizing the internal displacement issue, the report revealed that the action plan would have serious flaws in implementation since the plan lacked details and most of the issues were not unique to victims of forced migration (Today's Zaman Daily, 27 May 2009).

Speaking at the conference, entitled "Security Sector Oversight and Civil Actors", organized by TESEV as the closing event of an EU funded technical assistance project, "Civilian Capacity Building and Democratic Consciousness Raising in Security and Human Rights", the overreaching influence of the military over civilian affairs in Turkey was discussed and the substantiality of developing accountability and transparency, in other words, good governance within the security structure was emphasized. The main objective of the project was to promote democratic functioning through civilian oversight and the reform of the security sector which were of extreme importance both for Turkey and for the Union, as the essence of the EU's construction (Today's Zaman Daily, 12 June 2009).

TESEV's another report in 2009 was "Almanac Turkey 2006–2008: Security Sector and Democratic Oversight," edited by Ali Bayramoğlu from İstanbul Kültür University's and Ahmet İnel from Galatasaray University. The aim of the publication was to provide information to all relevant actors in the security sector as well as civil society organizations within the framework of TESEV's democratization program seeking to promote transparency and accountability in security sector and provide information regarding the importance of this to policy makers, the media, civil society and the general public. There were many criticisms against the security sector and the key message of TESEV in the report was "time

to limit the dominant role of the security sector, particularly of the military, over civilian life". This report was considered as a warning from civil society to TSK (Today's Zaman Daily, 9 July 2009).

A recent publication by TESEV tackling the issue of Turkish judicial reform dominated the domestic political agenda for weeks. The report revealed the ins and outs regarding the way the judicial branch of the Turkish government had been functioning. The report was issued by four experts: law professor Serap Yazıcı from İstanbul Bilgi University, law professor Ergun Özbudun from Bilkent University, private attorney Ümit Kardaş and political science and international relations faculty member Ozan Erözden from Yıldız Technical University through representing a critical and thought-provoking view and analysis of the judicial reform in Turkey. The common message of the report was that judiciary reform was essential to democratic progress (Today's Zaman Daily, 25 July 2010).

One of the last major discussions that TESEV was involved was the campaign seeking civilian service alternative to compulsory military service. The campaign was pioneered by Tuna Bekleviç, the leader of the GTP and his campaign received wide support over a short time period from young people and intellectuals. Head of TESEV, Can Paker, was among the supporters of the campaign (Today's Zaman Daily, 3 October 2010).

The calmness of the year 2009 was ruined by the discussions on military judicial reform aiming at allowing civilians involved with military affairs be tried in civilian courts rather than in military tribunals caused another discussion on TÜSİAD's "inconsistent" position toward judicial reforms. Although the law under which army personnel would be tried in civilian courts was widely considered as a positive attempt to improve Turkey's democracy and its bid to join the Union, TÜSİAD's increasing pressure on President Gül to veto the law gave rise to a new debate: "Is TÜSİAD still committed to democracy?" İhsan

Dađı was no longer sure and the reason was TÜSİAD's attitude toward the latest change in the law (Today's Zaman Daily, 6 July 2009). TÜSİAD was also criticized by Egemen Bađıř, who was believed to bring a new momentum to Turkey's EU bid, to exhibit an antidemocratic stance regarding the military judiciary (Today's Zaman Daily, 8 July 2009). On the other hand, TÜSİAD's criticism was against the ratification of structural regulations in a speedy manner without any democratic discussion environment (Today's Zaman Daily, 6 July 2009).

Civil society groups in Turkey's predominantly Kurdish Southeast expressed their support for the Minister of Internal Affairs, Beřir Atalay's announcement on a governmental initiative to solve the long-standing Kurdish problem. In this regards, the attorney Vedat řengöl, Chair of İHD's Muř Branch, said that the Minister's announcement must be taken very seriously and all segments of society must support the solution (Today's Zaman Daily, 4 August 2009).

On the other hand, İHD was always criticizing the Turkish Government and Turkish judiciary since the number of human rights violation had remained stable in the last period, a recent report prepared by the İHD had shown that the number of human rights violations in Turkey had decreased by 70 % since Turkey's EU candidacy in 1999 (Today's Zaman Daily, 3 September 2009).

When Ümit Boyner, Boyner Holding's board member responsible for financing and investments, was elected as new chair of TÜSİAD in January 2010, her speech was considered as a re-assurance for TÜSİAD's democratic stance in Turkish politics and EU affairs. By telling that Turkey felt behind in the EU harmonization process and the association would pursue a fully pro-democracy policy during her term, Boyner, known for

her liberal and democratic stance, underlined Turkey's need for democratization (Today's Zaman Daily, 24 January 2010).

Another criticism by Boyner was that no one should accept still being governed by a coup Constitution 30 years after the September 12 coup (Today's Zaman Daily, 23 January 2010). These explanations were kind of warning for the Turkish government. TÜSİAD would probably ask for a renewed constitution which should be individual-oriented, should not include any privilege, and should be based on pluralist parliamentary democracy since they were considering the current constitution amendment package far away from overcoming the deficiencies in democracy (Today's Zaman Daily, 25 March 2010). Boyner was thinking that the current (1982) constitution had been designed to protect the state from citizens and she added that this current constitution was not democratic anymore. In this regard, Boyner's opinion was that the EU adjustment process was offering a reform opportunity for Turkey and that great importance should be attached to this democratisation process (Today's Zaman Daily, 25 February 2010). Moreover, during a meeting with Deputy Premier Bülent Arınç, Chairwoman of TÜSİAD called the Turkish government and the rest of the Turkish Parliament for concrete steps in the country's democratization process and a planned judicial reform by emphasizing on democratisation and employment: "We need to make serious progress in democratization process and judicial reform in order to take on an agenda of devising policies to recover from a global economic crisis, to create new jobs and to boost economic growth" (Today's Zaman Daily, 24 February 2010).

Another substantial issue of the year 2010 was the new proposed constitutional amendment package by AK Party. In this regard, the officials of the Turkish government visited political parties and civil society organizations and the response of Boyner was very similar with former Chairmen of TÜSİAD: "The justice system is the area which should be

seriously and urgently reformed in the process of European Union harmonization" (Today's Zaman Daily, 6 April 2010).

İHD was among the visited CSOs and their response to the constitutional amendments issue was similar to TÜSİAD's. In this regard, İHD stated a press release indicating that to promote the level of democracy and human rights in Turkey, the necessary parts of the Constitution which would enable the trial of disciplinary crimes in military courts and the replacement of the Supreme Board of Judges and Prosecutors (HSYK) with a new structure should be amended (Today's Zaman Daily, 23 February 2010).

In May, İHD drafted a joint report in collaboration with the Turkish Human Rights Foundation. The report indicated that in 2009 although the Turkish government officially recognized the Kurdish question, but since no concrete constitutional or legal steps have taken for a peaceful and democratic solution. The 507-page report found that in 2009 there were several groups violating the right to life, including the security forces (Today's Zaman Daily, 7 May 2010).

Moreover, when Prime Minister Recep Tayyip Erdoğan said during a visit to the south-eastern province of Diyarbakır that the Diyarbakır Prison, where thousands of prisoners were brutally tortured and killed during the post-1980 period since they wanted to express their opinions, would be demolished as part of government efforts and İHD President Öztürk Türkdoğan suggested that the prison should be turned into a museum of shame to enable future generations witness the democratisation process in Turkey and added that similar complexes in European countries had turned into museums, pointing out Auschwitz, which was founded in 1947 as the German concentration camps during World War II, as an example (Today's Zaman Daily, 12 September 2010). In another interview, Türkdoğan told that although the constitutional amendments were a considerable change,

but as long as the implementation remained the same, Turkey would be unable to meet the criteria that democracy required (Today's Zaman Daily, 21 September 2010).

Boyner's interest in the existing problems of Turkey is not a rare occurrence. In this regard, she has renewed her call for a rapid solution to the Kurdish question as a repercussion of Turkey's problem with democratization. According to Boyner, the solution for Turkey's chronic problems was the pluralist parliamentary system enabling a great proportion of the public to be represented in Parliament. Therefore, she also called on the government to immediately amend the Political Parties Law to lower Turkey's 10% election threshold (Today's Zaman Daily, 25 May 2010).

TÜSİAD continued to organise new press conferences in order to attract media's attention to critical issues related to Turkey's EU bid and domestic affairs. One of the main objectives of these conferences was to focus on Turkey's EU membership as a priority. In that regard, TÜSİAD and Institut du Bosphore jointly organised "Boğaziçi Seminar" and the Chief Negotiator Egemen Bağış was among the panellists. Upon a question asking whether the EU process was still a priority for Turkey, he mentioned that Turkey's accession negotiation with the EU is the most substantial foreign policy issue and argued that Turkey turned into a more democratic country within the Europeanization process (Today's Zaman Daily, 1 July 2010).

TÜSİAD has continued its high-profile talks in Brussels with the European Union's top official, European Council President Herman Van Rompuy. The agenda of the talk was about a "shift of axis" in Turkey's foreign policy and Boyner's answers were quite certain. She mentioned that there were no political shift and universal values such as democracy and human rights were still Turkey's priority although there is a shift in global politics towards

authoritarian capitalist systems such as Russia and China (Today's Zaman Daily, 1 July 2010).

On the other hand, the most important political issue of the year 2010 was the September 12 referendum, a historical test for both Turkey's democracy background and future. In this scope, the Turkish parliament adopted a series of constitutional amendments concerning coup leaders and military personnel, economic and social rights, individual freedoms and judicial reforms but the Parliament could only receive a majority of 330 votes, which was sufficient to present the amendments to the referendum. In this regard, the meeting held between TÜSİAD and Erdoğan was critical. Boyner summarised TÜSİAD's opinion on the referendum with a single phrase: "TÜSİAD does not have a political view regarding the September 12 referendum". Boyner, known for her pro-democracy stance, without commenting in detail about the referendum, she mentioned that it would be a big step for Turkey's democratization and that there are some aspects they do not like. On the other hand, she underlined again that Turkey's vision should always be bound to the EU criteria and democracy and that any shift towards the East in Turkey's axis would not be acceptable (Today's Zaman Daily, 15 July 2010). Actually, TÜSİAD always supported Turkey's EU accession and thus demanded that the government should fulfil all responsibilities but its unusual silence on EU-backed constitutional amendments was criticized by democratic circles and the Turkish government.

While TÜSİAD refused to comment on the referendum issue, the association's leading members expressed their pro views one by one. İshak Alaton, co-founder and chairman of Alarko Holding, said that more democracy requires taking a stance on the referendum rather than staying neutral and added that he would say "yes" twice on referendum if he could (Today's Zaman Daily, 22 August 2010). Additionally, Can Paker, who was also the chairman of the TESEV, said that September 12 would be a milestone for

Turkey if a “yes” comes out of the ballot box (Today's Zaman Daily, 23 August 2010). Polisan Holding Executive Committee Chairman Necmettin Bitlis, a prominent member of TÜSİAD, said that constitutional reforms would take Turkey forward and that he would therefore vote in favour of the proposed amendments in the upcoming referendum (Today's Zaman Daily, 28 August 2010).

On the other hand, Erdoğan was very uneasy since TÜSİAD had not made any move to support the constitutional amendment package. Therefore, he urged them to define their position and to show their “colours” (Today's Zaman Daily, 27 August 2010).

Following the “yes” result, TÜSİAD remained still silent. On the one hand, the European Commission welcomed the approval, by the Turkish people, of the constitutional reforms which demonstrates the on-going commitment of Turkish citizens to democratisation process enhancing their rights and freedom and President of the European Parliament, Jerzy Buzek, welcomed the results too by saying that the result of the referendum would bring Turkey a step closer to its European objective (Today's Zaman Daily, 14 September 2010).

After a long silence period, Chairwoman of TÜSİAD, Boyner, held a meeting with Peace and Democracy Party (BDP) officials regarding preparations for the 40th anniversary of TÜSİAD's establishment and organised a short press conference by saying that Turkey needs a new constitution for the 21st century, based on broader individual rights and improved democracy and TÜSİAD was making efforts a new draft constitution and would share it with the public in March (Today's Zaman Daily, 13 January 2011). She also added that the study had been carried out by a 25-people group consisting of academicians and opinion leaders over five main topics since September (Today's Zaman Daily, 20 January 2011).



As well as TÜSİAD, at a press conference TESEV President called on politicians and civil society organizations to urgently adopt a new democratic constitution based on participatory and pluralistic politics. In this scope, he shared the association's recommendations on methods to draft the Constitution. He also commented on the current Constitution as a state-centred and militarist Constitution focused on prohibitions and bans, rather than democracy and human rights. Paker also warned the government and parliament to decrease the election threshold for a more participatory representation of political parties in the next parliamentary period (Today's Zaman Daily, 28 January 2011).

A recent study conducted by TESEV was about Arab world's perception of Turkey as a model for democracy. The outputs were quite interesting for Turkish democracy since the study found that 75% of the Arab was considering Turkey as a successful model for democracy and wanted Turkey to play a bigger role in the region (Today's Zaman Daily, 28 January 2011).

TÜSİAD shared the draft constitution with the public at a press conference on March 22, 2011. The new draft constitution was very marginal since it was suggesting that the unchangeable articles of the Turkish Constitution could be amended. According to the TÜSİAD proposal, the article defining Turkey as a republic would still be retained, but the remaining two articles could be changed. Actually, this was not the first time that the Association had called for a new civilian and democratic constitution. It was in 1992 when the association first proposed to change the unchangeable articles of the Constitution. Another substantial point in the new draft constitution proposed by TÜSİAD was the removal of all expressions that evoke racism or nationalism, the elimination of the use of the word "Turkish" when defining citizenship (Today's Zaman Daily, 23 March 2011).

Debates on civilian constitution heat up after TÜSIAD's draft. Some political parties, civil society organisations and academicians criticized the suggestion of TÜSIAD for the amendment of the unchangeable articles harshly. As a first step, TÜSIAD mentioned that the draft constitution proposed by a group of academics and announced by the association did not reflect the opinions of TÜSIAD but those of the academics, underlining that the association had always been against the proposal to amend the first three unchangeable articles. This statement was criticized in media as TÜSIAD's backpedals (Today's Zaman Daily, 29 March 2011).

On the other hand, TESEV announced its constitutional report, entitled "Towards Turkey's New Constitution", in order to focus on the need for a constitutional change in Turkey to enforce a civilian constitutional structure and more democratic life in the country within the EU accession path, emphasizing the protection of individual rights and freedoms (Today's Zaman Daily, 21 April 2011).

## **CHAPTER VI**

### **CONCLUSION**

This study mainly sets out to analyse whether the EU, as a donor agency, is a successful trigger or not in contributing to democratisation process through developing and implementing capacity building programmes in collaboration with civil society actors in Turkey, where civil society has practically been characterised as a weak and inactive concept controlled by state and elite-levels due to the Tanzimat and Sevres Syndromes.

In this regard, this thesis attempted to analyse the internal dynamics of civil society in Turkey with reference to the impact of EU's politics on civil society on the internal operating styles of Turkish CSOs. In this respect, a critical assessment of the mentioned issue was put forward in the sense of extensive discussions on the concept, which is traced back to Greek Political Philosophy, was conducted in order to reach a clear answer on the correlation between the concepts of civil society and democracy. Actually, the main purpose was to make clear the reasons and dynamics behind the popularisation of the concept as a conditionality of democracy. Within this framework, EU's civil society policies implemented in Turkey was considered as necessary due to the fact that the process of Turkey's EU accession has major implications for not only the democratic consolidation in Turkey, but also on civil society's development as a significant part of it.

Development of civil society in countries similar to Turkey has always been an important part of EU's politics on civil society both within the framework of its initiative for democracy and human rights and its enlargement strategy. Although the EU's contribution to civil society development in Turkey dates back to early 1990s, it is especially by the beginning of the candidacy process that the EU has clearly started to implement its related policies on a more systematic basis. In this respect, while investigating the role of civil

society within the process of democratization in Turkey, the impact of the EU was tried to be considered within the framework of the extent to which it has achieved to contribute to the enhancement of the democratic capacity of civil society organizations in Turkey.

The analysis of the impact of the EU was undertaken on the basis of the main strategy it applies while implementing civil society development policy in Turkey; namely, the EU-funded grant programmes including training programmes, where the CSOs have been the potential beneficiaries. These grant schemes have always aimed at financing the projects of CSOs principally working in the fields such as women, children, youth, human rights, disabled, environment and culture. The training programmes covered by these grant programmes were started to put into practice with the initiation of CSD Programme and they are organized under two modules; Project Management and Capacity Building; the former intends to enhance the CSOs' ability to prepare and manage projects as well as to access and benefit from the funding opportunities, while the latter aims at reinforcing the lobbying capacity of CSOs on democratic consolidation in the country by focusing on the issues such as lobbying, conflict resolution, fund-raising, strengthening of institutionalized democratic structure and especially establishment of communication channels with the other CSOs as well as with the target audiences and the society as a whole.

In this framework, the reasons behind the recent popularity of the concept of civil society as a pre-condition of democratic consolidation were uncovered. In doing this, the main objective was to understand the rationale behind the EU policy on civil society development in third countries such as Turkey since development of civil society dialogue in third countries is a considerably substantial part of the EU's policy on strengthening civil society, not only in its deepening policy but also in terms of its widening strategy. In this regard, although the contribution of EU to the development of CSD in Turkey pre-dates the Helsinki decision and dates back to early 1990s, it is especially by the beginning of the

candidacy process, Helsinki Summit of 1999, when the EU has started to implement its policies for the development of civil society in Turkey on a more systematic basis.

In this respect, while questioning and investigating the role of civil society within Turkey's democratisation process, the impact of the EU-funded programmes on CSD has been gradually increased. Therefore, one can claim that the EU is central and even towering in Turkey's democratic reform process since no one can witness a revolution "from below" as Kubicek points out.

In this regard, by focusing on the recent experience of three selected CSOs including TÜSİAD, TESEV and İHD; the study tried to attempt to what extent the EU has achieved to consolidate Turkish democracy and civil society.

As mentioned in the previous chapter, there are some reasons behind selecting these three civil society actors; TÜSİAD, TESEV and İHD. When we have a look at the EU's Copenhagen criteria, there are 3 main components: political, economic and legislative. Therefore, in the case study, these three CSOs representing different interest fields matching with three Copenhagen criteria:

- TÜSİAD (an actor representing Turkey's major industrialist from the private sector);
- TESEV (think-tank focused on economic and social studies concerning economic, political and legislative issues);
- İHD (a foundation focused on democracy and human rights).

In order to examine the impacts of EU-funded CSD programmes on Turkish CSOs' contribution to the democratic consolidation process in the country in the last decade; the

Turkish Daily Newspaper Zaman was selected as the printed media source. To do so, a media monitoring study concerning the period between the Helsinki Summit of 1999 and June 12 Turkish General Elections was carried out and this period was observed under 6 sub-headings: (i) Post-Helsinki period; (ii) Democratic reform process in Turkey with regard to the EU; (iii) New political era in Turkey: Justice and Development Party; (iv) Towards October 2005; (v) In the aftermath of October 3, 2005: Accession Negotiations period; and (vi) A new Chief Negotiator and a firm will for Turkey's EU bid.

At the end of this study, regarding the effects of grant programmes, there is no doubt that the grant schemes implemented by the EU in Turkey contributed much to the reinforcement of civil society and, thus, democratic consolidation in Turkey. The main thing that should be drawn attention, with regard to the reinforcement of civil society and democracy, is the number of daily news about the briefings, reports, campaigns, activities and declarations drafted and disseminated in the field of human rights, democracy, civil society and rule of law.

Finally, it can be said that perhaps the most beneficial consequence of the intensification of EU funding aimed at development of civil society in Turkey is the fact that the problems experienced within the field of civil society in Turkey are apparently put on the agenda. In other words, discussions on the reflections of the process of Turkey's EU membership on the development of civil society in Turkey, inevitably, lead to the constitution of a platform where the problems with regard to civil society-democracy relationship become much more intensively debated. However, it is significant to emphasize that it is principally the CSOs themselves, which should actively participate in discussions on democracy and civil society. The best way to do so for the CSOs is to internalize those missions and principles.

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