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Turkey looks to the Spanish mirror (2)

by

ANTONIO AVALOS, MARIEN DURAN*

If we briefly analyze the process that could explain the institutional stabilization in Spain from 1982, we have to consider 1977 as the key.

In 1977 the political and the economical actors (entrepreneurs and syndicates) signed an agreement, the Moncloa Pacts, considering the alarming situation in the economical and social issues. The effects of the 1973 oil crisis delayed Spain's early transition to democracy, with a high degree in inflation and unemployment. Without the Moncloa Pacts it would have been very difficult to achieve an institutional commitment from the political and economic actors, as well as from society and people, to drive the country towards a democratic regime. This made it possible to put forward a more social Labor Law for workers.

Turkey lacks a deep social reform that could diminish the effects of the neoliberal policies that Turgut Özal began to implement in the 1980s. This is essential to improve the situation of the workers and the social services that are clearly loss-making related to the problems of rootlessness and poverty. It is necessary not only to provide a safe legal environment to the capital but to the citizens in order to offer the opportunities to develop safe and free lives. The State must guarantee the rights and liberties of its citizens.

Concerning religious issues, in 1979 the Spanish state signed the new Concordato with the Holy See (agreement with the Vatican), reforming the 1953 agreement to adjust to the new democratic reality. This agreement clarified the role of the Catholic Church in Spain and separated definitely the State from the Church, recognizing the freedom of worship and thought. However, even today there are a lot of problems related to inequality of different confessions from Catholicism, due to the character of the majority of confessions the Catholic Church traditionally had in Spain. This implies a deficit in religious freedom, but a short-term solution is very difficult. This also leads to problems when enforcing laws that attempt to be morally neutral: divorce, abortion, rights to achieve legal equalities (as the recognition of non-married couples in coexistence, or homosexual marriages) and mainly issues regarding education. In Turkey the problem lies in the religious legitimacy of the Ottoman Empire and the response from the republic through the State's laïcité as a guarantee of the change that initiated the republic. In this sense laïcité became the basis of the legitimacy of the State as Islam proved to be at another time. Laïcité limited religious freedom in many areas, not only for Sunni Muslims, but for other confessions also, non-Sunni Muslims (such as Alevis), as well as non-Muslims (such as Orthodox Christians) with historic roots in Turkey. Turkey was opened with the statement of the 18 points of Feb. 28, 1997 during the last decade. This crisis manifested the religious problem in the political arena: the secular/religious cleavage. The army, as a foundation of the republic, considered itself the guardian of laïcité, confronting the emerging political forces rising from the society and inspired by religious moral foundations.

Nationalisms, an embedded issue in both countries, coincide in a very thorny subject: the terrorism of Euskadi Ta Askatasuna (Freedom for Basque Lands, ETA) in Spain and the violence and separatism of the Kurdistan Workers' Party (PKK) in Turkey. Furthermore, we have to consider other unsolved historic claims, like the Catalans in Spain or Armenians in Turkey.

These unsolved cleavages define Turkish political life: nationalisms and religious issues. These pendant issues resurged in particular throughout two events: Spring of 2007 when the problem of religion clearly showed this problem was not already solved; and the general elections in July with the 14 percent in the polls pointing towards the extreme nationalist right, represented by the Nationalist Movement Party (MHP), improving the previous results and using terrorism as the central issue of its campaign.

In the case of Spain, the role of the head of State (and of the army) comes from the dissolution of the Francoist regime as well as the result of an agreement among all the political forces that participated in the transition to democracy. In the case of Turkey, the election of the head of State has become a problem for the veto and the lack of consensus. The head of State, if applicable, has to be a symbol of neutrality and an



PM Recep Tayyip Erdoğan, President Gül and Chief of General Staff Gen. Yaşar Büyükanıt are in a meeting. In Turkey, the army, as a foundation of the republic, considered itself the guardian of laïcité, confronting the emerging political forces rising from the society and inspired by religious moral foundations.

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arbitrator in conflicts of the national political life, without the possibility of a direct political intervention, but as a moderator of political life. The head of State has to be a model of prudence and continuity of the democratic institutions by which the nations are ruled, never a source of conflict of the system.

The stormy times of the transition to democracy in Spain began to be appeased when the social democrats won the general elections after the coup d'état attempt in which unity inside the army was not achieved and the role of the head of State was significant because King Juan Carlos, as well as the people did not support the movement. Proof of it were the massive demonstrations that wanted to support the transition to democracy after the coup d'état attempt in 1981, never experienced before in Spain. Finally, it was the success of the people's will that supported the reforms against the conservative temptation. The following decade after the victory of the Socialist Workers' Party (PSOE) was characterized by continuous reforms of institutions and in the society that led to a stable democracy. Moreover a European and international recognition was expected. None of it was done without cost -- and it was not easy, at least as much as it seems to be when we look to the results.

The Spanish process contributes to the experience of several ways to try to reach agreements of minima that could cause a transition to a stable democracy in Turkey. However, more than two decades separates both processes, and this shows different kinds of problems to Turkey. These differences show that Turkey's possibilities of attaining success in its aims depends more on the domestic pacts than the international situation, although the EU played and will play an important role in achieving this. The Justice and Development Party (AK Party) wants to look to the Spanish 1978 constitutional model, inspired by the German 1949 constitution (Bundesverfassungsgericht). However the letter of the law is not sufficient. The process to the constitution in Spain was not a peaceful one, and it was preceded by an important political pact that removed the barriers to the participation of every political actor (political parties, syndicates, even the old guard of the Francoist regime) and every idea. Furthermore, the important economical and social pact (Moncloa Pacts) provided certain social peace. Yet these were not sufficient, and there were political rejections of the political and social demands, rejections that cannot be waived before, to build coexistence on the basis of common values and the democratic institutions. Even today the debate is open inside a framework provided by the constitution about the common values, the political and social demands. Moreover this 1978 constitution, which is not perfect, forced actors to sit down at a table and discuss. Without a new political and social pact that takes into account the history and looks towards the future, advances will not occur in Turkey.

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