Institut européen
European Institute

Master in Advanced European and International Studies

Mediterranean Studies

Nice – Istanbul

2020-2021

THE TURKISH LGBTQ+ COMMUNITY IN THE NEXUS BETWEEN THE AKP AND THE EU

Author: Simon Bürgers

Thesis Supervisor: Sören Keil

Acknowledgments

First and foremost, I want to thank my supervisor, Mr. Sören Keil for his patience and advice without which the writing of this thesis would not have been possible.

Furthermore, I want to thank my family, friends and fellow students at CIFE for their constant support.

I also would like to express my gratitude to Mrs. Avram, Mr. Vérez and the entire CIFE staff for having organised this master programme in the difficult context of the ongoing COVID-19 pandemic.

Any comment or information only engages the responsibility of the author.

Table of Contents

Abbreviations

AKP	*Adalet ve Kalkınma Partisi*	Justice and Development Party
ANAP	*Anavatan Partisi*	Motherland Party
BDP	*Barış ve Demokrasi Partisi*	Peace and Democracy Party
CHP	*Cumhuriyet Halk Partisi*	Republican People's Party
CSO		Civil Society Organisation
EU		European Union
HDP	*Halkların Demokratik Partisi*	People's Democratic Party
LGBTQ+		Lesbian, Gay, Bisexual Transgender, Queer, +[1]
MHP	*Milliyetçi Hareket Partisi*	Nationalist Movement Party
MSP	*Millî Selâmet Partisi*	National Salvation Party
NGO		Non-Governmental Organisation
RDYP	*Radikal Demokratik Yeşil Parti*	Radical Democratic Green Party
RP	*Refah Partisi*	Welfare Party
SHP	*Sosyaldemokrat Halk Partisi*	Social Democratic People's Party
US		United States of America

[1] The term 'queer' aims to describe all identities outside of the heteronormative sexuality and gender identity spectrum. The '+' sign aims to include all people who do not feel accurately described by one of the other acronyms.

Annotation:

Regarding terminology, the term LGBTQ+ people or queer people will be used in an attempt to be as inclusive as possible. The diversity and multiplicity of contemporary sexual and gender identities is acknowledged by the author. However, treating them consistently individually would go beyond the scope of this work. It is important to notice that in some contexts, specifically the Ottoman and early 20th century period, instead of LGBTQ+ or queer, solely the term 'homosexuality' is used. This is not due to ignorance or an attempt at exclusion. Rather, it is aiming to adequately reflect on the discourse of the time, in which homosexuality or even 'sodomy' were the terminologies employed and non-heteronormative sexual and gender identities beyond same-sex male sexuality were often rendered entirely invisible.

Introduction

This thesis aims to critically analyse the situation of the Turkish LGBTQ+ community in the context of the dynamics of the EU accession process as well as the rise to power of the AKP and Recep Tayyip Erdoğan from 2000 to 2021. In the following, the relevance of this dynamic and its actors will be explained.

Turkey and Europe have been closely linked since the establishment of the Ottoman Empire and its subsequent expansion as well as eventual decline. In the past two decades, the relations between the Republic of Turkey and the EU have been extremely dynamic, improving and approaching at first and then over the past decade steadily declining until having now reached a purely transactional nature. The EU has an interest in the stability and democratisation of Turkey as a country in its direct neighbourhood that connects it not only geographically but also ideologically and politically with the Middle East. This importance has been highlighted through Turkey's role in the approach the EU has taken towards refugees aiming to come to Europe. For Turkey, the EU retains a high degree of relevance due to it being Turkeys largest trading partner and due to its political weight in the region. In the 21st century, the relations of these two political actors have been decisively shaped by Turkey's EU accession process and the concurrent rise to power of now president Erdoğan and the AKP.

As part of Turkey's accession to the EU, a process that had officially commenced in 2005, the EU has focussed on making democratic governance and rule of law essential conditions for Turkey's rapprochement. CSOs and civil society at large play an important role in these two criteria as they are the expression of political opinions and

eventual dissent of a country's population. The people's ability to express themselves freely and to effectively interact with political institutions and representatives is, therefore, a meaningful indicator of the functionality of democratic institutions and legislation.

Throughout the civil-society political developments of the 20th century, the LGBTQ+ community has been an important factor. Due to their lack of political representation as well as severe legal and social discrimination queer people have effectively organised themselves in grassroots associations and successfully rallied for an improvement of their situation. As such, they are to this day often well linked with CSOs and movements of political contestation. This holds especially true in political environments where LGBTQ+ still face repression, discrimination and/or a lack of legal protection. In the context of democratic governance and rule of law as criteria of EU conditionality, the LGBTQ+ community also holds significant relevance due to the EU proclaiming itself as a protector of LGBTQ+ rights.

The Turkish LGBTQ+ community thus serves as an important and relevant subject of study at the interaction of the dynamics of the EU accession process as well as the rise to power of the AKP and Recep Tayyip Erdoğan from 2000 to 2021. It will be argued that while both the, EU as well as Erdoğan and the AKP, have taken substantial influence on the Turkish LGBTQ+ community, it was ultimately always to advance their own political agendas. To successfully protect their interests or fight for an improvement of their situation queer Turks thus had to carefully navigate the AKP-EU nexus.

To demonstrate this claim, this paper will separately focus on these three political actors: the Turkish LGBTQ+ community, the AKP and Erdoğan, as well as the EU.

In the first chapter, the history of the Turkish LGBTQ+ community will be critically analysed to adequately understand their contemporary role. This analysis will take place in two parts, first centring on the Ottoman period and then focussing on the relevant political developments throughout the 20th Century. During both periods, the LGBTQ+ community will be characterised in its relation to and treatment by the Turkish state as well as to the external influences from the West and specifically from Europe.

The second chapter will centre on Erdoğan's and the AKP's rise to power and their subsequent political development from 2001 to 2021. This is important as they constitute the most important and dominant political actors of contemporary Turkey. In order to adequately analyse them, they will be viewed through a populist lens. Therefore, the first part of this chapter introduces the theories of populism as a tool of political analysis will be introduced. In the second part, these frameworks will then be applied to explain the rise to power of Erdoğan and the AKP as well as their subsequent political and ideological developments over the past two decades.

The third chapter will focus on the EU as the third important actor after the Turkish LGBTQ+ community and Erdoğan's AKP. The focus will be put on the EU's conditionality as means to analyse its influence on Turkey as part of the accession process. Therefore, the first part of this chapter will introduce the external incentives model as an analytical framework. This framework will then be applied to the EU's conditionality and its effects specifically on Turkish CSOs.

In the final, fourth chapter, the findings of the previous three sections will be combined to critically analyse the development of the Turkish LGBTQ+ community in the nexus between AKP and EU.

I. LGBTQ+ History of Turkey

In the following chapter, the LGBTQ+ history of Turkey will be analysed with regards to the legal situation for LGBTQ+ people in the country and the social acceptance or discrimination they have been facing. A special emphasis will be given to the role of Europe in the construction of Turkish LGBTQ+ identity, organisation and politicisation.

First, the evolving situation during the Ottoman Empire will be analysed and compared with the situation in Europe. This comparison is important as European legislation came to permanently influence its Turkish counterpart from the 19th century onwards. It will be argued that the Ottoman legal changes during the 1850s that were modelled according to French law contributed to a lasting push of LGBTQ+ issues from the public into the private sphere.

Then, the changes of the 20th Century under the Turkish Republic established in 1923 will be the focus of analysis. Specific importance will thereby be given to the formation and institutionalisation of politically visible and active associations representing LGBTQ+ issues on a national scale. This formation will be structured into an early phase from the 1920s to the 1970s, a period of increased dissidence and struggle under the military dictatorship of the 1980s and eventually the consolidation of representative associations in the 1990s.

I.I. The Ottoman Period

Throughout the Ottoman Empire homosexual[2] relationships occurred and are historically recorded (Özbay, 2015). However, queer identities, be they personal or collective were never accepted as valid alternatives to the heteronormative models (Engin, 2015). The Ottomans were following the Hanafi school of Quranic law, which postulated that criminal laws lay outside the jurisprudence of shari'a law and instead were to be drafted by the state, in contrast to other Muslim empires. The Hanafi school furthermore classified homosexuality as a ta'zir[3] crime, thus falling under criminal legislation and as such its penalisation too was to be solely determined by the state (Habib, 2010; Ozsoy, 2020).

Homosexuality was not explicitly mentioned in the Ottoman Empire's secular penal codes that were first introduced by Mehmet the II during the 15th Century and subsequently renewed by Selim the I in the 16th Century. In the mid 16th century under Süleyman I[4] same-sexual activity was penalised for the first time under the term sodomy after a revision of the Ottoman penal code around 1540:

'Article 32: If a person who is of sound mind, of age, commits sodomy—if he is married and is rich, a fine of 300 akçe shall be collected; and from a person in average circumstances, a fine of 200 akçe shall be collected; and from a poor person a fine of 100 akçe shall be collected; and from a person in worse circumstances, a fine of 50 or 40 akçe shall be collected.

[2] For the Ottoman period, it is only referred to same-sex affection or homosexuality as other forms of sexual or gender identity were, at the time, neither acknowledged nor recorded (Özbay, 2015).
[3] A term that, in shari'a law designates corporal punishment in the form of lashes. However, the Ottoman Criminal Code imposed fines instead of lashes (Ménage, 1973).
[4] Known as 'Süleyman the Magnificent' (Ágoston & Masters, 2009, p.541).

Article 33: And if the person who commits sodomy is unmarried— from a rich one 100 akçe shall be collected as a fine, from one in average circumstances 50 akçe, and from a poor one 30 akçe.' (Ménage, 1973, p. 103).

Punishment was thus defined solely in monetary terms that were adjusted according to an individual's wealth and marital status. While it is difficult to compare the severity of these fees to contemporary prices, the sole fact that punishment did not include corporal forms or imprisonment is to be interpreted as an indicator of their relative mildness compared to the European punishments of the time.

In the European states of the early modern period, 'sodomy' was punishable by death in nearly all realms with historical evidence of the regular application of these harsh punishments (Von Bar, 2007). With the advent of enlightenment thinkers and the diffusion of their theories and analyses, the European legal context regarding homosexuality started to change and the death penalty started to be replaced with imprisonment and the loss of civic rights. However, the legal situation in the Ottoman Empire remained significantly more open and tolerant until the 19th century (Ozsoy, 2020).

Furthermore, due to the difficulty of proving conduct penalised under these acts, their actual application remained a rare occurrence (Ozsoy, 2020). This is evident in historical records that show a high incidence of reports on same-sexual activity; however, these records also show that most reports were not followed up due to a lack of evidence (Ozsoy, 2020).

This goes to show that Ottoman society had an ambiguous attitude towards same-sex affection. While it was deemed unseemly behaviour it was rarely persecuted by the state and if so, the resulting punishment was exercised solely in monetary terms. According to Coşgel, Ergene, Etkes and Miceli (2013), however, the reliance on fines instead of corporal punishment or imprisonment has to be attributed to considerations of socioeconomic nature rather than to humanistic principles. Regardless of causality, the state of Ottoman tolerance regarding same-sex relations, even though they were far from being accepted as a valid alternative form to heteronormative relationships, was comparatively unique for that period.

Over the course of the 19th century the previously relatively isolationist Ottoman Empire started to open up to Europe economically and culturally (Engin, 2015). However, the Ottoman opening towards Europe also meant the adoption of European epistemological and state-theoretical ideas, amongst them the Continent's conservative stance towards homosexuality (Çetin, 2016; Fishman, 2013). This culminated in the adoption of the 1810 French penal code into the Ottoman Penal Code as part of a legislative revision in 1858. This legislative revision took place during a period known as 'Tanzimat'[5] that saw bureaucratic reforms aiming to modernise the Ottoman Empire (Britannica, 2021). As part of these reforms, initiatives and innovations of the rapidly evolving European nation-states of the time were often absorbed (Engin, 2015).

The article of the 1858 revised penal code relevant to LGBTQ+ persons is the following:

[5] Restructuring (Britannica, 2021).

'Article 202: The person who dares to commit the abominable act[6] publicly contrary to modesty and sense of shame is to be imprisoned for from three months to one year and a fine of from one Mejidieh gold piece to ten Mejidieh gold pieces is taken' (Bucknill & Utidjian, 1913, p.156)

Homosexuality/'sodomy' is not directly mentioned in this article. However, it is to expect that minor forms of sexual intimacy between people of the same sex would have been considered significantly more immodest and shameful than comparable acts between people of different sexes.

Importantly, Ottoman legislation did previously not differentiate between the public and the private sphere with regards to its relative toleration of (homo)sexual acts (Ozsoy, 2020). With the 1858 adaptation, this drastically changed, as the term 'sodomy' disappeared from legislation and homosexuality thus started to be increasingly confined to the private in the Ottoman Empire. While private homosexuality was no longer penalised in the previous monetary terms, public display of (homo)sexual affection was now penalised significantly harder than it had previously been the case (Ozsoy, 2020). This legal change also negatively influenced the social acceptance of homosexuality, where less public display meant less literary discourse around it and subsequently less acceptance of it in the public sphere (Ze'evi, 2005).

It can thus be said that at the end of the 19th century same-sex relations in the Ottoman Empire had, under European legal influence, been confined to the private sphere, with public display being more

[6] Sexual intercourse/intimacy (Bucknill & Utidjian, 1913, p.150).

harshly reprimanded and society subsequently viewing homosexuality more negatively (Ozsoy, 2020). Due to the Ottoman Empire never having been colonised by European powers, however, the subsequently harsher European criminalisation of homosexuality of the late 19th and early 20th century was not incorporated into Turkish law at the time (Fishman, 2013).

Because of Ottoman leniency towards homosexual acts, wealthy European homosexuals took advantage of the Ottoman Empire's and more specifically Istanbul's relative openness towards homosexuality compared to the persecution, arrest and potential imprisonment they had to fear in European cities (Çetin, 2016). This status of Istanbul as a centre of refuge for gay European men is described in detail by the European research pioneer on homosexuality, Magnus Hirschfeld (2000).

To summarise, during the period of the Ottoman Empire, same-sex sexual activity frequently happened and large parts of society did know about it as is evident from historical records of accusations of 'sodomy'. It is important to note that such accusations were often not reprimanded and that the monetary penalties associated with them were an extraordinarily mild form of punishment compared to the contemporary European legal context. As such, through the legal changes, mainly the adoption of French legal codes, introduced during the mid-19th Century sexuality at large and LGBTQ+ sexualities specifically were further pushed from the public into the private sphere. Nevertheless, Istanbul remained an important centre for queer people until the turn of the century due to its comparatively tolerant environment.

I.II. The 20th Century Republic of Turkey

After the fall of the Ottoman Empire during WWI and a substantial loss of its territory, Turkey saw the establishment of a secular democratic state under the leadership of Mustafa Kemal Atatürk. This state was ideologically modelled after the European nation-states and as such included a new model of citizenship (Engin, 2015). Thereby, issues of gender equality, secularisation and democratisation were highlighted and significantly altered. The idealisation, implementation and institutionalisation of these principles in Turkish society and the Turkish state are summarised as the Kemalist movement which has been profoundly shaping Turkish political and cultural identity to this day.

Even though many of the developments associated with Kemalism were socially quite upheaving for the period, such as the banning of headscarves and the traditional fes hat in public institutions or the introduction of the vote for women in 1934, treatment of homosexuality or transgender identity were completely absent from the public discourse for decades (Çetin, 2016). It is only through the literature of the time as well as some historical records that the lives of queer people of this period can be superficially traced (Özbay, 2015). This omittance of LGBTQ+ lives from public discourse and historic records can be interpreted as a continuity of the push of the queer and the sexual at large from the public into the private sphere at the end of the 19th century with the adoption of the French Penal code.

Only from the 1960s and 1970s onwards did LGBTQ+ persons gain public attention, specifically through the entertainment sector and its performers. This sector was centred in the Beyoğlu district of Istanbul with some performers such as Zeki Muren or Bülent Ersoy gaining national media attention and recognition (Özbay, 2015). The election

of a new coalition government in 1974 saw the takeover of the Ministry of Interior by the conservative MSP, resulting in a police crackdown on many of the Beyoğlu bars and its LGBTQ+ entertainment scene as well as transgender sex workers (Engin, 2015).

However, at the same time, under the influence of the global aftermath of the 1969 Stonewall Riots[7] in the US, the activist İbrahim Eren started organising LGBTQ+ interests in the form of an association to resist increased violence by the police against LGBTQ+ individuals (Çetin, 2016). The 1970s can therefore be seen as the period of the beginning of the politicisation and self-organisation of the LGBTQ+ community.

Following the military coup on the 2nd of September 1980 and its subsequent takeover of the government, these performers as well as the LGBTQ+ community at large were confronted with increased repression. For example, the openly transgender Bülent Ersoy was forced into German exile upon her return to Turkey after a highly publicised sex reassignment surgery in London (Özbay, 2015).

Other than the individual repression of celebrities, the 1980's military coup also saw the persecution of the most visible and vulnerable members of the LGBTQ+ community, namely trans sex workers. For example, in 1981 around 60 trans sex workers were arrested in central Istanbul and subsequently kept in custody, where they suffered numerous forms of torture and humiliation, amongst these the shaving of their heads (Çetin, 2016). Even though military rule transitioned to

[7] The 1969 Stonewall Riots in the Greenwich neighbourhood of New York City are commonly acknowledged as the first prominent organised form of resistance of the LGBTQ+ community against repressive state policies and police violence. Largely organised by transgender individuals, this resistance received global media attention and as such profoundly influenced and inspired LGBTQ+ resistance movements and forms of self-organisation around the world (Çetin, 2016).

democratic rule after two years, the military remained in close control of the government and as such Turkey remained under ANAP a one-party rule until the 1990s.

This period of increased and more violent repression, however, lead to more serious attempts of self-organisation of the LGBTQ+ community. The most influential example is the attempt of the foundation of an own political party, the RDYP in 1987 (Özbay, 2015). This attempt of political organisation forced all other major political parties to publicly position themselves with regards to the LGBTQ+ community.

While most parties, except for the SHP, outrightly rejected the party's foundation by likening homosexuality and transgender identity to illness and immorality, the RDYP's unofficial foundation strongly anchored LGBTQ+ issues in the public debate (Çetin, 2016). Furthermore, the late 1980s saw the commencement of many other initiatives, such as the publishing of newspapers dealing with Queer Liberation, attempts at transnational cooperation with LGBTQ+ movements in other countries and the foundation of numerous unofficial associations and collectives (Çetin, 2016).

These processes culminated in 1987 in a public hunger strike of 37 LGBTQ+ people on Gezi Park, against the sustained police raids targeting trans sex workers. The strike in the centre of Istanbul that lasted for ten days garnered not only renewed media coverage but also support from civilians of the arts and academic sectors. This protest marks one of the most visible and influential forms of LGBTQ+ politicisation in Turkey and is, in its national impact, comparable to the 1969 Stonewall Riots (Çetin, 2016).

The targeting of trans persons and their persistent effort throughout the 1980s culminated in the first legal change of the Republic of Turkey directly concerning queer lives, more specifically, trans lives. An adaptation of Article 29 stipulated the possibility of having one's gender officially changed after gender reassignment surgery (Çetin, 2016). However, this process involved, amongst other bureaucratic steps, the presentation of ones' case before one or several medical commissions. Given the societal and political aversion to LGBTQ+ issues and specifically transgender identity, it constituted a very uncomfortable procedure for transgender people.

Due to the unofficial character of these associations and organisations, LGBTQ+ people were, however, prevented from lobbying activities that could push for further profound policy changes in the Turkish political institutions. Furthermore, it highly restricted them in their ability to provide supportive social services for their community and from pursuing legal action in the defence of themselves and their organisations. It is important to be aware that the LGBTQ+ movements of the 1970s and 1980s were heavily influenced in their visibility and character by the trans people and their struggle against violent repression, similar to the queer movements of that time in the US and Europe.

Over the course of the 1990s, the queer movement saw an increase in the institutionalisation of its forms of self-organisation as well as in the number and salience of international connections with other LGBTQ+ organisations. Additionally, there occurred a progressive extension of the community's visibility in Turkish culture beyond controversial media debates (Özbay, 2015). For example, in 1992 the queer

association 'Gökkuşağı[8] 92' was founded and, under the tutelage of a German association attempted to organise a Gay Pride march on the streets of Istanbul to commemorate the 1969 Stonewall riots. Despite their governmental ban, the initiative was successful as the ban saw increased solidarity amongst LGBTI groups that consolidated in the foundations of the associations Lambda Istanbul in 1993 and KAOS GL in 1994 (Çetin, 2016). At the same time, several smaller associations arose. This development reflected the diversity of the LGBTQ+ communities and increased differentiation amongst their members in the context of an increased internal debate around the dominance of gay middle-class men in the two aforementioned organisations.

Cooperation amongst these various groups was high and as such saw a proliferation of publishing activities across different forms of media as well as unofficial political rallying (Çetin, 2016). At the same time, queer stories were slowly entering mainstream culture in the forms of movies and books (Özbay, 2015). However, in the 1990s too, police raids were a constant occurrence in the lives of Turkish LGBTQ+ individuals and could not be prevented by the increase in activism. Nevertheless, as an unintended consequence this state repression, similarly to earlier incidents, sparked media coverage and renewed debates on the discrimination suffered by the LGBTQ+ communities (Çetin, 2016).

The developments of the LGBTQ+ in the 20th century can be summarised to be marked by an increasing degree of self-organisation and politicisation. It is thereby important to note that from the 1920s to the 1960s, direct state oppression was largely absent as was the cultural, social and political visibility of queer identities and sexualities.

[8] Rainbow (Çetin, 2016, p.11).

It was only from the 1970s onwards, in the light of increased repressive measures and the use of excessive police force targeting the small spheres of queer Turkish life, that the LGBTQ+ communities' politicisation commenced. Violent state repression was thereby not met with withdrawal into the private, but rather with offensive strategies to increase visibility and support. The parallel to the developments of the queer movements in the West is thereby striking. It is especially important to highlight the role CSOs play for the LGBTQ+ community as a means of political representation and lobbying for equality and non-discrimination. It is because of this importance that CSOs will, later on, be the main focus of the analysis of the EU's influence on Turkey.

As was the case with the legal changes in the late Ottoman period, the influence of Europe and, increasingly, the US on Turkish LGBTQ+ associations played an influential role. Contrary, to the 19th-century developments, however, this time they helped render the Turkish queer movements visible and interconnected not only amongst themselves in the Turkish political arena, but increasingly also on a regional and global scale. Nevertheless, the most important internal developments and events, such as the continuous public discourse on queer issues, or the 1987 Gezi Park strike, have been shaped by Turkish LGBTQ+ people and in particular by the Turkish transgender community.

II. Populism and the AKP

The previous chapter has critically analysed the history of LGBTQ+ communities during the Ottoman period and throughout the 20th Century. This historical context is important in order to adequately understand the contemporary role of the LGBTQ+ community in Turkey, especially in their relation to the Turkish state as well as to the West, specifically to Europe.

Now the focus will shift to another important actor, Recep Tayyip Erdoğan's AKP as the last two decades in Turkish politics have been dominated by Erdoğan and the AKP. In the following, the rise of power of these political actors will be analysed through a populist theoretical framework. First, theories of populism as a tool of political analysis will be introduced. In the second part, this framework will then be applied to explain the rise to power of Erdoğan and the AKP as well as their subsequent political and ideological developments over the past two decades.

II.I. Populism as means of Political Analysis

Mudde (2004, p.543) describes populism as 'an ideology that considers society to be ultimately separated into two homogenous and antagonistic groups, 'the pure people' versus 'the corrupt elite', and which argues that politics should be an expression of the general will of 'the people'. Albertazzi and McDonnel (2007, p.3) elaborate on this definition by adding that in addition to 'elites' populism 'pits a virtuous and homogenous people against […] dangerous "others" depicted as

depriving (or attempting to deprive) the sovereign people of their rights, values, prosperity, identity and voice'.
It is important to note that rather than a tangible social group, 'the people' are an 'imagined community', 'a mythical and constructed sub-set of the whole population' (Mudde, 2004, p. 546) whose alleged consciousness forms the basis of all good. The term 'the people' is usually meant to appeal to 'the hard-working, slightly conservative, law-abiding citizen, who, in silence but with growing anger, sees his world being 'perverted by progressives, criminals, and aliens' (Mudde, 2004, p.557).

Ben-Porat, Filc, Öztürk and Ozzano (2021) furthermore highlight the importance of the two ways populism usually constructs the other within a national society: either vertically against an allegedly morally alienated elite or horizontally against morally alien foreigners. Upholding a "superior" morality is hereby crucial in order to delineate between the "normal" and the "other", be it "the foreigners" or "the elite" (Arato & Cohen, 2021). Populism thus normatively severs 'the people' from the governing elites as well as minority groups such as foreigners. It furthermore characterises the two latter groups as inherently bad and thereby inhibits any form of political compromise that would include them (Mudde, 2004).
Freeden (1998) additionally denotes that as populism is a very simplistic ideology that is mainly centred just around one construct, namely 'the people', it can easily be altered and co-opted with other ideologies (Mudde, 2004). As such, Religion often provides an easily accessible institutional structure and framework whose rhetoric is commonly understood, and which thus helps to effectively construct two seemingly morally divergent groups (Mutluer, 2019).

Within this populist discourse based on an autochthonic superior morality grounded in religion, issues of sexuality and gender are then merely tools that serve to highlight and contrast the political ideology within the respective national setting (Spierings, 2020). This can be done in two ways: Firstly, by emphasising tolerance as a national value and thus constructing LGBTQ+ people, who ethno-nationally conform to the majority group, as members of that community, that therefore need to be protected from allegedly dangerous and intolerant foreigners; a practice explored academically under the term 'homonationalism' (Puar, 2007; Puar, 2013). Secondly, and in contrast to the preceding practice, LGBTQ+ people are constructed as a foreign element accepted only by elites that are detached from the people (Ben-Porat et al., 2021). Consequently, they are not to be accepted or even tolerated, as such tolerance would ultimately damage national cohesion and strength.

Mudde (2004) notes that the segment of the population that populist parties are aiming to convince as their voter base is hard to motivate to become politically active. The author suggests that a combination of 'persisting political resentment, a (perceived) serious challenge to 'our way of life' and the presence of an attractive populist leader' (Mudde, 2004, p. 547) are needed in order for a populist party to build political momentum.

The first element outlined by Mudde was also given in the context of the AKP's foundation and rise in the early 2000s. Since the mid-90s stagnating economic growth in Turkey had led to widespread underlying discontentment with the government (McKernan, 2019). On top of this unfavourable basis, the unsatisfactory management of the aftermath of the 1999 İzmit earthquake tipped the scales on public opinion as it resulted in a growing and persistent political resentment

among the Turkish population with the coalition government made up of Kemalist parties (Zihnioğlu, 2021).

The AKP managed to successfully tap into this resentment by discursively spinning the tale of out of touch Kemalist political elites that ignored the democratic will of 'the Turkish people' and suppressed the 'true' Turkish cultural identity under an authoritarian secular regime (Rumelili & Süleymanoğlu-Kürüm, 2017). Therefore, the second element of Mudde's (2004) criteria for populist success had been fulfilled. This aspect, while always including religious elements would over time focus more and more on Sunni Islam, its inherence to Turkish culture and identity and the desirability of adherence to it in everyday life and consequently in the shaping of political policies (Saral, 2017). Initially, however, it did clearly start out as anti-establishment populism.

In the case of the AKP, however, the defining factor was Mudde's (2004) third element, that of a charismatic populist leader, namely Recep Tayyip Erdoğan. Turkey's current president rose to popularity during the 1990s as mayor of Istanbul. After the ban of the RP, in which he had been active, he went on to establish his own party, the AKP in 2002. With the AKP, Erdoğan should then eventually become prime minister of Turkey for the first time in 2003.

II.II. Erdoğan and the AKP through a Populist Lens

The previously introduced theoretical frameworks and concepts will be used in the following to analyse both, the rise to power of the AKP through the adoption of populist ideology as well as the subsequent shift in the party's application of populism. As the AKP is inextricably

linked to the persona of Recep Tayyip Erdoğan, he and the party itself will often be referred to synonymously in the following analysis.

Erdoğan was born in Kasımpaşa, a working-class neighbourhood of Istanbul and subsequently raised between there and his father's rural province of origin, Rize in Turkey's far north-west (Yılmaz, 2021a). At the age of 15, he joined the Muslim-conservative MSP where he absorbed the strong anti-Imperialist and pan-Islamist agendas prevalent in the 1970s amongst many oppositional political forces in Muslim countries.[9] However, the MSP was subsequently banned by the Kemalist government due to its violation of secularism and then re-founded as RP (Genç, 2019).

Within the newly founded RP, Erdoğan worked himself up the ranks during the 1980s from a simple recruiter and organiser of volunteers to eventually becoming the mayor of Istanbul in 1994 (Yılmaz, 2021a). During this time, he should rise to significant popularity due to two factors. Firstly, due to his representing himself as a humble and pious man of the religiously conservative people oppressed by a Kemalist elite and secondly due to his pragmatic style of governance that alleviated many of Istanbul's pressing problems like traffic and sewage issues. When asked in an interview about the reason for his popularity, Erdoğan responded that he was the 'Imam of Istanbul' (Genç, 2019, p.87), thus emphasising both his uniqueness as a leader as well as the religious foundation of his political ideology.

[9] In the cold war context, many Muslim-majority countries in the Levant, the Gulf and Central Asia served as proxies for conflicts between the US and the Soviet Union. This was often contested by the local population, resulting in an anti-imperialist and religiously tainted ideology of resistance. This was for example evident in the union of Egypt and Syria into the United Arab Republic in the Islamic Revolution of Iran that saw the toppling of the US-backed Shah or in the rise of the Mujahideen in Afghanistan to counter the country's Soviet Invasion (Genç, 2019).

In 1998 the RP was banned, once again on grounds of a violation of secularism. After publicly speaking out against this ban and citing a poem that was viewed as endangering secularism, Erdoğan was sentenced to ten months in prison (Genç, 2019). This prison sentence cemented his popularity and image as a man of the people, who does not shy away from confronting the out-of-touch and authoritarian Kemalist establishment with their oppression of religion.

After serving five months in prison, Erdoğan founded the AK party in 2001 together with two other former RP politicians, Abdullah Gül and Bülent Arınç. With the AKP's foundation, Erdoğan departed from his earlier anti-Western and Islamic ideological focus as well as from the focus on his persona as a leader (Yılmaz,2021a). As such he announced the AKP to be a consensus-based democratic party in contrast to the authoritarian governing Kemalist establishment.

Consequently, in the early years after its foundation in 2001, the AKP and Erdoğan used a form of populism that was mainly vertical and aimed at a Kemalist bureaucratic elite that undemocratically suppressed the concerns of the non-secular Turkish people as well as minority groups in the country (Yılmaz, 2017). The widening of the party's scope towards minorities thereby constitutes an important shift. It demonstrates Erdoğan's goal to not only appeal to its main voter base, socially conservative and religious Muslims, but also to socially liberal Muslims and secularists, as well as to ethnic minorities such as the Kurds, that equally aimed at overcoming the authoritarian Kemalist government (Fishman, 2013). This shift is evident in Erdoğan's rhetoric from the time of the build-up of the 2002 elections.

During this period, AKP representatives called for comprehensive constitutional reforms, thereby promising more extensive rights. The

party not only addressed the Turkish population at large but also directly promised political change to various minority groups (AKP, 2002; Çetin 2016). For example, Erdoğan during the 2002 pre-election period explicitly announced on television that 'LGBTQ+ persons should be under legal protection with their own rights and freedom. We do not find the treatment they often face to be humane.' (Çetin, 2016, p.13; Depeli, 2013; KAOS GL, 2012; YouTube, 2012).

The effect of this rhetoric was successful as the AKP was hailed as a new form of political representation combining religion with liberal democratic values (Yılmaz, 2021a). It helped broaden the voter base to include liberal anti-Kemalists, Kurds, LGBTQ+ people and other minority groups that were hoping for more democratic representation. This success is evident in the 2002 general elections which saw the AKP as the strongest party, having gained 34% of the popular vote (Genç, 2019).

While Erdoğan was initially still banned from taking political office due to his previous imprisonment, his co-founder Abdullah Gül was elected prime minister. However, with the AKP governing, Erdoğan's ban was quickly lifted, and he assumed office in 2003 (Yılmaz, 2021a). During their first term in power Erdoğan and the AKP subsequently held onto their vertical anti-establishment populism. They specifically focused on European integration as a goal to pursue economic growth and as means to guarantee religious freedom for conservative Muslims as well as democratic representation for other minority groups (Genç, 2019). Tangible changes introduced in that period included the amendment of over 50 laws aimed at more democratic governance as part of the EU accession and concessions regarding the use of the Kurdish language in the public domain (Kaliber, 2016; Zihnioğlu, 2021).

While the AKP had thus started to implement the changes Erdoğan had promised before the 2002 election, the actual tangible benefits for minority groups such as the LGBTQ+ community remained rather weak. What did change rather quickly was a higher acceptance by the state of religious expression in the public sphere. However, due to much of the Kemalist establishment still in power in the state apparatus, Erdoğan could successfully reutilise the same populist rhetoric of 2002 in the 2007 elections (Genç, 2019). After having emerged once again as the clear winner with a share of 46.87% of the votes, Erdoğan declared upon his re-election: 'The Turkish Republic is a democratic, secular social state governed by the rule of law, and throughout this process this year, Turkey has gone through an important test of democracy and come out stronger than before from these elections' (Holbrooke, 2007, p.10).

The overwhelming dominance of the AKP following the 2007 elections was then used to implement more profound changes than had previously been possible. The first was a constitutional reform introduced that same year. This reform saw the implementation of more democratic governance by having the president elected directly by the people instead of having someone be appointed to that position by the parliament (Yılmaz, 2021a). Another important change in 2008 allowed female students to wear the hijab in universities, which had previously been banned (Genç, 2019).

At the same time, Erdoğan began to actively dissolve the Kemalist military establishment in the judiciary through a series of trials from 2008-2010 that saw many former leaders and civil servants disposed on grounds of violation of democratic rights. This replacement in turn necessitated new staff to keep the state apparatus operating well. To fill these newly vacant positions, Erdoğan relied on the educational

institutions affiliated with Abdullah Gülen, an Islamic preacher who had shared the views of Erdoğan in the 1990s and left to live in US exile due to Kemalist repression of his unsecular views (Genç, 2019). As a result, the AKP started to not only control the legislative through being democratically elected but to also control the judicative through the rather undemocratic appointment of politically aligned judges and lawyers.

However, this process was overshadowed by the fact that the Kemalist military control over the state was indeed successfully terminated. Accordingly, in 2011 the AKP still managed to win, with 49.83%, its biggest share of voters in general elections (Genç, 2019). This massive win was largely grounded in the effective fulfilment of the promise to remove the Kemalist establishment as well as in Turkey's relatively strong economy compared to Western nations in the context of the aftermath of the 2008 economic crisis.

At this point, the legitimacy of the AKP as a universal party fighting for more democratic representation and equality against a corrupt elite changed, however. Firstly, because the old establishment had nearly entirely been replaced at this point and the AKP government thus started to be seen as the governing elite. This impression was enforced through the way many of the new governmental positions were filled not on an open basis but rather with people Erdoğan assumed were completely aligned with the AKP (Yılmaz, 2021a).

Additionally, the increasing stagnation of the EU accession process that had previously been proclaimed as one of the pillars of the early AKP's political identity started to disgruntle many of the liberal and minority group voters (Kaliber, 2016; Cop & Zihnioğlu, 2017). This inaction from the EU side was grounded in the fact that many Europeans saw an

accession of Turkey to the EU as rather critical (Eurobarometer, 2008). They were furthermore disenchanted by the little actual progression of political improvement of their status beyond being allowed to lobby, mostly to little avail, with the government.

Consequently, the AKP had to adapt its strategy to maintain its populist appeal to a broad voter base. As there was no longer a way to unite various minorities as well as a religiously conservative majority behind the same goals the AKP and Erdoğan had to shift their ideological approach. This meant that the ways of operation of the party's populism narrowed down from representing a pluralistic Turkish people vertically against the Kemalist establishment elites to only representing 'true' Turks horizontally against 'foreign' influences which allegedly damage the integrity of the Turkish nation, its 'real' people and culture (Yalvaç and Joseph, 2019). As a means of an effective epistemological underpinning, the party also turned increasingly to Sunni Islam as an intrinsic characteristic of Turkishness (Mutluer, 2019).

This shift and increasingly authoritarian as well as repressive stance can be observed through the rhetoric employed by then-premier and now president Recep Tayyip Erdoğan. Immediately after the 2011 win, Erdoğan in a way announced this ideological shift away from democratic governance modelled after EU-institutionalism by fashioning himself as a pan-Islamic leader: 'Sarajevo won today as much as Istanbul, Beirut won as much as Izmir, Damascus won as much as Ankara, Ramallah, Nablus, Jenin, the West Bank, Jerusalem won as much as Diyarbakir' (BBC, 2011). In line with the AKP's increasing combination of populism with nationalism and Islamism, the president commenced to increasingly highlight the need for the 'good and pious' Turks to defend their morality and Turkish way of life against

foreign and elitist influences that are deemed unislamic and damaging to the Turkish nation (Yalvaç and Joseph, 2019).

By othering nearly all minority groups in Turkey in this manner, the AKP increasingly made them feel alienated and discontentment grew steadily. Eventually, these sentiments would surface in the 2013 Gezi Park protests. The AKP government had planned to build a shopping mall on the grounds of Gezi Park in the centre of Istanbul adjacent to Taksim Square. This meant essentially the sell-out of public space to a private business, a practice the AKP had more frequently used since its 2011 election win in a bid to secure lasting support from the private business sector (Yılmaz, 2021a). While this was also met with opposition elsewhere its significance was higher regarding Gezi Park due to the symbolic importance of that place as a space of public dissent by oppositional groups, as has been demonstrated in chapter one with the example of the 1987 hunger strike that was held there by trans activists.

The protests thus emerged as a collective voicing of the frustration of marginalised groups with the privatisation of public space for the political benefit of the AKP and Erdoğan. In its larger significance, it meant the public discontentment with the construction of a new and increasingly authoritarian political elite that only served majoritarian as well as their own interests and side-lined a significant portion of the Turkish population (Yılmaz, 2021). The Gezi Park protests therefore soon spilt over into nearly all 81 provinces of Turkey with a total of hundreds of thousands of participators (Amnesty, 2013).

Erdoğan’s response to these protests marks the decisive and final departure from the former vertical anti-establishment populism and the turn towards a horizontal cultural populism. He referred to the

protesters as well as to critically reporting media outlets as 'foreign agents' that insulted and undermined not only the government but the Turkish nation (Reynolds, 2013). By painting the image of Western powers trying to destabilise Turkey, Erdoğan tapped into the collective trauma of the loss of grandeur of the Ottoman empire and its subsequent partition by European powers in the aftermath of the Ottoman loss of WWI (Yılmaz, 2021a). In addition to this rhetoric, the protests were also suppressed with significant state violence resulting in a total of at least 11 deaths and more than 8500 people injured (Amnesty, 2013).

In 2014 this authoritarian stance was cemented in the aftermath of the alleged wiretapping of Erdoğan and other high ranking AKP officials by the Gülen movement with which Erdoğan had previously cooperated in occupying the vacant positions in the judicative and executive following the demise of the Kemalist establishment (Guardian, 2014). This was met with accusations of the Gülenists running a parallel structure within the Turkish state. Consequentially, a widespread crackdown and imprisonment of police, civil servants as well as state judges and attorneys took place. Furthermore, all educational institutions and media outlets funded by the Gülen movement were seized. The ultimate result was thus not only the removal of many institutions and people that had taken a critical stance towards the political development of the AKP (Yılmaz, 2021a). Additionally, the seizing meant that these educational facilities and media outlets were now placed under AKP control and thus essentially turned into propaganda outlets supporting the party's agenda.

Erdoğan used this incident to enhance his image as the strong defender of a vulnerable Turkish state endangered by dangerous foreign forces. Ultimately this meant that all voices of dissent were now declared

official enemies of the 'true' Turkish nation, culture and people. In the 2014 presidential elections, Erdoğan subsequently won with 51.79% of the vote (Genç, 2019).[10] The strategy of the ideological shift towards a cultural form of populism emphasising a narrow nationalist and religious set of values was thus met with success. While it had now alienated nearly all voters who were not religiously conservative and Sunni Muslim it had, at the same time, effectively silenced all voices of dissidence and established a strong majoritarian core voter base.

This expansion of an authoritarian state was further enhanced in the aftermath of the failed coup of 2016. This coup attempt that was staged by the remaining Gülenists in the Turkish military resulted in over 250 deaths and ultimately failed (Reuters, 2016). Erdoğan took this attempt as the justification to complete the centralisation of all political powers, legislative, judicative and executive, onto the AKP and himself. In its aftermath, the president announced a state of emergency, suspended the European Convention on Human Rights and consequently detained tens of thousands of civil servants and journalists, closed more than 100 media outlets and terminated more than fifty thousand Turkish passports to prevent citizens suspected to have been involved in the coup attempt to leave Turkey (Yılmaz, 2021a). Most significantly he then propagated a referendum on changing Turkey from a parliamentary into a presidential system which would see him taking back absolute power. In the build-up of this referendum, he declared all oppositional parties as allies of 'the enemy' and alleged they had collectively participated in the failed coup attempt (Genç, 2019).

[10] He no longer was not able to run for prime minister again, due to already having served three terms in this position. Instead, one of AKP's cofounders, Abdullah Gül took the position of prime minister for the AKP upon Erdoğan's election as president. Erdoğan thus directly transitioned from being prime minister to hold the Office of the president (Genç, 2019).

After having brought the Turkish state completely under his control Erdoğan now turned towards other countries to establish his authority in the international arena as well. He significantly exacerbated the ferocity of his rhetoric after having been facing widespread political backlash from EU countries for his proposed constitutional referendum in the context of the severe political suppression and persecution of oppositional voices following the 2016 coup attempt. He thus commenced by accusing Germany, where his appearances to rally political support amongst the large German-Turkish diaspora had been forbidden, of employing 'Nazi practices' (Oltermann, 2017). He then continued by describing Dutch authorities as 'Nazi remnants' after his planned rallies targeted at the Turkish diaspora in the Netherlands had been cancelled as well (BBC, 2017). One month later this discursive direction culminated in Erdoğan calling out all Europeans collectively as the 'grandchildren of national socialism' at a rally in his north-eastern home province Rize (Reuters, 2017).

Given the prevalence of military coups in Turkish history, as outlined in the first chapter, the Turkish population was in a state of severe shock and the referendum thus narrowly passed, being approved by 51.41% of voters (Genç, 2019). Despite the AKP now having full control of the Turkish state and Erdoğan's extreme populist rhetoric that got him re-elected as president in 2018 with 52.9% of the vote, the AKP only achieved 43% in the general elections of that same year and thus had to enter in a coalition with the nationalist MHP to retain control of the government (Genç, 2019). However, due to the systemic change of the political system, Erdoğan no longer needed the parliament as he alone could now directly appoint candidates for the relevant ministerial positions of the government. The AKP had now thus completely disabled the democratic institutions of the Turkish state and

instead relied essentially on boards of appointed party members instead of ministers from a democratically elected parliament (Yılmaz, 2021b).

In summary, the AKP did successfully remove the Kemalist military establishment from the control of the state, as was promised after its foundation. Nevertheless, this authoritarian regime was not replaced by a pluralistic democratic political system based on consensus finding through representatively elected democratic institutions. Rather, their hegemony was successively replaced by total control of the AKP and an increased disablement of the Turkish democratic institutions as well as a transformation of Turkish media outlets into what are nowadays essentially propaganda outlets for the AKP government. The bulk of these changes happened in the aftermath of the 2013 Gezi Park protest and were subsequently exacerbated by the 2014 wiretapping scandal and the failed 2016 coup that presented Erdoğan with the opportune possibility to rhetorically legitimise the need for his authoritarian control of the Turkish state in order to prevent it from descending into civil war-like chaos. Ideologically this was achieved by constructing any minority that diverged from the Sunni religiously conservative majority as cultural enemies of Turkey that allegedly had a foreign, sate-destroying agenda behind their interests.

III. Turkish Civil Society and the EU

This chapter will deal with the political relations between the Turkish Republic and the EU with a specific focus on Turkish CSOs.

First, Schimmelfennig and Sedlmeier's (2005) external incentives model will be introduced as means of critical analysis. Then, a brief overview of the state of Turkish civil society and relevant developments will be given, before the influence of the European Union on the evolution and situation of the Turkish Civil Society and its forms of organisation over the past two decades will be analysed. The focus of this analysis will be the question of whether and to what degree the EU has contributed to an empowered civil society sector that can take an active role in the Turkish political scene.

III.I. The External Incentives Model

Schimmelfennig and Sedelmeier (2004; 2005) have introduced the external incentives model as a tool to analyse the impact of EU conditionality in the context of pre-accession on countries in Central and Eastern Europe. When a country wishes to join the EU, a certain set of criteria must be met by this country in order to do so.

These criteria range from politics, for example regarding democratic and lawful governance, to regulations, regarding for example economic, social and educational policies and their impact. As not all conditions can be met at the same time by pre-accession countries the EU has to grant rewards for the progressive fulfilment of these criteria throughout the process (Schimmelfennig & Sedelmeier, 2020).

Governments in pre-accession countries thus calculate the benefit of these reforms, regarding intrinsic benefits as well as EU rewards, against their domestic political cost. The EU in turn can prevent the accession from progressing should it feel that the conditions are not met to a satisfactory degree.

It is this dynamic that the external incentives model aims to structurally analyse. Thereby a set of specific criteria has been deemed potentially influential for the decision-making process of the accession countries' governments in determining whether meeting the EU's conditionality is politically beneficial for them or not. For the following analysis of the case of Turkey, three of these criteria have been singled out as relevant.

The first of these criteria is rewards. Rewards should be offered by the EU to make accession desirable for other countries. Thereby their weight and tangibility are most important. This means the larger the impact of potential rewards and the more imminent and realistic their reception, the more likely is the accession country's willingness to fulfil requirements that are made conditional to achieve these rewards (Schimmelfennig & Sedelmeier, 2004; 2005).

The second criterion is credibility. Credibility means that the EU needs to be deemed credible in being able and willing to make the rewards accessible once the required conditions are being met by the accession country (Schimmelfennig & Sedelmeier, 2004; 2005). Similarly, the EU's credibility regarding the ability to withhold said rewards in the case of an unsatisfactory fulfilling of its conditionality also contributes to this criterion. The credibility of the EU can be enhanced or weakened at the same time by internal EU developments regarding the degree of

'consensus on the desirability of enlargement' (Schimmelfennig & Sedelmeier, 2020, p. 817).

The accession country's costs are the third selected criterion. Whereas the two previously introduced criteria are related to the EU's utilisation of conditionality, this criterion focuses on the accession country's internal political situation. Costs thereby specifically mean the domestic political cost for the accession country to satisfy EU conditionality (Schimmelfennig & Sedelmeier, 2004; 2005). This cost is calculated against the potential rewards and the credibility of their reception. Especially with regards to democratisation and rule of law, the domestic political cost can be high, potentially resulting in the loss of voters and thus of political power. However, EU accession can also be determined as intrinsically desirable by a country's population thus rendering costs as a positive criterion meaning meeting the conditionality not only comes with external rewards from the EU but also with inherent rewards from resulting domestic political dynamics (Schimmelfennig & Sedelmeier, 2020).

In the following, these three criteria, rewards, credibility and cost will be analysed in the context of Turkey's accession to the European Union. Thereby a specific focus will be on the influence of the evolution of these criteria on Turkish civil society.

III.II. The Influence of the EU on Turkish Civil Society

The State of Turkish Civil Society

Historically, the state has been a dominant force in attempting to socially and politically shape civil society according to the respective governments' vision in Turkey. Accordingly, an independently acting

civil society that attempts to shape social and political governmental policy according to its own visions has been regarded with disdain and has often actively been suppressed (Kalaycıoğlu, 2005). This fear and suppression of civil society movements are also grounded in the fact that traditionally the Turkish state's performance has been unsatisfactory with regards to foundational state functions such as fair tax collection, social welfare distribution and effective measures regulating the economy (Kaya and Marchetti, 2014).

Resultingly, CSOs have only been tolerated when they operated in areas that complemented state measures when these operations were taking place in close state cooperation and when they were publicly associated with the state rather than with the respective CSOs (Zihnioğlu, 2020). Today, Turkish society mainly associates CSOs with philanthropy and social benefit according to a 2014 survey (Yaşama Dair Vakif, 2014). The organisations that can be attributed to those fields constitute roughly 80% of all CSOs in Turkey, while charities focusing on civic rights only represent around 1% (Zihniogˆlu, 2020). Consequently, they are most likely also the most visible and impactful organisations in the general public's life, thus shaping common associations with the term 'civil society'.

As a result, peoples' expectations of what legitimate activities of CSOs constitute are largely centred around the complementation of often inadequate social welfare provision by the state. Similarly, this emphasis on complementary social service provision means that CSOs are expected by the Turkish public to be quite attached to and associated with the state in order to best fulfil their socially assigned function. This expectation is in line with the previously outlined general historically grounded character of CSOs that emphasises state-coherency.

In contrast, the majority of the Turkish public CSOs, who confront, criticise or even attempt to counter-act and alter state-driven policy, are deemed illegitimate, as such activities do not coincide with the peoples' associations of 'legitimate' CSOs with philanthropy and social benefit in a state-supporting capacity (Zihnioğlu, 2020). The low share of civic rights organisations amongst Turkish CSOs can thus best be explained in their societal rejection and delegitimization. In this way, the EU accession period provided a short timeframe in which such organisations could act more confident as they were able to represent the initiatives they fought for as a part of enabling the Turkish state in its effort to join the EU by aiding it to fulfil the conditional civic rights and democratic requirements (Rumelili and Boşnak, 2015).

This leverage of legitimisation, however, soon faded after the halt of the accession process and the increasing polarization of Turkish society and politics vis-à-vis the EU from 2007 onwards over the second decade of the 21st century (Kaliber, 2016). Consequently, Turkish civic rights organisations and advocacy groups, including LGBTQ+ groups have increasingly diverted their centre of attention away from policy advocacy towards social activities, counselling and health care activities for their community (Çetin, 2016). More generally, a 2018 report from the European Court of Auditors (European Court of Auditors, 2018, p. 17) states that the number of members of civil rights groups has decreased by 70% from roughly 200 000 in 2015 to only about 60 000 in 2016 (Çalış, 2016; Zihnioğlu, 2020).

While the diminishment of rights centred CSOs and their depoliticisation are significant, they should not be confused with an overall lack of interest in, or discontentment with, repressive political measures in Turkey. This holds especially true as CSOs are not the only

indicator of civic values being held up and fought for (Altan-Olcay & İçduygu, 2012). Lüküslü and Yücel (2013), for example, argue that the 2013 Gezi Park protest have shown the ability of Turkish civil society to organise effective activism. They specifically point to the Turkish youth that, traditionally, has been viewed as rather apolitical. However, according to them, this stance must be seen rather as a hesitancy to become active in a highly politicised and socially conformed environment due to fear of repression, and cannot be interpreted as a lack of political interest or awareness.

EI*M Analysis of EU conditionality and its effect on Turkish CSOs*

In the following, the development of Turkish civil society over the last two decades will be analysed in more detail, following the previously established EIM criteria. A specific focus will be put on the effect of EU conditionality on Turkish CSOs, especially in the light of changing relations between the Turkish AKP government and the EU.

Turkey was officially recognised as a candidate for full EU membership by the European Council on the 12th of December 1999 (European Council, 2002). However, it should take another six years, until 2005, until Turkey's status was elevated to that of a pre-accession country (European Commission, 2004). Following this new status, several internal reform processes were started, alongside increased financial and technical aid by the EU with the aim to enhance the development of stable democratic legislation and institutions in the country (Zihnioğlu, 2021). Much of this aid was intended to build a foundation of strong CSOs to aid in actively upholding fundamental democratic rights (Rumelili and Boşnak, 2015).

This was endorsed by the newly AKP-governed Turkey, as the party presented itself as a fresh democratic political power against an authoritarian Kemalist political elite, and as such endorsed EU accession and the preceding processes of democratisation, it necessitated (Güneş & Doğangün, 2017). At this time, the majority of the Turkish population saw EU accession favourably and as such, there was no associated domestic political cost for the AKP with letting the EU support local CSOs and with pursuing reforms of the legislative sector. On the contrary, this was wanted as it was seen as beneficial for the AKP's political agenda. This huge cost-associated benefit outweighed the low credibility of the EU's rewards that had been previously established by the delayed status change of Turkey from an eligible country to an actual pre-accession country.

Therefore, initially, the EU's conditionality had the desired effect in that it helped to strengthen the capacities, to widen the scope of action, and to professionalise the mode of operation of Turkish CSOs (Göksel & Güneş, 2005). In this way, CSOs had evolved to become one of the main catalysts of altering Turkey's democracy during the prerequisite democratic reform processes related to EU-accession in the 2000s (Aydın-Düzgit & Tocci, 2015).

The EU-accession process itself and the prerequisite establishment of coherent norms and policies had, at the time, also often been referenced by those CSOs that operated in the human rights and equality sectors as a point of reference for the legitimisation of their proposed policies and activities (Göksel & Güneş, 2005). Credible and governmentally backed up legitimisation were needed, as proposals in these policy areas, specifically with regards to issues of gender equality and sexual minority rights, were often met with reluctance and even rejection by the conservative and traditional parts of Turkish society

that constituted most of the populace (Grigoriadis, 2009). Due to the financial and technical support it has provided, the conditionality of its accession process and the resulting means of effective legitimisation for policy changes, the EU can thus be said to have at least partially enabled the Turkish civil society to temporarily operate in a more democratic and pluralist way in the early and mid-2000s (Zihnioğlu, 2021).

In summary, it can thus be said that especially in the early 2000s the EU had a significant influence on Turkey with regards to processes of democratisation, leading to the amendment of 200 articles of 53 laws (Zihnioğlu, 2021). These reforms, however, were strongly tied to the credibility of the rewards linked to Turkey becoming an EU member state in the near future, such as the easing of EU-visa restrictions for Turkish citizens. With the absence of these rewards and the goal of eventual membership becoming more and more unattainable due to internal EU developments such as the proclamation by France and Austria to hold a national referendum on Turkish accession, the EU lost much of its influence and transformative power in Turkey from 2008 onwards (Schimmelfennig & Sedelmeier, 2020).

These developments are evident from data collected by the World Bank (2021) for its Worldwide Governance Indicators. The graph on the following page (Figure I) demonstrates how the two indicators describing various aspects of democratic governance significantly improved after the AKP takeover of government in 2002. They then plateaued on a comparatively good level until 2009. After that point they continuously dropped, a development specifically exacerbated by the political aftermath of the 2013 Gezi Park protests.

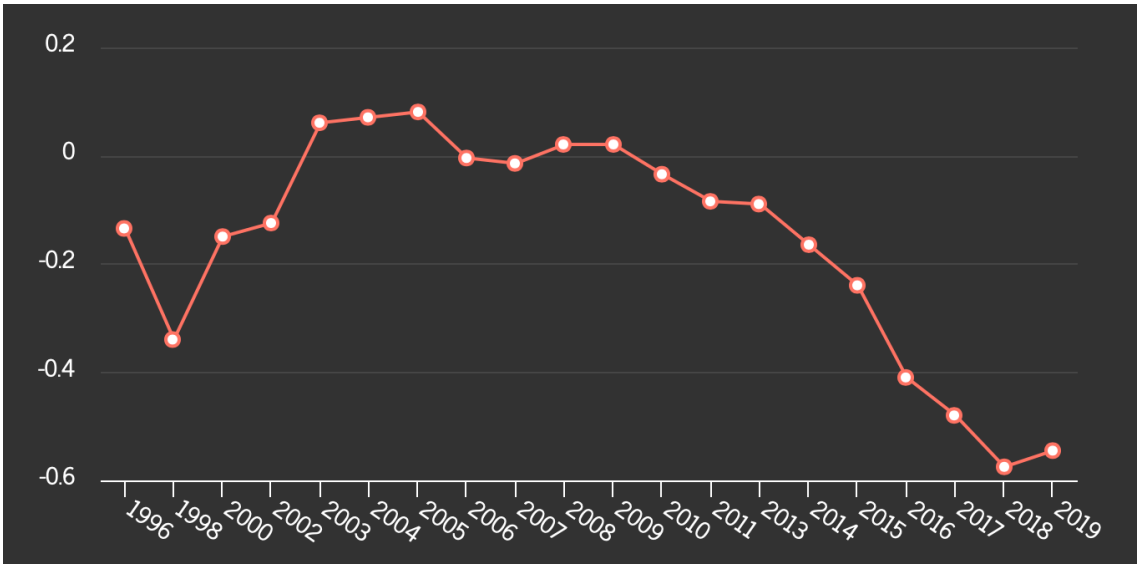

Figure I. *Annual Median Values of Worldwide Governance Indicators of 'Voice and Accountability' and 'Rule of Law' for Turkey*[11]

The main problem of the EU's conditionality with regards to supporting a meaningful and sustainable shift towards strong democratic norms and values is that the EU itself has difficulties in prioritising democracy promotion as a foreign policy premise over other policy interests like border security or commerce. As such, the EU's conditionality demands are volatile to a loss of credibility. The reluctance of partner countries to effect change is specifically strong in the area of democratic values and norms as such shifts are linked with a high domestic political risk (Zhelyazkova, Damjanovski, Nechev & Schimmelfennig, 2019).

In the case of Turkey, the AKP's transformation in only eight years from pro-EU and democracy supporting in 2005 to authoritarian and euro-sceptic in 2013 stands exemplary for the EU's weak credibility associated with the rewards of its pre-accession conditionality (Müftüler-Baç, 2016). The domestic costs for the AKP and Erdoğan had

[11] Graph made by using datasets from Worldwide Governance Indicators. The scale ranges from -2.5 to +2.5. (World Bank, 2021). Modelled after a similar graph published by Schimmelfennig & Sedelmeier (2019, p.821).

significantly increased by the early 2010s, precisely because the promised rewards had not been granted by the EU following the legislative changes of the early 2000s that aimed at improving democratisation. This was one of the reasons for the party and the prime minister to lose trust and eventual support of liberal voters and minorities, as outlined in the previous chapters. As a result, the AKP shifted its focus onto conservative and nationalist voters and consequently abandoned pursuing the democratisation reforms associated with EU accession. This development came to the eventual detriment of Turkish CSOs and Turkish civil society at large, as is evident in the deteriorating political developments following the 2013 Gezi Park protest and the failed 2016 coup attempt.

The explication for the EU not granting rewards to Turkey even though the country successfully progressed on fulfilling the conditionality requirements for accession lie in internal political developments of the EU (Schimmelfennig & Sedelmeier, 2020). Mainly, support of the European population for accepting further countries as members of the EU has significantly decreased. This holds especially true for the Turkish case. In 2009, for example, nearly 60% of Europeans viewed EU membership of Turkey negatively (Toshkov, Kortenska, Dimitrova & Fagan, 2014). In the light of this immense disapproval, the EU thus disengaged from encouraging developments of democratisation in Turkey. Through this focus on itself, however, it lost the chance to effect sustainable democratic change in Turkey and thereby effectively abandoned an increasingly repressed civil society and its forms of political organisation.

IV. The Turkish LGBTQ+ community in the AKP-EU nexus

This chapter will analytically combine the findings regarding the impact of EU conditionality on Turkish CSOs together with the insights on Turkish queer identity and history as well as on the AKP and its usage of a changing populist ideology in order to shed light on the development of the situation of the Turkish LGBTQ+ community from 2000 to 2021. It will be argued that while both the, EU as well as Erdoğan and the AKP, have taken substantial influence on the Turkish LGBTQ+ community, it was ultimately always to advance their own political agendas. To successfully protect their interests or fight for an improvement of their situation queer Turks thus had to carefully navigate the AKP-EU nexus.

The conditionality imposed by the EU as part of Turkey's accession candidacy initially helped to propel forward internal political developments in Turkey specifically with regards to democratisation as well as the strengthening of civil society actors with the side-effect of a temporary opportunity for the LGBTQ+ community to at least officially lobby with politicians and parties for equal rights and discrimination protection (Müftüler-Baç, 2016). In line with the first phase of populism in the early-2000s aimed mainly at an out of touch Kemalist elite, Erdoğan in his rhetoric made promises of future legal advancements as part of the EU-accession process not only in terms of religious freedom but also regarding LGBTQ+ rights and freedoms, as in the previously cited 2002 pre-election television interview (Çetin, 2016; Fishman, 2013; Özbay & Öktem, 2021).

As such, following the AKP's election in 2002, several concessions were made regarding minority freedoms, such as the right to use the Kurdish language in official matters (Kaliber, 2016). While no direct concessions were made to the country's LGBTQ+ communities, the Turkish and specifically the Istanbul Pride developed to be the biggest one in the region with governmental tolerance (Uras, 2016). Furthermore, the governing party's relative tolerance provided an open political environment that enabled oppositional parties such as the CHP or the BDP to lead salient debates on human rights issues, not only but also on those pertaining to the LGBTQ+ community.

At the same time, this more open and tolerant political climate together with the adoption of reforms aimed at democratisation as a consequence of the EU-accession process in the early 2000s proved encouraging for many CSOs and NGOs involved with LGBTQ+ issues and therefore resulted in their focussing more strongly on fundamental rights and anti-discrimination campaigns (Fishman, 2013).

Specifically, the modification of the 1983 Associations Law provided new opportunities for LGBTQ+ organisations in Turkey. Previously, that law prohibited 'associations from any political work, lobbying, and representation' (Çetin, 2016, p. 13). The modification of these laws saw a reduction of more than 50% from 97 to 40 articles and as such helped ease the means of organisation for CSOs and NGOs that are active in the policy advocacy sector. However, the new law still contained a section that emphasised the need to protect 'public morals and social order' (Çetin, 2016, p. 13), thus rendering the prohibition of LGBTQ+ associations possible depending on the interpretation of that section.

Nevertheless, in the years following the modification, some LGBTQ+ rights advocacy organisations went to be officially recognised. For example, Bursa Gökuşağı LGBTT Derneği in 2004, as well as KAOS GL in 2005 and Lambda Istanbul in 2006, who had both been operating without an official registration from the early 1990s onwards (Çetin, 2016). These developments in turn had a positive effect on the public perception of LGBTQ+ related issues (Cirakoğlu, 2006). A change in public perception is important as Fishman (2013, p.157) points out that it constitutes the "greatest challenge" to the advancement of protective and positive legislation for members of the LGBTQ+ communities.

These newly registered associations, such as KAOS GL or Lambda Istanbul were furthermore able to communicate their request for the introduction of anti-discriminatory legal and constitutional measures to the Turkish parliament shortly after their official registration (Söyler, 2009). While this initiative found entry into a parliamentary discussion about the introduction of a new criminal law[12], it was, however, ultimately denied adoption by AKP Minister of Justice, Cemil Çiçek on grounds that a specific mention of LGBTQ+ concerns in the new law was not necessarily as it already referred to the term gender (Çelik, 2011).

The main reason for this decline is the careful balancing act of the AKP at that time to attract voters beyond its traditional base and satisfy EU-accession criteria while, at the same time, not disenfranchise that conservative base of voters. Another example that illustrates this guarded political manoeuvring well, is the replacement of Selma Aliye Kavaf, the Minister of Women and Family Affairs after the elections in 2011 (Fishman, 2013).

[12] Türk Ceza Kanunu (Çetin, 2016).

Previously, in 2010, Kavaf had publicly likened homosexuality to an illness that required treatment, causing large-scale protests from Turkish LGBTQ+ organisations and representatives (Amnesty, 2011). The AKP government and Erdoğan, however, entirely ignored the issue. It was only after their win of the 2011 national elections that Kavaf was replaced as a minister by Fatma Şahin. The newly appointed minister then met with LGBTQ+ representatives shortly following her appointment (KAOS GL, 2011). This incident can be taken exemplary for the AKP government stance towards the LGBTQ+ community up to the early 2010s: Their issues were tolerated and even worked on to some extent, however exclusively when it presented little political risks and mainly without any profound legal or political ameliorations.

This case demonstrates that the dynamics associated with the EU accession process initially enabled LGBTQ+ associations to become officially registered and as such to establish official means of communication with relevant legislative governmental institutions such as the Turkish parliament. However, the conditionality associated with the EU accession was ultimately not strong enough to influence individual political actors such as the Minister of Justice, or the Minister of Family Affairs to implement the political decisions needed for profound legislative changes that would result in a sustained improvement of the legal protection of LGBTQ+ people.

Nevertheless, in other cases, the EU did enable the actors it initially helped empower to remain in control of their limited political leverage. For example, in 2006, only one year after its official registration as an association, Lambda Istanbul was the subject of a lawsuit proposing its permanent ban initiated by the AKP governor of the Istanbul province, Muammer Güler (Human Rights Watch, 2008). This lawsuit was made possible by the previously mentioned clause in the modified

Associations law, which stipulated that associations could be denied the official right to operate in case they violated public morals and social order. After a process lasting for over two years, the Court of Istanbul ruled in 2008 that the ban should be implemented (Söyle, 2008).

This court decision was appealed by Lambda Istanbul which subsequently rallied public support from oppositional politicians as well as various NGOs as well as EU representatives from various institutions (Çetin, 2016). Consequently, the renewed court process was highly publicised, thereby leading to an increased public debate around LGBTQ+ protection and widespread solidarity in the media. Ultimately, the appeal was successful and in 2009 the ban on Lambda Istanbul was lifted (Çetin, 2016). The precise influence of individual actors in the successful appeal of the association's ban is impossible to determine in detail. However, as at the time satisfying the EU accession criteria still played an important role for the AKP and Erdoğan, it can be concluded that without that process, the debate on the lawsuit would not have been taken place in such a public manner and most likely would also not have garnered the political support and public sympathy it ultimately did. This assumption can furthermore be sustained by the research of Müftüler-Baç (2016) who found that through increasing convergence to EU norms, formerly taboo subjects were opened for public debate in Turkey in the 2000s. The author thereby specifically points to the increased publicity of issues of gender and (homo-)sexuality that previously were regarded as strictly private topics.

However, at the same time, it can be argued that democratisation measures that were imposed as part of EU conditionality eventually helped authoritarianism to gain political ground. Erdoğan used the

democratisation processes associated with the EU accession process to get rid of the Kemalist establishment. Once that goal had been accomplished, however, Erdoğan shifted in his oppressive ideological direction.

Following the AKP's establishment as the government, its progressive move away from the EU and the adoption of religion as an ideology in its populist discourse, the party now increasingly focused on attacking groups and minorities it had previously promised to protect or support. More specifically, it turned against issues of gender and LGBTQ+ rights as a legal amelioration in these areas had played an important role in a successful EU accession. This link now enabled the AKP to brand any improvement or tolerance in these areas as the increasing encroachment of foreign Western influences in Turkey that could only be supported by a morally corrupt elite or foreign agents.

Therefore, since the early-2010s, the AKP progressively changed its approach to LGBTQ+ issues and as such has been utilising the community[13] to construct a demoralised other that damages the Turkish nation. The twofold notion of the construction of the queer other as both a foreign and elite element is important as the two notions reinforce and thus strengthen each other, thereby rendering the creation of a discourse that effectively challenges and opposes the othering of the LGBTQ+ community extremely difficult.

Additionally, the AKP has enforced an increased crackdown on civil-society organisations campaigning for an improvement of the legal status and social acceptance of the LGBTQ+ community (Güneş and

[13] The AKP uses other groups in this way too, for example, the Kurdish people or Kemalists. However, due to the scope of this work, the focus here will remain exclusively on the LGBTQ+ community.

Doğangün, 2017). LGBTQ+ individuals are not only labelled 'unturkish' but the expression of their identity is even deemed as an act against Turkishness (Özkırımlı, 2008). In early January 2021, for example, Erdoğan controversially appointed a new rector to the prestigious Boğaziçi University, a process unheard of in the last three decades during which rectors were customarily appointed by a combined vote of faculty members and students (Faheem, 2021). Consequently, this appointment was met with decisive resistance in the form of highly publicised demonstrations, not only but especially by the university's LGBTQ+ students and faculty members.

In return, Erdoğan resorted to targeting the LGBTQ+ community as non-Turkish and morally deprived by saying 'There is no such thing as LGBT. This country is national, spiritual and moral and walking toward the future with these values' (Faheem, 2021; SBS, 2021) on February 3rd, 2021. It was furthermore insinuated by other leading AKP figures that LGBTQ+ people were "terrorists" and the university's LGBTQ+ club was raided and subsequently shut down entirely (Faheem, 2021). As 75% of Turks state that homosexuality should not be accepted by society (Poushter & Kent, 2020), these accusations trigger hate towards LGBTQ+ people in the population at large rather than social indignation over what has been said.

However, the reaction of the educated elites as well as the urban populations likely differs from that of the rest of the country as Poushter & Kent (2020) register higher approval rates amongst those segments of the population. Nevertheless, due to its overwhelming media dominance, the AKP successfully manages to target and construct the LGBTQ+ community as an element at odds with the construct of the religio-nationalistic Turkishness it has constructed over the past two decades.

As such the community's public dissent serves the party well to satisfy their conservative voter base and push their populist agenda, for example with Turkey's withdrawal from the Istanbul Convention (İdil, 2021). This withdrawal satisfied Islamist party supporters who vilified the treaty as encouraging homosexuality, which, according to the discourse developed by the AKP, is a corrosive element for Turkish society and therefore cannot be tolerated.

This public disapproval is in opposition to the legal situation, that, while it does not offer protection against discrimination, does not criminalise homosexuality, transgender identity or gender-nonconformity in any way (Yılmaz, 2013). Müftüler-Baç (2016) sees the reason for this discrepancy between legal status and social acceptance of queer rights in the strong division between the private and the public sphere in Islam, with any matters of sexuality belonging in the former, that substantially influences contemporary Turkish culture.

However, this alleged connection can be disputed as Ze'evi (2005) attributes the delegation of the sexual and specifically the non-heterosexual into the private realm not to Islam but to the encroaching influence of 19th-century European morality and law into European colonies and colonial spheres of influence such as the Ottoman Empire. As such, the conservative stance of contemporary Islamist parties towards LGBTQ+ must not be interpreted as an inherently Islamic element. Rather, it must be seen as the combination of a late 19th Century European morality, that deeply influenced Turkish society throughout the 20th Century, and thus consequently also resulted in a more conservative interpretation of the Qur'an.

Similarly, the increased visibility of political Islam in Turkey in the form of the AKP and president Erdoğan can be seen as a consequence of the democratisation processes of the early 2000s associated with EU conditionality. While the visibility and holding of power of political Islam are itself not problematic as a political representation of peoples believes and values, it became more and more problematic when the AKP used this set of values and believes in a populist manner in order to abuse the political power it had previously gained through championing itself as a pursuer of democratic reform and fairness. Through this abuse, the AKP increasingly started to turn, first against minorities, for example, the LGBTQ+ community, and then in a more and more authoritarian manner against any form of political opposition (Müftüler-Baç, 2016).

The problem in Turkey, therefore, lies not in political Islam itself, but rather in the denial of the right to dissent and the suppression of freedom of expression of those Turks that do not fit into Erdoğan's populist construct of Turkishness centred around a Sunni conservative nationalism. As such, the rise of the AKP and especially its subsequent turn towards an authoritarian and vertically as well as horizontally populist governing style put the LGBTQ+ community in the focus of increasingly discriminatory rhetoric and subsequent suppression and discrimination.

So far, this deterioration has largely remained contained to the social and political sphere, with the closure of LGBTQ+ associations at universities and the increased pressure on LGBTQ+ NGOs and CSOs to retreat into apolitical and discreet modes of operation (Zihnioğlu, 2021). However, with Turkey's recent withdrawal from the Istanbul Convention that was a direct statement against the protection of women's rights a future extension of the discrimination of LGBTQ+

individuals in the form of legal persecution remains a possibility (OHCHR, 2021).

In summary, it is important to highlight that the EU accession process has led, for the first time in Turkish history, to the institutionalisation and official registration of associations representing the LGBTQ+ community and their recognition by the Turkish state. This official recognition in turn enabled the associations and representatives to enter a direct dialogue with Turkish political institutions and parties as well as to report discrimination and human rights violations to other national governments as well as to international and supranational organisations. This institutional anchoring of the Turkish LGBTQ+ community and their ongoing publicity and protest has been sustainable even in the face of increased repression and discrimination of recent years. Through its conditionality of democratisation and adherence to human rights, the EU can be said to have contributed positively to the building of a conducive foundational political environment in the 2000s, without which this development would most likely not have been possible.

However, beyond this very short-lived amelioration, the EU has largely failed to contribute to a sustainable establishment of strong democratic governance and rule of law in Turkey. The EU had a short period of opportunity to lastingly and positively influence the situation of the Turkish LGBTQ+ community in Turkey, namely through its accession process conditionality in the 2000s and early 2010s. At the time the EU omitted to grant Turkey tangible rewards for successfully adhering to some of its conditionality requirements. This could have been done for example by a quicker commencement of work on relevant chapters of the final accession process as well as by making concessions for Turkish citizens, for example regarding visa exemption.

Through this omittance, the EU ultimately lost its credibility and therefore its use for a very pragmatically thinking and acting Erdoğan. Would the EU have granted rewards and thereby retained its credibility, it could have possibly also increased its positive perception by the Turkish population. This in turn would have enabled Erdoğan to hold onto his initial populist anti-Kemalist establishment narrative and thereby to a liberal and democratic stance in his politics. By being able to hold the pluralistic voter base he had previously established, namely a mix of minority segments of the population, amongst them Kurds, LGBTQ+ people, anti-Kemalist liberals, alongside the majoritarian more conservative religious part of the Turkish population, Erdoğan could have most likely avoided the populist shift in his ideology towards a religiously conservative nationalism and associated repressive political measures.

This stance could be taken in arguing that ultimately Erdoğan acts solely to preserve his power. Thus, the populist ideology he uses to retain control, be it anti-Establishment or cultural, does not matter to him. However, it could also be argued that his early political formation in the MSP and RP deeply shaped his ideological beliefs. According to this viewpoint, his and the AKP's ultimate goals would have always been the alteration of Turkey into a state that propagates nationalist and conservative Islamic values and thus privileges religious Sunni Turks over other parts of the Turkish population. Any perceived lenience towards the LGBTQ+ community as well as any efforts at profound democratisation as part of the EU pre-accession process would then have to be regarded as mere temporary means for Erdoğan and the AKP to rise to political power.

This view, however, is to be doubted, as both of Erdoğan's cofounders of the AKP, Abdullah Gül and Bülent Arınç eventually left the AKP and openly positioned themselves against Erdoğan (Genç, 2019). The former in 2015, openly warning against Erdoğan's plans to concentrate power on himself through the planned transformation into a presidential system. The latter in 2020, criticising the lack of impartiality amongst the judiciary as well as the rampant political suppression of the Kurdish peoples.

In any case, it becomes evident that the Turkish LGBTQ+ community's status at best served as a side note to both the EU as well as the AKP and Erdoğan over the past two decades. While the EU has contributed to a temporary improvement of the legal and discriminatory situation for queer people in Turkey, this must be seen as a fortunate and side effect of the temporary successful democratisation processes as part of Turkey's EU pre-accession, rather than an intended consequence. The AKP in turn has at best ignored or tolerated the LGBTQ+ community and their various organisations and this only when it served the party's and Erdoğan's foreign policy interest, specifically with regards to the EU accession process. Once the EU started to matter less for the AKP's and Erdoğan's political direction, the party and Erdoğan quickly turned against queer people. So far, this development has 'fortunately' been limited to rhetoric and 'soft' civil society measures and has not yet resulted in more oppressive legal changes. The relatively strong standing and ongoing political contestation of the Turkish LGBTQ+ community is thus ultimately the result of its successful carving out of political spaces through the careful navigation of the political AKP-EU nexus.

Conclusion

This thesis has aimed to critically analyse the situation of the Turkish LGBTQ+ community in the context of the dynamics of the EU accession process as well as the rise to power of the AKP and Recep Tayyip Erdoğan from 2000 to 2021.

This has been done by structurally focusing at first on the history of the Turkish LGBTQ+ community in order to adequately contextualise it as a contemporary actor in Turkish politics. As such, the first section of this chapter critically analysed the legal situation during the Ottoman Empire as well as the European influence on an eventual change of this legislation. What has been found is that through the adoption of European legal codes in the 19th Century queerness had been further pushed from the public sphere into the private than had been previously the case. This fact helped to not only demonstrate the close historic ties of Europe and Turkey but also to break up the popular dichotomy that divides EU and Muslim countries in inherently queer-friendly, respectively queer-hating. The second part of this chapter then established the developments throughout the 20th Century in the Republic of Turkey. Thereby the fights for the political organisation of the Turkish LGBTQ+ community and the successful establishment of first associations representing their interests have been demonstrated. This was important to introduce queer CSOs and their relation to the Turkish state to the reader, as these CSOs and their dynamics would play an important role later on.

The second chapter dealt with the rise to power of Recep Tayyip Erdoğan and the AK Party from 2001 to 2021. To adequately account for these political developments, a populist analytical framework had

been applied. First, these theories of populism as a tool of political analysis had been introduced, then they were used to explain the rise to power of Erdoğan and the AKP as well as their subsequent political and ideological developments over the past two decades. The main finding was that populism had been the political strategy of choice for Erdoğan and the AKP from the beginning. However, what had changed over time was the ideological tint of their populist agenda. It was found that at first this agenda was aimed vertically against an authoritarian Kemalist elite that was characterised as being out of touch with the will of the Turkish people. This strategy had proven successful in getting the AKP and Erdoğan to power. Subsequently, however, this ideological direction changed towards a horizontal cultural populist version that characterised any political, social or cultural element, that did not adhere to a Sunni conservative and nationalist construct of Turkishness, as an enemy of Turkey.

The third chapter then focused on the EU. More specifically, it used the EU's conditionality as means to analyse its influence on Turkey as part of the accession process. The first part of this chapter introduced the external incentives model as an analytical framework. The second part then applied this framework to critically analyse the EU's conditionality and especially its effects on Turkish CSOs. The main finding of this chapter was that the EU initially successfully contributed to measures of democratisation that enabled CSOs to become more politically active in Turkey through its conditionality. However, it was demonstrated how the EU then did not follow up on rewarding Turkey's fulfilment of its conditionality. This omission was grounded in increased EU-internal disapproval of Turkish EU membership. Through that lack of reward provision, the EU undermined its credibility and popularity amongst the Turkish population. This resulted in Turkey turning away from the EU

and democratic norms and regulations, thus ultimately deteriorating the situation for Turkish CSOs.

Finally, the fourth and final chapter then synthesised the insights of the three previous chapters analytically to determine the development of the situation of the Turkish LGBTQ+ community from 2000 to 2021. Thereby it was demonstrated that the relatively strong standing and ongoing political contestation of the Turkish LGBTQ+ community is ultimately the result of its successful carving out of political spaces through the careful navigation of the political AKP-EU nexus.

Further research should enquire more in-depth into the character of these political spaces in linking up the work that is done on the ground by political activists and associations with the overarching political context. Furthermore, there are many opportunities for future research in determining whether and, if so, how the EU can or should more actively contribute to an improved situation for the LGBTQ+ community in Turkey.

List of References

Ágoston, G., & Masters, B. (2009). Encyclopedia of the Ottoman Empire. New York, United States: Facts on File.

AKP. (2002). *Everything for Turkey* (AKP 2002 Election Programme). Retrieved from: https://www.tbmm.gov.tr/eyayin/GAZETELER/WEB/KUTUPHANEDE%20BULUNAN%20DIJITAL%20KAYNAKLAR/KITAPLAR/SIYASI%20PARTI%20YAYINLARI/200304063%20AK%20PARTI%20SECIM%20BEYANNAMESI%202002/200304063%20AK%20PARTI%20SECIM%2 0BEYANNAMESI%202002%200000 _0000.pdf

Amnesty International. (2013). *Gezi Park Protests – Brutal denial of the right to peaceful assembly in Turkey* (Report). Retrieved from: https://www.amnesty.org/en/wp-content/uploads/2021/06eur440222013en.pdf

Amnesty International. (2011). *Not an Illness nor a Crime: Lesbian, Gay, Bisexual, and Transgender People in Turkey Demand Equality*. London, England: Amnesty International Ltd, 2011

Albertazzi, D., & McDonnell, D. (2007). Introduction: The Sceptre and the Spectre. In D. Albertazzi & D. McDonnell (Eds.), *Twenty-First Century Populism: The Spectre of Western European Democracy* (pp.1–11). Basingstoke, England: Palgrave Macmillan.

Altan-Olcay, Ö., & İçduygu, A. (2012). Mapping Civil Society in the Middle East: The Cases of Egypt, Lebanon and Turkey. *British Journal of Middle Eastern Studies*, 39(2), 157-179.

Arato, C., & Cohen, J. (2017). Civil society, populism and religion. *Constellations*. 24 (3), 283-295.

Aydın-Düzgit, S. & Tocci, N. (2015). *Turkey and the European Union*. London, England: Palgrave Macmillan.

BBC. (2011, June 13). Turkey election – Victorious Erdoğan pledges 'consensus'. *BBC News*. Retrieved from: https://www.bbc.com/news/world-europe-13744972

BBC. (2017, March 11). Turkey's Erdogan calls Dutch authorities 'Nazi remnants'. *BBC News*. Retrieved from: https://www.bbc.com/news/world- europe-39242707

Ben-Porat, G., Filc, D., Öztürk, A., & Ozzano, L. (2021). Populism, religion and family values policies in Israel, Italy and Turkey. *Mediterranean Politics*. doi:10.1080/13629395.2021.1901484.

Britannica, Editors of the Encyclopaedia. (2021). Tanzimat. Encyclopaedia Britannica. Retrieved from: https://www.britannica.com/event/Tanzimat

Bucknill, J. & Utidjian, H. (1913). The Imperial Ottoman Penal Code – A translation from the Turkish text. London, England: Humphrey Milford.

Çalış, Ş. (2016). *Türkiye-Avrupa Birliği İlişkileri: Kimlik Arayışı, Politik Aktörler ve Değişim*. Ankara, Turkey: Nobel İyinlari.

Çelik, E. (2011, February 03). LGBT'lere Bir Ayrımcılık da, 'Ayrımcılıkla Mücadele Taslağı'nda. *Bianet*. Retrieved from: https://m.bianet.org/bianet/azinliklar/127614-lgbt-lere-bir-ayrimcilik-da-ayrimcilikla-mucadele-taslagi-nda

Çetin, Z. (2016). *The Dynamics of the Queer Movement in Turkey before and during the Conservative AKP Government* (Working Paper, Research Group EU/Europe 2016/01, Stiftung Wissenschaft und Politik, Berlin). Retrieved from: https://www.swpberlin.org/publications/products/arbeitspapiere/WP _RG_Europe_2016_01.pdf

Cop, B., & Zihnioğlu, Ö. (2017). Turkish Foreign Policy under AKP rule: Making sense of the turbulence. *Political Studies Review*, 15(1), 28-38.

Coşgel, M., Ergene, B., Etkes, H., & Miceli, T. (2013). Crime and Punishment in Ottoman Times – Corruption and fines. Journal of Interdisciplinary History, 43(3), 353-376.

Depeli, G. (2013). Anayasa Yazım Sürecine LGBT Müda- hilliğinin Merkez Medyadaki Görünümü. Ankara, Turkey: Hacettepe Üniversitesi.

Engin, C. (2015). LGBT in Turkey: Policies and Experiences. *Social Sciences*, 4, 838-858.

Eurobarometer. (2008). *Eurobarometer Report on Turkey*. Autumn 2008.
Retrieved from:
https://www.avrupa.info.tr/en/news/eurobarometer-turkish-national-report-was-published-2620

European Commission. (2004). *Communication from the Commission to the Parliament and the Council regarding the Recommendation of the European Commission for Turkey's Progress towards Accession*. Retrieved from:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52004DC0656

European Council. (2002). *Presidency Conclusions of the European Council in Copenhagen on the 12th and 13th of December 2002*.
Retrieved from:
https://www.consilium.europa.eu/media/20906/73842.pdf

European Court of Auditors. (2018). *EU Pre-Accession Assistance to Turkey: Only Limited Results So Far* (Special Report Number 7).
Retrieved from:
https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=45148

Faheem, K. (2021, February 04). Students and faculty at top Turkish university battle Erdoğan's attempt at control. *The Washington Post*. Retrieved from:
https://www,washingtonpost.com/world/middle_east/tukrey-protests-bogazici-university-erdogan/2021/02/04/b6089964-6640-11eb-bab8-707f8769d785_story.html

Fishman, L. (2013). Turkey and LGBT rights: a historical and global perspective. *Turkish Policy Quarterly*, 11(4), 149-159.

Genç, K. (2019). Erdogan's Way: The Rise and Rule of Turkey's Islamist Shapeshifter. *Foreign Affairs*. 98(5). Retrieved from:
https://www.foreignaffairs.com/articles/turkey/2019-08-12/erdogans-way

Grigoriadis, I. (2009). Islam and democratisation in Turkey – Secularism and trust in a divided society. *Democratization*, 16(6), 1194-1213.

Göksel, D., & Güneş, R. (2005). The Role of NGOs in the European integration process: The Turkish experience. *South European Society and Politics*, 10(1), 57-72.

Guardian. (2014, July 22). Turkish police accused of spying on prime minister are arrested. *The Guardian*. Retrieved from: https://www.theguardian.com/world/2014/jul/22/turkish-police-accused-spying-prime-minister-arrested

Güneş, A., & Doğangün, G. (2017). Gender politics of the AKP: Restoration of a religio-conservative gender climate. *Journal of Balkan and Near Eastern Studies*, 19(6), 610-627.

Habib, S. (2010). *Islam and Homosexuality (Volume I)*. Santa Barbara, California, United States: ABC CLIO.

Hirschfeld, M. (2000). The homosexuality of men and women. Amherst, NY, US: Prometheus Books.

Holbrooke, R. (2007, September 27). A Conversation with Recep Tayyip Erdoğan. (Interview). *Council on Foreign Relations*. Retrieved from: https://www.cfr.org/event/conversation-recep-tayyip-erdogan-0

Human Rights Watch. (2008, May). Kurtuluşumuz İçin Bize Bir Yasa Gerek – Türkiye'de Toplumsal Cinsiyet, Cinsellik ve İnsan Hakları (Report). Retrieved from: https://www.hrw.org/reports/2008/turkey0508/turkey0508tuweb.pdf

İdil, N. (2021, February 03). 'We do exist': Turkey's LGBT community anxious but defiant in the face of fresh gov't attacks. *Duvar English*. Retrieved from: https://www.duvarenglish.com/we-do-exist-turkeys-lgbt-community-anxious-but-defiant-in-the-face-of-fresh-govt-attacks-news-56017

Kaliber, A. (2016). De-Europeanisation of Civil Society and Public Debates in Turkey: The Kurdish Question Revisited. *South European Society and Politics*, 21(1), 59-74.

Kalaycıoğlu, E. (2002). State and Civil Society in Turkey: Democracy, Development and Protest. In A. Sajoo (Ed.), *Civil Society in the Muslim World: Contemporary Perspectives*. New York, United States: IB Tauris.

KAOS GL. (2011. September 21). LGBT head meets with Minister. Retrieved from: http://www.kaosgl.com/page.php?id=9689)

KAOS GL. (2012, May 28). LGBT Initiative from Prime Minister Erdoğan. Retrieved from: https://kaosgl.org/en/single-news/lgbt-initiative-from-prime-minister-erdogan.

Kaya, A. and Marchetti, R. (2014). *Europeanisation – Framing Competition and Civil Society in the EU and Turkey* (Working Paper No. 6. Instituto Affari Internazionali). Retrieved from: https://www.iai.it/en/pubblicazioni/europeanization-framing-competition-and-civil-society-eu-and-turkey

Lüküslü, D., & Yücel, H. (2013). Sınıf, Kimlik, Kültür ve Siyaset Ekseninde Gençlik ve Gençlik Araştırmaları. In D. Lüküslü & H. Yücel (Eds.), *Gençlik Halleri: 2000'li Yıllar Türkiye 'sinde Genç Olmak*. Ankara, Turkey: Efil Publishers.

Ménage, V. (Ed.). (1973). Studies in Old Ottoman Law by Uriel Heyd.

McKernan, B. (2019, March 11). From Reformer to 'New Sultan': Erdoğan's populist evolution. *The Guardian*. Retrieved from: https://www.theguardian.com/world/2019/mar/11/from-reformer-to-new-sultan-erdogans-populist-evolution

Mudde, C. (2004). The Populist Zeitgeist. *Government and Opposition,* 39(4), 541-563.

Müftüler-Baç, M. (2016). The Pandora's Box: Democratisation and Rule of Law in Turkey. *Asia Europe Journal*, 14(1), 61-77.

Mutluer, N. (2019). The intersectionality of gender, sexuality, and religion: Novelties and continuities in Turkey during the AKP era. *Southeast European and Black Sea* Studies, 19(1), 99-118.

OHCHR. (2021). *UN women's rights committee urges Turkey to reconsider withdrawal from Istanbul Convention as decision takes effect* (Report). Office of the United Nations High for Human Rights. Geneva, Switzerland: United Nations. Retrieved from: https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27242&LangID=E

Oltermann, P. (2017, March 05). Erdoğan accuses Germany of 'Nazi practices' over blocked political rallies. The Guardian. Retrieved from: https://www.theguardian.com/world/2017/mar/05/erdogan-accuses-germany-of-nazi-practices-over-blocked-election-rallies

Ozsoy, E. (2020). Decolonizing Decriminalization Analyses: Did the Ottomans Decriminalize Homosexuality in 1858? *Journal of Homosexuality*, 1–24. doi: 10.1080/00918369.2020.1715142.

Özbay, C. (2015). Same-Sex Sexualities in Turkey. In J. Wright (Ed.), *International Encyclopaedia of the Social & Behavioural Sciences* (pp. 870-874), (2nd ed.). Amsterdam, Netherlands: Elsevier.

Özbay, C., & Öktem, K. (2021). Turkey's Queer Times. *New Perspectives on Turkey, 64*, 117-130.

Özkırımlı, U. (2008). *Milliyetcilik ve Türkiye-AB İlişkileri*. İstanbul, Turkey: Tesev.

Poushter, J., & Kent, N. (2020, June 25). The Global Divide on Homosexuality Persists (Report). *Pew Research.* Retrieved from: https://www.pewresearch.org/global/2020/06/25/global-divide-on-homosexuality-persists

Puar, J. (2007). *Terrorist Assemblages: Homonationalism in Queer Times*. Durham, United States: Duke University Press.

Puar, J. (2013). Rethinking Homonationalism. *International Journal of Middle East Studies*. 45(2). 336-339.

Reuters. (2016, July 16). Death toll rises to 265 in failed Turkey coup: official. Retrieved from: https://www.rueters.com/article/us-turkey-security-casualties-idUSKCN0ZW132

Reuters. (2017, April 03). Erdogan says Turks in Europe should defy 'grandchildren of Nazism'. Retrieved from: https://www.reuters.com/article/us-turkey-referendum-europe-erdogan-idUSKBN17517P

Reynolds, J. (2013, December 27). Turkey's Erdoğan and year of 'foreign plot'. *BBC News*. Retrieved from: https://www.bbc.com/news/world-europe-25497127

Rumelili, B., & Boşnak, B. (2015). Taking stock of the Europeanisation of Civil Society in Turkey – The Case of NGOs. In A. Tekin and A. Güney (Eds.), *The Europeanisation of Turkey: Polity and Politics*. London, England: Routledge.

Rumelili, B., & Süleymanoğlu-Kürüm, R. (2017). Brand Turkey: Liminal Identity and its Limits. *Geopolitics,* 22(3), 549-570.

Saral, M. (2017). *Turkey's 'Self' and 'Other': Definitions in the Course of the EU Accession Process*. Amsterdam, Netherlands: Amsterdam University Press.

SBS. (2021, February 04). Turkey's President says 'there's no such thing as LGBT' and calls student protesters 'terrorists'. *SBS News*. Retrieved from: https://www.sbs.com.au/news/turkey-s-president-says-there-s-no- such- thing-as-lgbt-and-calls-student-protesters-terrorists

Schimmelfennig, F. (2008). EU Political Accession Conditionality after the 2004 Enlargement: Consistency and Effectiveness. *Journal of European Public Policy*, 15(6), 918-937.

Schimmelfennig, F., & Sedelmeier, U. (2004). Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe. *Journal of European Public Policy*, 11(4), 661–679.

Schimmelfennig, F., & Sedelmeier, U. (2005). *The Europeanisation of Central and Eastern Europe, Cornell Studies in Political Economy*. Ithaca and New York: Cornell University Press.

Schimmelfennig, F., & Sedelmeier, U. (2020). The Europeanization of Eastern Europe: the external incentives model revisited. *Journal of European Public Policy*, 27(06), 814-833.

Söyle, F. (2008, March 29). Lambdaistanbul'a Karşı Kapatma Davası Kronolojisi. *Bianet*. Retrieved from: http://www.bianet.org/bianet/toplumsal-cinsiyet/114196-lambdaistanbula-karsi-kapatma- davasi- kronolojisi

Söyler, M. (2009). Der demokratische Reformprozess in der Türkei (Report). *Aus Politik und Zeitgeschichte*, 39-40. Berlin, Germany: Bundeszentrale für politische Bildung. Retrieved from: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjg8IWzuczyAhVUt6QKHcuXBiYQFnoECAMQAQ&url=https%3A%2F%2Fm.bpb.de%2Fsystem%2Ffiles%2Fpdf%2FGATMNY.pdf&usg=AOvVaw2Yw4dwCzjBxbKghL7fv-xy

Spierings, N. (2020). Why Gender and Sexuality are both Trivial and Pivotal in Populist Radical Right Politics. In Dietze and Roth

(Eds.), *Right-wing Populism and Gender*. Bielefeld, Germany: Transcript Verlag.

Toshkov, D., Kortenska, E., Dimitrova, A. & Fagan, A. (2014). The 'old' and the 'new' Europeans: analyses of public opinion on EU enlargement in review (Working Paper). Berlin, Germany: MAXCAP. Retrieved from: http://userpage.fu-berlin.de/kfgeu/maxcap/news/out-now-maxcap-working-paper-no-2.html

Uras, U. (2016, June 16). Hardliner groups vow to prevent Istanbul Gay Pride. *Al Jazeera*.

Von Bar, L. (2007). *A history of continental criminal law.* New Jersey, United States: The Law Book Exchange.

World Bank. (2021). *Worldwide Governance Indicators* (Datasets). Retrieved from: https://info.worldbank.org/governance/wgi/Home/Reports

Yalvaç, F., & Joseph, J. (2019). Understanding populist politics in Turkey: a hegemonic depth approach. *Review of International Studies*, 45(5), 786-804.

Yaşama Dair Vakif. (2014). *Sivil Toplum Kurulurşlarına Yönelik Algı ve Yaklaşımlar*. İstanbul, Turkey: Yaşama Dair Vakif.

Yılmaz, İ. (2021a, February). Erdoğan's Political Journey: From Victimised Muslim Democrat to Authoritarian, Islamist Populist. *European Centre for Populism Studies*, ECPS Leader Profile Series 7. Retrieved from: https://www.populismstudies.org/wp-content/uploads/2021/03/ECPS-Leader-Profile-Series-7-2.pdf

Yılmaz, İ. (2021b). *Creating the Desired Citizen: Ideology, State and Islam in Turkey*. Cambridge, England: Cambridge University Press.

Yılmaz, V. (2013). The new constitution of Turkey: A Blessing or a curse for LGBT citizens? Turkish Policy, 11(4), 131-140.

Yılmaz, Z. (2017). The AKP and the spirit of the 'new' Turkey: Imagined victim, reactionary mood, and resentful sovereign. *Turkish Studies*, 18(3), 482-513.

YouTube. (2012). Erdoğan'ın Eşcinsel Hakları Sözü. Retrieved from: https://www.youtube.com/watch?v=-bp6grWsIJA.

Ze'evi, D. (2005). Hiding sexuality: The disappearance of sexual discourse in the Late Ottoman middle East, social analysis. *The International Journal of Social and Cultural Practice*, 49(2), 34–53.

Zhelyazkova, A., Damjanovski, I., Nechev, Z., & Schimmelfennig, F. (2019). European Union Conditionality in the Western Balkans: External Incentives and Europeanisation. In: Džankić, J., Keil, S., &Kmezić, M., (Eds). 'The Europeanisation of the Western Balkans'. *New Perspectives on South-East Europe*. 15-38.

Zihnioğlu, Ö. (2020). *EU-Turkey Relations: Civil Society and Depoliticisation*. Oxford, United Kingdom: Routledge.