

## STATE AND POLITICAL STRUCTURE

Turkey has been a country with a constitutional democracy since 1923 and, after being governed by a single party system, in 1946 became a multiparty system.

The 1924 Constitution was replaced by a completely redrawn constitution in 1961, and in 1982, the Constitution was revised again and adapted to the changes in the country's life. As in all countries governed by the rule of law, the rules which define the powers and duties, shortly the structure of the organs of government in a state, are set forth in the Turkish Constitution, some of which will give an idea about the general political structure of Turkey.

"The Turkish State is a Republic": This fundamental provision is strengthened and protected by another, prohibiting its amendment or proposal of amendment.

"The Republic of Turkey is a democratic, secular and social state governed by the rule of law; bearing in mind the concept of public peace, national solidarity and justice; respecting human rights and loyal to the nationalism of Atatürk": After the system of self-government was put into action with the foundation of the Republic, Mustafa Kemal Atatürk took further steps and made the social reforms to modernize the country, the first was the establishment of secularism.

"The Turkish State, with its territory and nation is an indivisible entity": Turkey pursues the goal of "Peace at home, peace in the world" formulated by Atatürk. The country, with its land

within its present boundaries, with its citizens each being a Turk by the bond of citizenship, together with its history and culture, constitutes a whole. It makes every effort to safeguard this whole while it seeks to have co-operative relations with all countries to attain peace in the world.

"Sovereignty is vested in the nation without reservation or condition and the nation exercises its sovereignty through the authorized organs as prescribed by the principles laid down in the Constitution": The Turkish state is a parliamentary democratic country employing a self-governing system. The representative parliament exercises sovereignty on behalf of the Turkish nation. The separation of powers, which is the consequence of such a democratic system, is implemented through the authorized organs.

"All individuals are equal without any discrimination before the law, irrespective of language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such considerations. Everyone possesses inherent fundamental rights and freedoms which are inviolable and inalienable": Turkey is a country that respects basic human rights and freedoms, with no discrimination among groupings of race color or sex. Freedom of religion and conscience, freedom of expressing thoughts and opinions, freedom of communication, freedom of residence and movement, besides the other basic rights and freedoms of individuals, are all respected under the guarantee of the Constitution.

## The Basic Organs of the State

### Legislature

The power to legislate is vested in the Turkish Grand National Assembly (TGNA), which performs this function on behalf of the Turkish nation. This power may not be delegated. The TGNA, which comprises 550 members elected by universal suffrage, was first inaugurated on April 23, 1920 in Ankara by Mustafa Kemal to exercise legislative power. The Assembly functioned under extraordinary circumstances and exercised legislative, executive and judicial powers under the concept of the unity of these powers.

### The Executive

The exercise of executive power is vested in and is used by the President and the Council of Ministers. The President, who is Head of State, represents the Republic of Turkey and the unity of the Turkish Nation. The President oversees the workings of the Constitution and ensures that the organs of the State function in an orderly and harmonious manner. Within the whole of the executive power of the Constitution, the administration is the third body stipulated therein after that of the President and that of the Council of Ministers. The duties and the establishment of the administration are regulated by law and are based upon a centralized as well as local government concept.

### The Judiciary

Judicial power is exercised by independent courts, functioning on behalf of the Turkish

Nation. The most important factor that ensures the independence of the judiciary is the "Guarantee for Judges and Prosecutors" provided for in the Constitution. The legislative and executive organs and the administration must comply with the rulings of the courts, and they may not change or delay the application of these rulings.

### Political Parties

Political parties are indispensable elements of the democratic political system. Citizens have the right to form political parties, and to join and withdraw from them in accordance with the established procedure. To become a member of a party one must be over 18 years of age.

Political parties are founded without prior permission and pursue their activities in accordance with the provisions set forth in the Constitution and law.

The statutes and programs of political parties cannot be in conflict with the indivisible integrity of the State with its territory and nation, human rights, national sovereignty and the principles of the democratic and secular Republic. Also, political parties whose aim is to support and to set up the domination of a class or group, or any kind of dictatorship, cannot be formed in Turkey.

The establishment, functions and dissolution of political parties are regulated by the Political Party Law.