

Tongue Twister - Education in the Mother Tongue for the Minorities and Linguistic Policies in Turkey (2005)

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1. Introduction

Nobel Laureate Harold Pinter wrote a play in 1988 called the “Mountain Language”¹, inspired by travel to Turkey in the mid-1980s. In Pinter’s play, an officer scolds at a woman belonging to a ‘minority’; “You are mountain people...Your language is dead. It is forbidden”.² Indeed, all minority languages faced dire straits during the Republican history and struggled for survival under repressive laws and their harsh implementations, alongside recurrent propagation of Turkish as the only language of communication and the ‘heart and soul’ of Turkish nationalism.

Breaching of linguistic rights persists in Turkey despite the amendments to the constitution and the bylaws in 2001-2004, made specifically for ameliorating cultural freedoms. The aforementioned legal amendments³, which will be discussed in detail, were adopted mostly with the European Union’s instigation and encouragement. However, Turkey’s civil society, intellectuals and the general public sentiment favoring the EU membership and yearning for a ‘better Turkey’ had also imperative stakes in inveigling the Turkish Grand National Assembly towards the swift legislation of the democratization packages.⁴ With an atmosphere of ‘revolution’ gaining momentum, vivid parliamentary debates and public discussions regarding minorities’ rights and most of all, their linguistic rights were sparked.⁵ The zealously contested ‘cultural rights’ issues centered on conducting broadcasts and receiving formal education in communal mother tongues⁶, among various other critical questions faced by the minorities. Nonetheless, even during this ‘democratization wave’, education in the mother tongue was not among the leading issues that were debated, but remained as a fringe concern under the broad-spectrum reference to ‘cultural rights’.⁷ Furthermore, at that period, the demands for mother tongue education were rallied predominantly by Kurds of Turkey.

Here a parenthesis must be opened for stating that though the issue in question is a debate on ‘minority’ rights, overwhelming majority of the ‘minorities’ in Turkey detest being referred to as such. In case of the most populous minority, Kurds, there is an underlying historical argument contending that Kurds were given the promise to be the co-founders of the Republic in 1920s, on equal footing with Turks. Thus, they underline that they are not and do not want to be regarded as minorities. On the other hand, smaller ethno-linguistic groups fear that they would be reduced to a second-class

¹ Pinter H. (1989), *Mountain Language*, London, Groove Press.

² *Ibid*, p. 11.

³ For a complete list of the legislations see, <http://www.tbmm.gov.tr/ul_kom/kpk/belgeler.htm>

⁴ These democratization, or in more popular form, ‘harmonization’ packages were drafted in accordance with the *National Program of Turkey for the Harmonization of the European Union Acquis Communautaire*

(<http://europa.eu.int/comm/enlargement/turkey/pdf/npaa_full.pdf>). The National Program, publicized in 2001, was for presenting Turkey’s targets regarding the EU integration process. The EU’s demands were outlined in the *Accession Partnership Document* of 2000. (<http://europa.eu.int/eur-lex/pri/en/oj/dat/2001/l_085/l_08520010324en00130023.pdf>)

⁵ Among the other much discussed issues, there was corruption, economic and social deprivation, freedom of expression, and freedom of religion. With regards to the minorities, protection of the properties of non-Muslim foundations (those of Armenians, Greeks and Jews) was another hotly debated problem.

⁶ For the purposes of linguistic human rights, ‘mother tongue’ is defined as, “the language one has learned first and identifies with”. Skutnabb- Kangas, T. and Bucak S. (1995), *Killing a Mother-Tongue- How the Kurds are Deprived of Linguistic Rights*, in T. Skutnabb- Kangas and R. Phillipson (eds), *Linguistic Human Rights: Overcoming Linguistic Human Rights*, Berlin, Mouton de Gruyter, p. 361.

⁷ The foremost organization demanding rights to education in the mother tongue is Egitim-Sen, the Teachers’ Association. Because of this, Egitim-Sen faced various court cases filed against them, with the allegation of “endangering the unitary state”.

citizenship status.⁸ Etymologically the word meaning ‘minority’, ‘azinlik’, is driven from the root ‘az’, meaning ‘scarce’, and thus, is thought to be signifying ‘scarcity’. This play of the word was employed in the early years of the nation-state, as the Republican elite sought to create a homogenous national group.⁹

The Lausanne Treaty of 1924¹⁰ referred purposely to the “non-Muslims minorities” of Turkey, providing them with a number of rights. During the negotiations of the Treaty, the Turkish delegation firmly insisted on the position of accepting “religious” minorities, but denying any protection mechanisms for “ethnic and linguistic” minorities. This position of the Turkish delegation prevailed over the counter arguments and, at the end, the Treaty referred only to the “non-Muslim minorities”.¹¹ Though they are not explicitly named as such in Lausanne, they are Armenians, Jews and Greeks, the traditional groups of the Ottoman “millet” system.¹² However, some legal experts argue that, theoretically all the minorities of Turkey are under Lausanne’s umbrella.¹³

Lausanne minorities are the only groups having the opportunity to receive certain group rights including education in their mother-tongue. Other than the Lausanne minorities, none of the Muslim and non Muslim groups of Turkey have been recognized as ‘minorities’ and enjoyed any collective rights.

Closing the parenthesis and returning back to buoyant days, when Turkey’s centuries-old quest for Westernization seemed to enter its final phase after the Helsinki Summit of 1999, it can be said that the initial domestic effervesce began showing serious signs of exhaustion by the end of 2004. In fact, there have been heaving nationalist expressions since early 2005, designating a novel character compared to the nationalist phenomena of the previous eras of the Turkish Republican history. This recent trend can be referred to as a ‘purely popular’¹⁴ spontaneous nationalist movement, fusing elements of anti-Americanism, anti-Europeanism, anti-semitism, conservatism, rediscovery of invented but embraced ‘traditions’¹⁵, a yearning for purism (albeit in Islamic or secular sense), and a reclaim of honor and dignity. Nationalist movements always enjoyed high popularity in Turkey, alongside prevalent support for nationalist parties and nationalist campaigns sparked by popular

⁸ The leaders of the Bosniak community in Turkey declared that there was no need for broadcasts in their language, because they were first and foremost, citizens of “this country, not a minority”.

<<http://www.radikal.com.tr/haber.php?haberno=118774>>

⁹ For the historical pretext of the discussion see, Urer, L. (2003), *Azinliklar ve Lozan Tartismalari (Minorities and Lausanne Debates)*, Istanbul, Derin, p. 276-294.

¹⁰ The Lausanne Treaty was signed after the World War I, on 24 July 1923 between Turkey on the one part and the British Empire, France, Italy, Japan, Greece, Romania, and the “Serbo-Croat-Slovene” State on the other. It is considered as the “founding treaty” for the Republic of Turkey. For full text of the Treaty,

<<http://www.lib.byu.edu/~rdh/wwi/1918p/lausanne.html>>

¹¹ Urer, L p.254

¹² The *millet* system was composed of different religious communities who were autonomous to administer their own affairs under their own communal jurisdiction. This system and the classical institutions of the Empire began to crumble as a result of the growing integration of the Ottomans into the world economy and its military defeats. Under this system, individuals were under the jurisdiction of their communities. Therefore, the lives of the Ottoman people were segregated from each other in administrative and judicial affairs. The millets had their own educational system, its own legal system and the state gathered taxes not directly from its subjects but from the chiefs of these communities.

See, Encyclopaedia of Islam’s article on *milla*, regarding the Islamic roots of the millet system. See also, Braude B. (1982), “Foundation Myths of the Millet System”, in Braude B. and Lewis B. (eds), *Christians and Jews in the Ottoman Empire: The Central Lands, Vol. 1*, New York, Homes & Meier, p. 141-169.

Karpat K., “Millets and Nationality: The Roots of Incongruity of Nation and State in the post-Ottoman Era”, in *Christians and Jews in the Ottoman Empire*.p. 141-169.

Davison R., “The Millets as Agents of Change in the Nineteenth Century Ottoman Empire”, in *Christians and Jews in the Ottoman Empire*.p. 319-337.

¹³ Among various other scholars in Turkey, Oran argues that some of the minority rights provisions of the Lausanne Treaty cover all the population. Oran B (2004), *Turkiye’de Azinliklar: Kavramlar, Teori, Lozan, Ic Mevzuat, Ictihat, Uygulama* (Minorities in Turkey: Concepts, Theory, Lausanne, Domestic Legislation, Precedent, Practice), Istanbul, Iletisim.

¹⁴ Bilig M (1995), *Banal Nationalism*, London, Sage.

Eriksen T.H. (1993), *Ethnicity and Nationalism: Anthropological Perspectives*, London, Pluto.

Eriksen T.H. (1993), “Formal and Informal Nationalism”, *Ethnic and Racial Studies*, Vol. 16, No. 1, p. 1-25.

¹⁵ Hobsbawm E. and Ranger. T (1992), *Invention of Tradition*, Cambridge, Cambridge University Press.

resentments. The history of popular movements rallied against the ‘West’ can be even traced back to the Ottoman Empire.¹⁶ Nevertheless, such broad based support for conservatism and nationalism bringing together a wide array of classes and political factions, woven with jolting nationalist reactions roaring here and there, without the need for any provocation by the media or the elite¹⁷, triggered without much outside intervention, is indeed a new phenomenon in itself.¹⁸ Underlying reasons for the arising nationalist clinging are various; resentment born against the Middle East policies of the United States¹⁹, Palestine policies of Israel, recurring ‘cold shoulder’ treatments by the European states in the form increasingly tough visa policies, suspicion expressed by certain European countries against Turkey’s candidacy, the belief that discrimination and double-standards are being applied to Muslims are among the external reasons. Meanwhile, ever increasing socio-economic imbalances, white-collar and blue-collar unemployment, and sociological problems of millions of internally displaced people from Eastern and Southeastern regions of Turkey due to the domestic armed conflict taking place in 1980s and 1990s, urban crime, and widespread everyday petty violence pushed the Turkish society towards the edge of a nervous breakdown. Since 2005, there has been a surge in armed Kurdish insurgency, and the violence is taking place in a highly opaque atmosphere, with blackouts on who is conducting or propelling new spores of violence in Kurdish dominated regions, as well as the country in general. It is no secret that once guns are out; there is less space for words.

On a brighter note, the ‘democratization wave’ still has winds in its sails; the public debate continues on, and the conservative nationalist tide is still far from being organized into a mass political movement. Almost all political parties unceasingly chant nationalist slogans, but this is not a new phenomenon in Turkish politics. Most importantly, there were three landmark academic conferences deliberating on the most delicate subjects of Turkey in 2005; the Armenian Genocide issue and the Kurdish Question. Of these two conferences, the two about the ‘Armenian issue’ confronted the most controversial topic in the whole saga of Ottoman and Turkish historiography. Notably, the latter of these conferences took place in a state-run academic institution, Istanbul University, with a number of participants from the Armenian Diaspora presenting view points that are diametrically opposed to that of the Turkish state. Likewise, the conference discussing the “Kurdish Question” at the Bilgi University of Istanbul brought together a wide array of ‘concerned persons’ from academia, civil society, media and bar associations.

While popular culture is marred sordid examples of indignant, conspiracy theory manufacturing literary works and media productions that play on anti-Western, popular sentiments, there are also

¹⁶ Quataert D. (1983), *Social Disintegration and Popular Resistance in the Ottoman Empire, 1881-1908: Reactions to European Economic Penetration*, New York, New York University Press.

¹⁷ It is notable that the media had an important role in rallying the nationalist sentiments throughout the Republican history. In a very grim chapter of the Turkish history, there was a pogrom directed against the non-Muslim minorities of Turkey orchestrated by still unknown actors, towards mostly Greeks and to lesser extent Armenians and Jews taking place at Istanbul, in 1955.

See; Vryonis S. Jr (2005), *The Mechanism of Catastrophe: The Turkish Pogrom of September 6-7, 1955, and The Destruction of The Greek Community of Istanbul*, Greekworks.Com Inc.

¹⁸ An example for the popular eruption of the nationalist wave was a lynching attempt of several human rights activists distributing campaigning leaflets of an NGO called the *Association for Solidarity with the Families of the Imprisoned and Convicts* (TAYAD) in the Black Sea port town Trabzon. It was thought they were supporting Kurdish separatists. Further lynching attempts were directed against other TAYAD members protesting the events were repeated in other towns, too. Columnist and civil society activist Murat Belge cited another example; there was a court case filed against the translators and publishers of the *Little Prince* by Saint-Exupéry, by a concerned citizen as there was the term ‘Turkish dictator’.

<<http://www.radikal.com.tr/haber.php?haberno=161203>>

Meanwhile, racist, nationalist literature, produced domestically, was selling in records high numbers. On the other hand, Hitler’s *Mein Kampf* became a bestseller for a long time. Additionally, the most popular soap opera topping rating charts with all time highs (which subsequently became a blockbuster movie) was called the *Valley of the Wolves* and its scenario enmeshed anti-Americanism, anti-semitism with hard core nationalism.

¹⁹ According to opinion polls conducted in December 2002-September 2003 period around 80 to 90% of the public opposed the war in Iraq. The opposition to war in Iraq peaked right before the intervention with a negative public opinion at 93.9%. These figures are taken from the two renown Turkish polling companies, Anar and Pollmark’s surveys. The figures are quoted in N. Uslu, M. Toprak, I. Dalmis, and E. Aydin’s joint article, “Turkish Public Opinion Toward the United States in the Context of the Iraq Question”, published in the *Middle East Review of International Affairs* (Volume 9, No. 3- September 2005). <http://meria.idc.ac.il/journal/2005/issue3/jv9no3a5.html#_edn3>

various TV serials and movies featured in private channels casting celebrities as characters of 'minority' backgrounds, who even speak in their mother tongues in one or two of their lines.

Discussion regarding education of minorities' in their mother tongues takes place within such a milieu in Turkey. The situation might be regarded as bleak, but also encouraging at the same time. Perhaps it is best to describe the atmosphere in Turkey as expectedly excruciating, as the country has just embarked on dealing with its skeletons in the closet for the first time in its history. Furthermore, the Turkish public is experimenting with utilizing internationally and domestically defined rights for the first time. This experiment entails coming to terms with multifaceted composition of the country and working out a social contract of coexistence. Therefore, coming to grips with the fact that such social contracts are to be both protected and reworked through constant societal communication, but not dogmatized, is essential. While toning down the inner social conversation of Turkey from screams to patient dialogues would not be a simple process, this is at the same time a very viable utopia.

This paper discusses the issues of nation-building and linguistic rights in Turkey with an emphasis on educational rights, tracing back the roots of current problems and diagnosing the contemporary limitations related to these topics. It is quintessential look back at the past to understand why affirmative action policies regarding education in the mother tongue are indispensable in a country with socio-economic deprivations, 'national-security problems' and demographic complexities. Despite various changes, it is still possible to spot the evidences of reluctance on the state's behalf to provide Turkey's ethno-linguistic and religious groups with rights. In order to see how the legacy of the past casts a shadow over today, one must scrutinize the Turkish laws in effect. In the final analysis, Turkey needs further legal changes and a paradigm shift in political and social attitudes towards 'others', so that technical transformation in the legal realm can be applied to practicality. The EU can be extremely instrumental by providing expertise, assistance and funding, but in the end it is Turkey itself that must execute the change.

2. Linguistic rights and minorities in turkey

Historical Background

Turkey has a multiethnic, multi-religious, multilingual society, contrary to the popular statement that it is a country with over 90% Turkish, Muslim population. As a rump state of the Ottoman Empire, Turkey inherited a highly heterogeneous demography. In his book on ethnic groups in Turkey, P.A. Andrews cites coming across 47 ethnic groups.²⁰ There are non-Muslims; Baha'is, Chaldeans, Georgians, Maronites, Nestorians, Protestants and Syriacs are among various others. There are also the non-Turkish Muslim minorities who are coaxed into accepting the Turkish identity. The publicly visible or invisible minorities with 'submerged' ethnic identities are the Kurds, Albanians, Arabs, Bosniaks, a range of Caucasian people who are generally referred to as 'Circassians', Kurds, Laz, Pomak, Roma and Tatars. Nonetheless, there are also the sectarian groups who observe different practices of Islam, other than that of the Sunni sect; which constitutes the majority in Turkey. Among them are the Alevi and Caferi communities. Lastly there are the ethno-linguistic minorities, whose existence is a matter of debate among the minorities and so-called majorities alike, such as Zaza.²¹

²⁰ Andrews P.A. (1992), *Turkiye'de Etnik Gruplar (Ethnic Groups in the Republic of Turkey)*, Istanbul, Ant. See also, Karimova N. and Deverell E. (2001), *Minorities in Turkey*, Occasional Papers No. 19, Stockholm, The Swedish Institute of International Affairs.

Notably, the last official mapping of the ethno-linguistic profile of Turkey took place during 1965 census. Among the minorities, Kurds rank as the most populated with around 12 million people.

²¹ Kurds believe that Zaza merely speak different dialect of Kurds' language and are, in fact, Kurdish. However, Zaza reject that argument stating that they are ethnically distinct.

As much ethno-cultural and ethno-cultural multiplicity, Turkey inherited various ideological mindsets and institutional frameworks from its imperial predecessor.²² Numerous academic works point out links between the arousal of nationalism and modern-state making for the purposes of centralization. Assertion of ethno-linguistic homogeneity was an outcome of both, which in return converted language into a fundamentally political matter.

In the early days of the Republic, the ‘founding fathers’ of the Turkish Republic felt that they had to pin down an ethnically and linguistically mercurial population under the identity of a monolithic nation. The Kemalist ideology was conceptualized in such an atmosphere, resting over the principles of Laïcité, Nationalism and Westernization.²³ These principles were championed by a portion of the Ottoman intelligentsia throughout the mid to late 19th century.²⁴ For instance, the young Turks rallied around these principles as cornerstones of their political philosophy.²⁵ Yet there was more room for suppleness, in most earlier philosophies ‘imperial spirit’ was still alive. According to one of his allies, Faliş Rifki, Kemal Atatürk did not believe in the “mermaid tale”; meaning there could be half fish, half human people, serving as an imagery to assert that there could not be semi-Western, semi-Eastern people.²⁶ Thus, Atatürk molded his ideology, Kemalism, with the conviction that the new citizens of the Republic could not retain multiple ethnic and linguistic affiliations. Under his supreme leadership and the support of a group of elite, the first parliament of the Republic engineered a modern ‘Turkish society’ out of the frayed fabric of the Ottoman Empire. The new legislations devised a brand new civil code that conveyed gender equality, ‘Westernized’ the costumes and banned the ‘Eastern’ clothing with the veil for women and the caftan for the men, and transformed the education system by completing the ‘Westernizing’ of structural reforms which had already begun in the late-Ottoman era.²⁷ These changes were not met with enthusiasm, among at least in a section of the public as centuries old ways of living were altered in a matter of years. Consequently, there were various revolts; the most serious of them being the Sheikh Said rebellion, staged by Kurds.²⁸

²² Mardin S. (1997), “The Ottoman Empire”, in Karen Barkey and Mark von Hagen, *After Empire*, Boulder, Westview, p. 115-129.

²³ For detailed information on these concepts as they are perceived by ‘Kemalists’, see; Kaynar R. (1994), “Atatürkçülükte Millîleşme, Laikleşme, Medeniyetçilik” (Nationalism, Laicism, Civilizationism”, in *1. Uluslararası Atatürk Sempozyumu Açılış Konuşmaları* (Opening Speeches from the First International Seminar on Atatürk), Ankara, Atatürk Araştırma Merkezi Yayınları.

²⁴ For example of an Ottoman political movement striving to blend Enlightenment political thought and Islam, see; Hanioglu S. (1997), *Garbcılar: Their Attitudes Toward Religion and Their Impact on the Official Ideology of the Turkish Republic*, *Studia Islamica*, V: 2, 86. p. 133-166.

Mardin S.(2000), *Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*, Syracuse, Syracuse University Press.

²⁵ Berkes N. (2001), *The Development of Secularism in Turkey*, London, Hurst & Company.

Hanioglu S. (2001), *Preparation for Revolution: The Young Turks, 1902-1908*, Oxford, Oxford University Press.

Mardin S. (2005), *Türk Modernleşmesi* (Turkish Modernization), İstanbul, İletisim.

For ties between Kemalist thought and the ideology of the Young Turks, see; Turfan N. (2000), *Rise of the Young Turks: Politics, the Military and Ottoman Collapse*, London, I.B. Tauris.

²⁶ Atay F.R. (1998), *Cankaya*, İstanbul, Bates, p. 435.

Quoted also in, Sadoglu H (2003), *Türkiye’de Ulusculuk ve Dil Politikaları* (Nationalism and Language Policies in Turkey), İstanbul, Bilgi Üniversitesi Yayınları, p. 197.

²⁷ For education system and educational reform in the late Ottoman Empire, see; Benjamin Fortna B. (2000), *Imperial Classroom: Islam, the State, and Education in the Late Ottoman Empire*, Oxford, Oxford University Press.

Somel, A. (2001) *The Modernization of Public Education in the Ottoman Empire, 1839-1908: Islamization, Autocracy, and Discipline*, Leiden, Brill Academic Publishers.

²⁸ After First World War, Kurdish nationalism was reanimated with the spreading of Kurdish nationalist and culture clubs in the Eastern Anatolia. Some Kurdish nationalists were calling for independence, while others thought it was better to opt for a unified structure together with the Turkish nationalism. In any case, the failure of the Lausanne Peace Treaty to address the Kurds as an individual nation created frustration. The Sheikh Said rebellion of 1925 was the first large-scale nationalist rebellion by the Kurds in the Republican times. It was led by the both the members of *Azadi* (Freedom) that were formed by both the former Ottoman Kurdish elite and the Kurdish militia who fought in the Turkish Independence War in 1919-1923, and the pious religious leaders. See, Bozarslan H. (1991), “Tribus, Confréries et Intellectuels: Convergence des Réponses Kurdes au Kémalisme”, in S. Vaner (ed), *Modernisation Autoritaire en Turquie et en Iran*, Paris, L’Harmattan, p. 61-80. Bozarslan H. (2002), “Kurd Milliyetçiliği ve Kurd Hareketi: 1898-2000” (Kurdish Nationalism and Kurdish Movement: 1898-2000), in *Modern Türkiye’de Siyasi Düşünce: Milliyetçilik* (Political Thought in Modern Turkey: Nationalism), İstanbul, İletisim, p. 841-870.

Kemalism regarded linguistic policies as the long term investment in capturing the minds of the 'citizens'. Taking A. Smith's theorization of the 'two paths to nation-states'; namely the path from "state-to-nation" as opposed to from "nation-to-state"²⁹, it is possible to regard the Turkish case of nationalism as blending 'voluntaristic' and 'organic' elements of nation-building. Smith's depiction describes well the Turkish nation-building case as Kemalism brought together territorial/civic and ethnic/cultural nationalisms.³⁰ In other words, both the Eastern European development of "poet, philologists, and the historian" creating the nationality³¹ and the Western European case of building in "nation on the political reality and struggles of the present"³² could be found in the Kemalist doctrine.

Language was to be the cement of the new nation which demanded unconditional assimilation into the Turkish cultural identity, refuting any submerged distinctiveness. As the ideological indoctrinator of the Republic until his death in 1938, Atatürk evidenced his special interest in the Turkish language with regards to nationalism as follows; "Those who say that I am from the Turkish nation should absolutely and prior to everything speak Turkish".³³

Primarily, legal steps were taken for installing Turkish as the only administrative language of the new state, and later on they were supplemented with ideological contextualization, institutional framing and media-based popular campaigning. The Article 2 of the Constitution of 1924 declared Turkish as the only official language of the Republic and the Article 12 announced that the citizens who do not speak Turkish were not eligible to become parliamentarians. After a period of parliamentary debate, Latin alphabet was adopted instead of the Arabic script of the Ottoman times in 1928. The bureaucracy and the public mandated to learn the new script in one year and for this purpose 'National Schools' were opened.³⁴ All the citizens between the ages 16 and 40 were required to undergo this mandatory schooling. Some municipalities even undertook drives to fine those who did not speak Turkish on the street, prior to the Alphabet Reform.³⁵ In the 1930s, the popular campaign, with the slogan "Citizen! Speak Turkish" began all over the Republic with the support of the media.³⁶ Simultaneously, there were efforts by the state to 'distil' the Turkish language, by discarding many foreign words that entered into the language mostly from Arabic and Farsi, but also French.³⁷ These efforts were formalized by the foundation of the Association for Research the Turkish Language (TDTC - Turk Dili Tetkik Cemiyeti), founded in 1932.³⁸ The TDTC's task was to supervise the linguistic research and 'purifying' the Turkish language through the elimination of foreign words.³⁹ In 1934, the Last Name Law was legislated and using names that are not 'Turkish' were banned. Likewise, all the district names that were in other languages than Turkish were changed.

It should be noted that Turkish nationalism's primary drive rested on cultural grounds in 1920-1930. The Republican elite employed agonizingly assimilationist policies, but they cannot simply be labeled as "racist".⁴⁰ There were motifs of racism in their attitudes towards the concepts of 'race' and

²⁹ Smith A. (1986), *The Ethnic Origins of Nations*, Oxford, Blackwell, p. 136-142.

³⁰ Smith A. (1993), *The Ethnic Sources of Nationalism*, in M.E. Brown (ed), *Ethnic Conflicts and International Security*, Princeton, Princeton University Press, p. 197.

³¹ Kohn H. (1960), *Panslavism: Its Ideology and History*, Notre Dame, University of Notre Dame Press, p. 330.

³² *Ibid.*

³³ Quoted in, Sadoglu H., *Türkiye'de Ulusculuk ve Dil Politikaları* (Nationalism and Language Policies in Turkey), p. 189.

³⁴ Öztürk, I. (1998), *Harf Devrimi ve Sonuçları* (Letters Reform and Its Implications), Ankara, Kültür Bakanlığı.

³⁵ Bali R. (2001), *Cumhuriyetin İlk Yıllarında Türkiye Yahudileri: Bir Türkleştirme Serüveni, 1923-1945* (Jews of Turkey in the First Years of the Republic: A Saga of Turkification, 1923-1945), İstanbul, İletişim.

³⁶ Çağaptay, S (2001). "Otuzlarda Türk Milliyetçiliğinde İrk, Dil ve Etnisite" (Race, Language and Ethnicity in the Turkish Nationalism of the 1930s), in T. Bora and M. Gültekingil (eds.), *Modern Türkiye'de Siyasi Düşünce: Milliyetçilik (Political Thought in Modern Turkey: Nationalism)*, İstanbul, İletişim Yayınları, V: 4., p. 261.

³⁷ Lewis G. (2004), *Trajik Basari: Türk Dil Reformu* (A Catastrophic Success: Turkish Language Reform), İstanbul, Gelenek.

³⁸ TDTC was renamed as *Institution for Research on the Turkish Language* (Türk Dilini Araştırma Kurumu) and finally to *Turkish Language Institution* (Türk Dil Kurumu) in the course of the 1930s.

³⁹ Arabic and Persian were perceived as symbols of backwardness associated with Islam. Fishman J. (1975), *Language and Nationalism*, Massachusetts, Newbury House Publishers, p. 79-80.

⁴⁰ Çağaptay sums up the essence of 'Kemalist racism', as follows; it was not a 'biological', but 'national' practice of nationalism, albeit emphasis on superior racial features of the Turks, "who are blond, with mostly blue eyes and shapely noses, as well as being tall and well-built".

‘ethnicity’, laden with ‘Westernizing’ aspirations. They were striving to mix and unmix⁴¹ the ‘Turkish population’ according to their ideology, while inventing and glorifying a past for the nation. Meanwhile dark chapters of the late 19th and early 20th century Ottoman and Turkish past remained untouched in the early Republican times, so that the past would be remembered as spotless.⁴² Adding to the debates on the role of ‘race’ in the early years of the Republic were the efforts to erect national dignity and promote the Turkish identity. The “Turkish History Thesis”, presented at the First Congress of the Turkish History of 1932, held that Turkish race “an ancient and a magnificent race”, that was mixed with other races through unremitting migrations.⁴³ According to the Thesis, the gist of ‘Turkish race’ remained chaste as ever despite ‘mixing’, and this gist was ‘language’. Subsequently, “Sun-Language Theory” of 1936, carried on with the superiority claims, proclaiming that all languages of the world originated from Turkish.⁴⁴

While Turkish was being glorified, the use of other languages was severely suppressed. Just to give an idea, the Eastern Rehabilitation Plan, legislated in 1925 stated that: “Those who use another language than Turkish in cities, provinces, state and governmental buildings, schools, markets and bazaars...will be considered as violating...laws and will be punished”.⁴⁵ In a similar vein, Jews of Turkey were rammed into abandoning Ladino and accepting Turkish as their community language.⁴⁶

Alongside language, education was another subject that the Republican elite prioritized. The concern for indoctrinating a national education ideology was evidenced by the organization of the Education Congress in 1921, at times when the War of Independence was still continuing.⁴⁷ Early Republican years witnessed the consolidation of the place of Turkish language, Turkish nationalism, Turkish history and Turkish culture/civilization in textbooks and creation of the educational credo aiming at fabricating loyal and Kemalist citizens with the “national character”.

Ataturk’s successor, Inonu, carried on his legacy by cementing the role of monochrome nationalism and asserted the uniqueness of Turkish. Inonu stated that “other” cultures and communities were required to deny themselves and melt into the national identity, signaling that assimilationist policies would continue to be an inherent part of the Republic. Just like Ataturk, Inonu believed that there cannot be multiculturalism, or a confederation of cultures within the realm of the Turkish Republic, and perceived national education as the key tool for reproducing nationalist citizens.⁴⁸

For discussions of racism in early nationalist thought of the Republican elite, see; Aktar A. (2000), *Varlık Vergisi ve Turklestirme Politikaları* (Capital Tax and Turkification Policies), Istanbul, Iletisim.

Ozdogan G. G. (2000), *Turan’dan ‘Bozkurt’a: Tek Parti Doneminde Turkculuk (1931-1946)* (From ‘Turan’ to ‘Bozkurt’: Turkism during the One-Party Era, 1931-1946), Istanbul, Iletisim.

Yildiz A. (2001), *Ne Mutlu Turkum Diyebilene: Turk Kimliginin Etno-Sekuler Sinirlari (1919-1938)* (How Happy Who can Say I am a Turk: The Ethno-Secular Boundaries of the Turkish Identity, 1919-1938), Istanbul, Iletisim.

Arslan E, “Turkiye’de Irkçılık” (Racism in Turkey), in *Modern Turkiye’de Siyasi Dusunce*, p. 409-426.

⁴¹ Brubaker R., “Aftermaths of Empire and the Unmixing of Peoples”, in *After Empire*, p. 155-180.

⁴² Turkish scholar Keyder questions why certain historical events were omitted from Turkish national history, see; Keyder C. (1997), “Whither the Project of Modernity? Turkey in the 1990s”, in *Rethinking Modernity and National Identity in Turkey*, (eds.) S. Bozdogan and R. Kasaba, Seattle, University of Washington Press.

⁴³ Ersanli B. (2003), *Iktidar ve Tarih: Turkiye’de Resmi Tarih Tezinin Olusumu (1929-1937)* (Sovereignty and History: The Formation of Official History Thesis in Turkey, 1929-1937), Istanbul, Iletisim.

Ersanli B., “Turk Tarih Tezi: Bir Aidiyet Fermani” (“Turkish History Thesis: A Decree of Belonging”), in *Modern Turkiye’de Siyasi Dusunce*,...p. 800-810.

⁴⁴ Heyd U. (1954), *Language Reform in Modern Turkey*, Jerusalem, Israel Oriental Society.

Lewis G, *Trajik Basari...*

Sadoglu H, *Turkiye’de Ulusculuk ve Dil Politikaları...*

Besiki I.(1991), *Turk Tarih Tezi Gunes Dil Teorisi ve Kurt Sorunu* (Turkish History Thesis, Sun-Language Theory and Kurdish Question), Ankara, Yurt Yayinlari.

⁴⁵ Cemal H (2003), *Kurtler (The Kurds)*, Istanbul, Dogan, p. 377.

⁴⁶ Bali R., *Cumhuriyetin ilk Yillarinda Turkiye Yahudileri*, ...

⁴⁷ Kaplan I, “Milli Egitim Ideolojisi” (National Education Ideology), in *Modern Turkiye’de Siyasi Dusunce: Milliyetçilik...*p.788.

See also, Kaplan I (1999), *Turkiye’de Milli Egitim Ideolojisi* (National Education Ideology in Turkey), Istanbul, Iletisim.

⁴⁸ *Ibid.*

In 1946, Turkey passed onto the multiparty system, but democracy was marred in the coming decades with coup d'états, and conservative, nationalist and populist rhetoric of the main political parties. The state-centric policies paved the way for rampant corruption and left democracy immature. The public sought to assert its will from the late 1960s to early 1980s, but public opinion became divided severely, with sporadic armed clashes erupting among the left wing movements, far right and Islamists, leading to thousands of deaths. Especially from the mid-1970s onwards up until the 1980 coup d'état, most of the secondary and higher education institutions were absorbed by one political ideology or another, becoming hotbeds of violence. During all these decades, educational institutions also suffered heavily because of repressive political moves on behalf of the governing parties.

The Army's seizure of power in 1980 brought the toughest grip over the educational system by institutionalizing a highly centralized and comprehensive system of checks and balances. The 1982 Constitution, which is still in effect despite a number of amendments, asserted the legal illegitimacy of mother tongue education in languages aside from Turkish, and this affirmation is still in operation.

Lausanne Minorities: An Exception?

The only minorities recognized by the state in Turkey, based on the Lausanne Treaty; namely Armenians, Greeks and Jews, have had serious problems regarding schooling, even though their rights are particularly secured by both international and domestic laws. Article 40 of the Lausanne Treaty declared that: "Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein".⁴⁹

Furthermore, the Treaty's Article 41 states that: "As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned".⁵⁰

Thus, there is a clear and present case that the Lausanne minorities should face no quandaries regarding education in their mother tongue. Contrarily, they should receive state assistance and funding for their schools. Although these minorities do have their own schools since the signing of the Treaty, on the whole their educational institutions lack funding, qualified teachers, and therefore the number of students wishing to attend them are diminishing.⁵¹ Currently there are 17 Armenian schools, 2 Jewish schools and 11 Greek schools. Currently, there are approximately 50,000-60,000

⁴⁹ <<http://www.lib.byu.edu/~rdh/wwi/1918p/lausanne.html>>

⁵⁰ *Ibid.*

⁵¹ Overall, the population of the Lausanne minorities, alongside various other non-Muslim groups of Turkey became depleted over the years due to political and social discrimination. As mentioned previously in this article, there were various traumatic events in the Republican history prompting waves of emigration. For a study on Jews' emigration see; Bali R. (2003), *Cumhuriyet Yillarında Turkiye Yahudileri: Aliya Bir Toplu Gocun Oykusu 1946-1949* (Turkey's Jews in the Republican Years: Aliyah The Story of Immigration, 1946-1949), Istanbul, Iletisim. For the early case of non-Muslim minorities émigrés to the United States see; Bali R. (2004), *Amerika'ya İlk Goc Eden Turklerin Yasam Oykuleri* (Life Stories of Turkish People Emigrating to the US), Istanbul, Iletisim.

Armenians, 25,000-26,000 Jews and 3,000 Greeks in Turkey.⁵² An overwhelming majority of these communities live in Istanbul, with the exception of a small community of Jews in Izmir, a couple of Greeks on the islands of Bozcaada and Gökçeada in the Aegean Sea, and a handful of Armenians in Diyarbakir, Hatay and Kayseri.

Among these minorities, Jews' educational institutions are the lowest in number due to the community's high preference for the non-communal schools, mostly due to historical reasons.⁵³ However, among the existing minority schools, Jewish schools probably have the best facilities. On the other hand, the Greek communities' schools are in the worst condition due to the quasi-extinction of their populations. Moreover, the "reciprocity clause" that ties the conditions of their educational facilities to those of the Turkish minority's schools in Greece seem to affect both communities' institutions adversely. Armenian schools have the lack of teachers and bureaucratic obstacles as the foremost problems.

Lack of qualified teachers, and sometimes interested students, can be explained by a number of reasons. There are the demographic reasons leading to general decline among non-Muslim minority populations, and secondly there are legal and political discriminations which cause apathy among Lausanne minorities towards their own institutions. Besides emigration, key demographic reasons behind the population decrease are diminishing birth and mortality rates of the Lausanne minorities, probably due to their early modernization following the Ottoman times. There were also cases of acculturation, assimilation by consent, conversion or due to pressure, and by inter-marriage, leading to a decline in the number of community members. As there are no sociological studies conducted specifically on the minorities of Turkey, it can only be a working hypothesis that the constant sentiment of being "redundant guests" also contributed to the decline in communal populations, depressing further the birth-rates while escalating assimilation.

Aside from the 'natural reasons', practical deficiency in the number of teachers could be surmounted by foreign teachers coming from the Diaspora or the kin-states. Nonetheless, in most cases teachers from Greece are not allowed.⁵⁴ The EU's 2005 Progress Report⁵⁵ drew attention to obstacles that Greek minorities face regarding finding teachers for their community schools.

The state surveillance also proves to be daunting with too much bureaucracy in issues ranging from modernization processes and repairs, to curricula and close scrutiny on who can be enrolled in the schools. It is reported that prolonged procedures of inspection were applied by the state, in order to verify whether a pupil is really from a 'minority'.⁵⁶ In cases of mixed marriages, the procedures are said to be especially protracted.⁵⁷ Likewise, the EU's Report affirms that the Greek community came across problems related to approval of the new equipment they wished to employ in their schools, exemplifying bureaucratic impediments.

On the whole, another crucial question the minority schools have to bear is the "double directorship" practice. According to Article 24 of the Law of Private Schools (Law No: 625, enacted on 8 June 1965)⁵⁸, "schools founded by foreigners and that have a medium of instruction other than Turkish"

⁵² These figures are all estimations as there is no official census or encompassing study conducted. For the source of the numbers see, Karimova N. and Deverell E., *Minorities in Turkey*.

⁵³ According to a rare insight to the historical communal psychology of the Jews of Turkey provided by Bali, Jews chose to keep a low-profile by assimilating into the Turkish identity, in exchange for being left to their own devices in the early Republican years. See Bali R. (2004), *Devletin Yahudileri ve Oteki Yahudi* (State's Jews and the 'Other' Jew), Istanbul, İletişim.

⁵⁴ Somersan S. (2000), "Türkiye'de Azınlık Hakları: Yasal ve Pratik Engeller" (Minority Rights in Turkey: Legal and Practical Obstacles), in *Türkiye'de İnsan Hakları* (Human Rights in Turkey), Ankara, TODAİE, p. 255-260.

⁵⁵ The Armenian community has a lesser demand for teachers from Armenia as their dialects are different. *Turkey 2005 Progress Report*, p. 36.

<http://europa.eu.int/comm/enlargement/report_2005/pdf/package/sec_1426_final_en_progress_report_tr.pdf>

⁵⁶ Somersan S. (2000), "Türkiye'de Azınlık Hakları: Yasal ve Pratik Engeller", p. 267.

⁵⁷ *Ibid.* Those wishing to have their children enrolled to minority schools must prove that the father is from the community in question. Thus, if a woman from a certain minority is in a mixed marriage, she cannot have the children enrolled in her community's school.

⁵⁸ <<http://www.hukukcu.com/bilimsel/genelkanunlar/625.html>>

must have a ‘Turkish’ vice-director. Nevertheless, the vice-director de facto has more power than the director of the school, because of the direct command chain extending from the Ministry of Education to the community school.⁵⁹

The Lausanne minorities’ communal lives lost their verve to a great extent with their cultures and religions confined, their presence reduced to an almost indiscernible state in public life. On the one hand, it can be claimed that at least these minorities are recognized as ‘minorities’ and have rights de jure. On the other hand, their rights cannot be practiced smoothly so that their situation cannot be regarded as somewhat better off than unrecognized ones. On a more positive note, if the situations of their communal schools are ameliorated, their case might serve as an example to the rest of Turkey’s ethno-linguistic groups.

Towards the EU: Reforms and Implementations

More than 80 years of Republican nationalism, in addition to the democratic deficit hurled by the intermittent coup d’états, bore their mark over the laws of Turkey. Furthermore, the very restrictive legal and political mentality introduced by the 1980 military coup still has a huge impact on today’s Turkey. The 1982 Constitution, whose priority is to protect the state from citizens instead of guaranteeing rights and freedoms, is still intact though various amendments have been made. The legal and political legacy of 1980 regime still clouds Turkey’s efforts of further democratization.

Thus, when Turkey’s full membership came into the agenda, the EU repeatedly voiced its concerns regarding linguistic rights alongside other issues regarding the rights of ‘minorities’ in Turkey. Most specifically, the Accession Partnership Document⁶⁰ of 2001 listed the short-term and medium-term prerequisites for integration during Turkey’s candidacy period. The short term target was to “remove any legal provisions forbidding the use by Turkish citizens of their mother tongue in TV-Radio broadcasting”.⁶¹ The medium-term prerequisites were; developing “a comprehensive approach to reduce regional disparities, and in particular to improve the situation in the South-East, with a view to enhancing economic, social and cultural opportunities for all citizens” and to “ensure cultural diversity and guarantee cultural rights for all citizens irrespective of their origin. Any legal provisions preventing the enjoyment of these rights should be abolished, including in the field of education”.⁶²

In response, Turkey’s policy outline regarding *acquis* was publicized in the National Program of Turkey for the Harmonization of the European Union *Acquis Communautaire*.⁶³ The stance of Turkey about linguistic rights were framed as follows; “The official language and the formal education language of the Republic of Turkey is Turkish. This, however, does not prohibit the free usage of different languages, dialects and tongues by Turkish citizens in their daily lives. This freedom may not be abused for the purposes of separatism and division”.⁶⁴ Committing itself to abide by these changes, the Turkish Grand National Assembly began taking a number of steps towards ‘democratization’ in 2001 by amending various articles of the 1982 Constitution, as well as repealing or changing a range of laws.⁶⁵

⁵⁹ The EU’s 2005 Report Towards Turkey’s Accession, p. 41.

⁶⁰ European Union Council Decision of 8 March 2001 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with the Republic of Turkey <http://europa.eu.int/eur-lex/pri/en/oj/dat/2001/l_085/l_08520010324en00130023.pdf>

⁶¹ *Ibid*, p. 5.

⁶² *Ibid*, p.7.

⁶³ National Program of Turkey for the Harmonization of the European Union *Acquis Communautaire* , <http://europa.eu.int/comm/enlargement/turkey/pdf/npaa_full.pdf >

⁶⁴ *Ibid*, p. 35.

⁶⁵ Uzelturk, S. T. (2002), “Bölgesel veya Azınlık Dilleri Avrupa Sarti ve Türkiye” (“Regional and Minority Languages European Charter and Turkey”), in Ibrahim Kaboglu (ed), Ulusal, *Ulusüstü ve Uluslararası Hukukta Azınlık Hakları* (Minority Rights in Supra-National and International Law), Istanbul, Istanbul Barosu İnsan Hakları Merkezi, p. 147-191.

Amended constitutional provisions and laws, which are of interest here, can be divided into two conceptual categories. The first category includes the legal documents concerning freedom of expression, publishing and broadcasting in languages other than Turkish. On the other hand, the second category consists of education in foreign languages and education in the mother tongue.

In the first category concerning expression and dissemination of thought, the basis of the ‘prohibition’ of certain languages was Article 26/5 of the 1982 Constitution.⁶⁶ This Article brought the criterion of “languages prohibited by law” as one of grounds for the restrictions. The article read, “No language prohibited by law shall be used in the expression and dissemination of thought”.⁶⁷ Similarly, Article 28/2 also cited “prohibited language” as one of the reasons to restrict press freedom. It stated that, “Publications shall not be made in any language prohibited by law”.

Based on the aforesaid constitutional articles, the Law on Publications in Languages Other than Turkish (No. 2932, enacted in 1983)⁶⁸ criminalized “using languages other than the first official languages of the states that are recognized by Turkey”.⁶⁹ This formulation was indeed a very “clever” stipulation as it legitimized publications in other nation-states’ languages (such as English, German, French...), while shutting the doors to local languages of the population who lacked a nation-state. The legislations apparently targeted Kurdish, which was not the first official language of any country. The ban on ‘non-official’ languages was annulled in 1991 as the Law 2932 was rescinded. However, constitutional bases Article 26/5 and 28/2, prohibiting certain languages remained in effect until the amendments of 2001. In other words, there were languages prohibited by the law, but these were not specified. Eventually, the “forbidden language” clause was removed from Articles 26 and 28 in October 2001 through the set of constitutional amendments foreseen by the 1st Harmonization Package (Law No: 4709 enacted on 4 October 2001).⁷⁰

On the other hand, the Law on the Establishment and Broadcasting of Televisions and Radios (No: 3984, enacted on 13 April 1994) ruled that Turkish was the only language that could be used in the media. The mere exception for “foreign language” broadcasts could be the “languages that have contributed to the production of universal cultural and scientific works”.⁷¹ The 3rd Harmonization Package (Law No: 4771, enacted on 3 August 2002)⁷² removed this provision from the law and paved the way for broadcasting in ‘unofficial languages’ by the addition of the sentence reading as: “Furthermore, there may be broadcasts in the different languages and dialects traditionally used by Turkish citizens in their daily lives”.⁷³ However, the restriction clause establishes that, “Such broadcasts shall not contradict the fundamental principles of the Turkish Republic enriched in the constitution and the indivisible integrity of the state with its territory and nation”.⁷⁴ With this amendment, broadcasting in any language became legally possible in Turkey.⁷⁵

⁶⁶ For the Constitution in English, but with amendments made only until 2001, see the website of the Grand National Assembly, <<http://www.tbmm.gov.tr/english/constitution.htm>>

For the full text in Turkish with the most recent amendments made in 2005, see the governmental website for the Constitution,

<<http://www.anayasa.gen.tr/1982ay.htm>>

⁶⁷ *Ibid.*

⁶⁸ <<http://www.mevzuat.adalet.gov.tr>>

⁶⁹ Uzelturk, S.T., “Bolgesel veya Azinlik Dilleri Avrupa Sarti ve Turkiye”, p. 172.

⁷⁰ For a complete list of the Harmonization Packages, from the site of the Grand National Assembly,

<http://www.tbmm.gov.tr/ul_kom/kpk/belgeler.htm>

For the 1st Harmonization Package, <<http://www.belgenet.com/yasa/k4744.html>>

⁷¹ Uzelturk, S.T., “Bolgesel veya Azinlik Dilleri Avrupa Sarti ve Turkiye”, p. 179.

⁷² <http://www.belgenet.com/yasa/ab_uyum-1.html>

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ The local media institutions broadcasting in Kurdish are reportedly facing major problems in order to keep up with the daily bureaucratic paper work. For example, the radios have to record and transcribe and translate every program they broadcast.

<http://www.bianet.org/2006/04/01_eng/news77498.htm>

In the second category, there is a certain level of progress which has been achieved by general broadening the spectrum of freedoms, but there are still very serious obstacles especially with regards to education in the mother tongue. The main source of the restriction is Article 42 of the constitution. The last provision of this article is as follows: “No language other than Turkish shall be taught as a mother tongue to Turkish citizens at any institutions of training or education. Foreign languages to be taught in institutions of training and education and the rules to be followed by schools conducting training and education in a foreign language shall be determined by law. The provisions of international treaties are reserved.”⁷⁶

Based on Article 42, the Foreign Language Education and Teaching Law (No: 2923, enacted on 14 October 1983) also establishes the same principle. Article 2/a of the law states that, “Turkish citizens’ mother tongues cannot be taught in any other language than Turkish”.⁷⁷

The breakthrough in mother tongue education, if it can be named as such, came with the legal permission of private courses for tutoring in minority languages. But, the situation was rather complicated as the minority languages were not recognized as such. Article 11 of the 3rd Harmonization Package amended the Law 2923, turning its title Foreign Language Education and Teaching, and Learning of Different Languages and Dialects Used by Turkish Citizens. According to the reformed version of this law, private courses teaching “the different languages and dialects used traditionally by Turkish citizens in their daily lives” would be legal, provided that such courses are not “against the fundamental principles of the Turkish Republic enshrined in the constitution and the indivisible integrity of the state with its territory and nation”.⁷⁸ Nonetheless, the provision of this law that states “the mother tongues of Turkish citizens can not be taught in any language other than Turkish” was not annulled.

The 3rd Harmonization Package also ruled that a bylaw would regulate the opening and functioning of the aforementioned private courses. This bylaw was put into effect the same year.⁷⁹ According to the bylaw, participation in and recruitment by the private courses were tied to fulfillment of a long list of criteria.⁸⁰

With these legislations, significant ground was achieved in recognizing use of minority languages. However, Article 42 of the Constitution, still firmly ousts any possibility of formal state education in a mother tongue other than Turkish. This article clearly confuses two different concepts; official

⁷⁶ <<http://www.tbmm.gov.tr/english/constitution.htm>>

⁷⁷ <<http://www.yok.gov.tr/yasa/kanun/kanun10.html>>

⁷⁸ <http://www.belgenet.com/yasa/ab_uyum-1.html>

⁷⁹ This bylaw was modified in 2004, with the addendum of documents that should be turned in to the Ministry of National Education; for the 2004 version, see; <http://ookgm.meb.gov.tr/Mevzuat_htm/fardilleh.htm>
For the 2002 version, see; <<http://www.belgenet.com/yasa/k4771-y1.html>>

⁸⁰ Those wishing to enroll to the courses must meet certain criteria as well. They should be Turkish citizens, with at least a primary level of education. Additionally, while attending to the course both the teachers and the students must confirm to the dress code envisaged by the Ministry of Education. For the bylaw that regulates dress code; see, <<http://www.hukuki.net/kanun/83349.35.text.asp>>

Basically, display of non-Turkish nationalist symbols is forbidden, alongside headscarves and audacious clothing.

The private courses should have Turkish citizens as their employees, who bear pristine criminal records regarding crimes committed against the state. Curricula of the course cannot cover anything beyond language teaching, such as lessons touching upon ‘culture’ or ‘history’. In addition, the teaching programs of the courses have to be approved by the Ministry of Education.

The minors under 18 years of age should have the consent of their legal guardians, and the list of the students should be submitted to the Directorate of National Education.

This ruling also exists in the law regarding all private courses.

<http://ookgm.meb.gov.tr/Mevzuat_htm/KursTipYon.htm>

There were also certain obstacles placed before the private courses that only became evident with practice, for example the term “Kurdish language” could not be used in the names of the courses.

<<http://www.radikal.com.tr/haber.php?haberno=77692>>

At another instance, initialization of the courses was delayed because the building, in which the courses were to take place, had slightly narrower doors than “it is confirmed by the directives”.

<<http://www.milliyet.com.tr/2003/10/18/siyaset/siy04.html>>

language and mother tongue. Official language is a legal statement, whereas the mother language is a “natural and social” phenomenon.⁸¹ None of the groups in Turkey who demand education in their mother tongue seek to contest the status of Turkish as the official language. It is legally and politically viable to affirm Turkish’s place as the official language, while addressing the demands of education in the mother tongue.

Nevertheless, such demands still face harsh reactions from the state. For instance, when university students campaigned in demand for optional courses in Kurdish in 2001 and 2002, the Higher Education Board⁸² recommended university rectors to impose disciplinary sanctions on the petitioners, claiming that the right of petition was being abused in this case. In 2004, 10,538 university students petitioned their universities asking Kurdish lessons to be provided. Among them, 533 were imprisoned, 446 faced court cases filed against, 3621 of them were taken under custody and 15 of them had three years of prison sentence them with the allegation/conviction that they were sheltering ‘terrorists’ or committing acts against the unitary character of the state.

Alongside the students, teachers ran into trouble because of supporting the right to education in the other tongue. The teachers’ trade union Egitim-Sen was almost disbanded in 2004 for this reason. The Chief Prosecutor accused Egitim-Sen of breaching the constitution because an article in its statutes supports the right to education in the mother tongue. Ankara Second Labor Court ruled in favor of Egitim Sen, acquitting the union of all charges. The court affirmed that “teaching of a mother tongue in private courses would act as a bridge in ensuring the loyalty of the citizens to their state”. Nonetheless, the Attorney General of Ankara took the case to the Court of Appeals. This body rejected the ruling of the Ankara Second Labor Court and the case went back for a second ruling. The Labor Court insisted with the initial ruling and the case returned to the Court of Appeals once more. The Court of Appeals decided that Egitim-Sen should be closed unless it changed its statute. In the end, Egitim-Sen changed its statute and deleted the clause on education in the mother tongue.⁸³

A court decision made by the Regional Administrative Court of Diyarbakir⁸⁴ in 2003 also illustrates the various legal, social and political opinions clashing with each other currently in Turkey. This suit was brought to the court to suspend the disciplinary punishment given to a student by his university as he petitioned for Kurdish education. The court’s decision favoring the reversal of the student’s punishment was a landmark one. The decision cited that: “language loss can lead to the death of the nation and a language can survive only if it becomes a written and literary language”, and “it must be accepted that, just as every human being has right to life, every language has the right to life and protection...To create a humane universal ground to enable the survival of nations and ethnic groups is the duty and responsibility of all societies and it is necessary to protect the natural structure of humankind”.⁸⁵

The court continued as follows:“There is nothing wrong in demanding education and training service from relevant public institutions or bodies that will enable the person to learn his/her mother tongue, which is one and the most important part of his/her identity and personality. It is not acceptable that such a demand would cause polarization on the grounds of religion, language, race, color and sect. Thus, no tension or clash has aroused between the Kurdish speaking petitioner and Turkish speaking Turkish citizens because of the action which has been subject to discipline punishment”.⁸⁶

⁸¹ Uzelturk, S.T., “Bolgesel veya Azinlik Dilleri Avrupa Sarti ve Turkiye”, p. 173.

⁸² The Higher Education Board (Yuksekk Ogretim Kurumu) is a centralizing surveillance and commanding mechanism of the higher education institutions set up after the coup d’etat of 1980. <<http://www.yok.gov.tr>>

⁸³ <<http://www.radikal.com.tr/haber.php?haberno=154303>>

<<http://www.radikal.com.tr/haber.php?haberno=168307>>

⁸⁴ Diyarbakir is one of the biggest cities of the South East Turkey, in the area inhabited predominantly by Kurds, for the news story of this court decision see, <<http://www.radikal.com.tr/haber.php?haberno=65876>>

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

In sum, Turkey's ethno-linguistic groups' grievances regarding language rights linger on, despite the legal reform process. Part of the problems is due to the enduring reluctance of the state establishment to foresee the implementation of the legal amendments and furthering the already 'guaranteed' rights, as a consequence of political will and ideological paradigm shift. Yet, part of them is due to coincidental technicalities that arise with the actual implementation of reforms. The fact that after initial amendments there were several modifications over the new legislations shows that there stabilizing after shocks.⁸⁷ The predicament is that it is sometimes difficult to judge if there is goodwill, or lack of capability and expertise, or *visa versa*.

Regardless of the discussion of whether there is goodwill or not, there is no right to education in the mother tongue in Turkey, except for the private courses. If it is to be proposed that private courses are a remedy to the problem of education of minorities, this supposition could be easily nullified, as after a couple of years of their opening, all the eight Kurdish courses closed down. The underlying reasons are interconnected; as these courses are offered by private enterprise there is concern for profit. Meanwhile, the Kurds, in general, have economic difficulties, as the Eastern and South-Eastern regions, and, on the whole of the country, the urban districts they inhabit are usually among the least developed parts of Turkey. Moreover, the forced evictions of villages in the zones where the Kurdish armed insurgent group was active by the Turkish military led to massive waves of immigration to the cities. This internal population displacement caused a socio-economic crisis all around the country. Therefore, Kurds are rarely, if at all, willing to spend money on learning in their mother tongue.

Another serious hindrance to the private courses is the inadequate number of qualified teachers. Under Turkish legislation, teachers of private courses should have some form of license in order to instruct in a language. As there are no higher education facilities in Kurdish (or other 'dialects for that matter) in Turkey, and teachers coming from abroad are not allowed to be employees of these special private courses, there are only a handful of people who were educated abroad in Kurdish. It is also a question mark whether their licenses would be recognized, in any case. Despite all these barriers over the way, a handful of courses did begin teaching, but they could not find an adequate number of students.

The atmosphere in the South East and Eastern parts of Turkey has become more tense in the recent years, because of the resurfacing of the Kurdish armed insurgency. On the whole, there is a deterioration regarding any meager level of trust that was built in the aftermath of the ceasefire that began after the capturing of the PKK leader Abdullah Ocalan by Turkey. The peace times seem to be wasted. Putting the Kurdish question aside, there are a number of minorities in Turkey, whose rights are far from being recognized. For instance, education in Romani is a virtually untouched issue. Several civil society projects kicked off recently for advocating Roma rights and surveying the profile of the Roma in Turkey, but the education sphere seems to be far away from the agenda. This is because the socio-economic conditions of the Roma are at the lowest margin of the Turkish society.

On the other hand, social and political pressure caused Syrians to emigrate in masses, so they have a much smaller community than they used to have in the South East of Turkey. In recent years, there was surging local tourist interest for their churches with the peace reigning in the region, but only a little number of the Syriac émigrés returned back to their homes. There are reports that their properties are being confiscated both by the state and other local people. Thus, envisaging mother tongue education in Syriac or even preservation of their ancient Aramaic language would be a far fetched project for the time being.

Overall, the restrictive laws and/or provisions take their legitimacy from the often repeated "goal of destroying national unity". It is legitimate for any country to fear destruction and take due precaution against the threats it faces concerning 'territorial integrity', alongside 'national security'. However, apprehension regarding 'national unity' is an unusual concept in legal terms that cannot find international justification.⁸⁸ Moreover, aforementioned laws were legislated before the Kurdish

⁸⁷ Upon legislation of harmonization packages, the amendments are amended a number of times.

⁸⁸ *Ibid*, p. 56.

separatism became a major issue in Turkey. Thus, if anything, the argument that these laws were instrumental rather than protective can be put forward.

The changes, both regarding the constitution and the laws, were referring to “the different languages and dialects used traditionally by Turkish citizens in their daily lives”. Thus, the state was affirming that Turkish has the ultimate upper hand, as other languages’ usage was reduced to the ambiguous realm of ‘daily life’.⁸⁹

Two main laws regulating the field of education refer to “Ataturk’s principles” as the fundamental aim of the related institutions. The Law of Higher Education (No: 2547, enacted on 4 November, 1981)⁹⁰ states in Article 4 that the aims of the higher education are as follows; “(t)o educate students so that they will be loyal to Ataturk nationalism and to Ataturk’s revolutions and principles; bearing the national, moral, humanist, spiritual and cultural values of the Turkish Nation, feeling the honor and joy of being Turk”.⁹¹ Similar provisions can be found in the Fundamental Law of National Education (No: 1739, enacted on 14 June 1973).⁹² Thus, it can be argued that, under the pretext of these laws, the education system has been designed to serve the dominant ideology with the constant stress on the “honor and joy of being Turk”.

Article 10 of the Fundamental Law also emphasizes that, “It is deemed important teaching the Turkish language, as one of the fundamental elements of national unity and indivisibility, at all levels of the education system without harming its characteristics...”.⁹³ This formulation is a reflection of the decades-long conceptualization of the Turkish language as the centripetal force of the society, attracting the ‘citizens’ to Turkishness.

3. Conclusion

As can be observed from this odyssey in Republican history and contemporary Turkish nationalism and politics, efforts to create a monochrome society left their imprint primarily over the legislations and policies regarding the education system. Sadly, as much as the state establishment is suspicious against minority demands, the public in general seems to be skeptical about the exercising of minority rights; if not in theory, at least in practice. According to a research conducted on Turkish people’s attitudes regarding the EU membership and changes that would be brought by the integration process, 74% of the people in Turkey think that right to mother tongue is an inalienable human right.⁹⁴ But, according to the same opinion poll, 58% of the sample population is against the abolition of the ban on teaching in the mother tongue. Taking into account the new wave of nationalism that is taking a grip on the Turkish people, it can be said that conservatism is a regular and desired outcome of education in Turkey.

The journey towards becoming an EU member, internalizing the EU values and realizing its demands, is a bumpy one for Turkey. Minority rights is perhaps the trickiest question at hand, as problems like torture or freedom of expression, can be resolved quicker with the state’s intervention and willingness; but the former requires the working out of a social contract.

Mother tongue education is not an extravagance for Turkey, but one of the principal needs on the way to democratization. This right should be recognized for and utilized by not just demographically dominant and Lausanne-recognized minorities, but even the smallest communities of Turkey. Moreover, the mere assertion of the right is not enough; the implementation must be carried out

⁸⁹ *Ibid.*

⁹⁰ <<http://www.yok.gov.tr/yasa/kanun/kanun2.html>>

⁹¹ *Ibid.*

⁹² This law regulates primary education. <<http://mevzuat.meb.gov.tr/html/88.html>>

⁹³ *Ibid.*

⁹⁴ Carkoglu A., Kirisci K. and Yilmaz K., *Turk Halkinin Avrupa Birligine Bakisi*, (Turkish People’s Approach Towards the European Union), <<http://www.tesev.org.tr/temmuz2002/t1.html>>

smoothly, without the constant insertions of bureaucratic obstacles. In this sense, affirmative action investment, in some form, is necessary. However, this does not need to involve immediate financial burdening of the state; momentarily any little step counts which denote that the state is genuinely and without any discretion recognizing that Turkey is essentially a multicultural, multi-ethnic and multi-linguistic society.

Does Turkey have the funds to do that? The answer is both yes and no; the corruption that ran rampant ravaged public funds and in the face health care, pension and general deprivation needs, receiving education in the mother tongue might seem and be presented by the state as an impossible investment. Furthermore, Turkey's current budget is closely scrutinized by the International Monetary Fund, with little space for novel economic ventures to begin with. However, if one thinks of the huge military spending that Turkey would need against the Kurdish insurgency in addition to the general side financial costs of war economy, such as unaccountability of state officials concerning local and country-wide corruption under the pretext of 'conserving national security', proliferation of drug trafficking on both insurgents and state supported local feudal war lords, as well as triggering a new wave of socio-economic burdens by veteran soldiers traumatized by the war, creating new masses of internally displaced persons. Currently, a collective sensation of anomie, of being rendered redundant by 'Europe' is poisonously taking root among the Turkish society, and in case another episode of internal armed conflict begins, the psychological and financial costs would be too much to bear.

A paradigm shift in the mentalities of both the state and propaganda bombarded public requires, and additionally, any legally just state obliges egalitarianism in treating its people living in its territory. This would hopefully lead to an equal paradigm shift among some of the minority groups themselves, who fall into the trap of 'minority paradox' by advocating their nationalism to the extreme.⁹⁵

The first tangible legal steps that must be taken are the abolition of the 42nd Article of the constitution, and signing and ratifying the European Charter for Regional and Minority Languages for affirming the 'goodwill' towards and respect for minorities and their rights. Such courageous and decisive legal moves would encourage and assist a healthy environment for public debate, paving the way for a citizens' democracy. Turkey should have to confront its incessant, chronic fear of being ripped apart by minority demands, sooner or later, if its route is towards the European family and full-democratization.⁹⁶ One day Turkey will have to cross the road towards overcoming the taboos, but then it might be too late to cherish the multicultural richness of the society as languages are disappearing, the people are emigrating, the cultures are dying. Already there were language extinctions, such as the case of Ubu (also referred to as Ubykh), which ceased to exist when the last speaker of the language Tevfik Esenc passed away in 1992 in Turkey.⁹⁷ As de Varennes states; "(i)n order to have *pax humana*, peace among humans, there must be *pax linguae*: a balanced and reasonable response to the reality of human linguistic diversity".⁹⁸

⁹⁵ Dimitras P. (1998), "The Minority Rights Paradox", *War Report*, number 58, February-March.
<<http://www.greekhelsinki.gr/english/articles/w-r58.html>>

⁹⁶ de Varennes F., (2004), "Pax linguae, pax humana: Linguistic rights as a foundation for peace", Keynote speech, *Language Diversity, Sustainability and Peace Barcelona Universal Forum of Cultures*, p. 15.

De Varennes states that "There is only a minority problem when you have a political environment where minorities do not feel safe. The best way to avoid this is to create an environment where minorities are not threatened or unduly disadvantaged and that is a genuinely democratic society, one based on respect of human rights, respect of the rights of minorities, and respect for their differences..."

⁹⁷ This is a well-known case in Turkey, but there are academic references as the language was 'saved' by recordings of international scholars. Along various others see, Crystal D, (2000), *Language Death*, Cambridge, Cambridge University Press, p. 2. See also, <<http://www.circassianworld.com/tevfikesench.html>>

⁹⁸ *Ibid*, p. 16.