



Minorities and Nationalism in Turkish Law (Cultural Diversity and Law)

Derya, Dr Bayir

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Examining the on-going dilemma of the management of diversity in Turkey from a historical and legal perspective, this book argues that the state's failure to accommodate ethno-religious diversity is attributable to the founding philosophy of Turkish nationalism and its heavy penetration into the socio-political and legal fibre of the country. It examines the articulation and influence of the founding principle in law and in the higher courts' jurisprudence in relation to the concepts of nation, citizenship, and minorities. In so doing, it adopts a sceptical approach to the claim that Turkey has a civic nationalist state, not least on the grounds that the legal system is generously littered by references to the Turkish ethnics and to Sunni Islam. Also arguing that the nationalist stance of the Turkish state and legal system has created a legal discourse which is at odds with the justification of minority protection given in international law, this book demonstrates that a reconstruction of the founding philosophy of the state and the legal system is necessary, without which any solution to the dilemmas of managing diversity would be inadequate.

Adopting an interdisciplinary approach, this timely book will interest those engaged in the fields of Middle Eastern, Islamic, Ottoman and Turkish studies, as well as those working on human rights and international law and nationalism.

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