

DESIGNING THE INSTITUTIONALIZATION OF CONFLICT
RESOLUTION IN TURKEY:
A STRATEGIC DEPLOYMENT PROCESS

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SABANCI UNIVERSITY
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**DESIGNING THE INSTITUTIONALIZATION OF CONFLICT
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ABSTRACT

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The aim of this thesis is to elaborate different aspects of institutionalization of conflict resolution in Turkey. For this purpose, the thesis first analyzes the institutionalization process of the field of conflict resolution in the North American/European context. Second, different issue areas of conflict are addressed in Turkey, in order to reflect the existing and/or potential role of conflict resolution in these realms. Third, a model is introduced as a tool for in depth adaptation of this approach in policy making in Turkey. An example from urban land dispute is applied to the model.

Keywords: institutionalization of conflict resolution, relative deprivation, diagnosis, conceptualization, strategic planning, policy deployment.

ÖZET

UYUŞMAZLIK ÇÖZÜMÜNÜN TÜRKİYE'DE
KURUMSALLAŞMASININ TASARIMI: STRATEJİK POLİTİKA
AÇINIMI SÜRECİ

İLKER, ŞANSEL

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Bu tezin amacı uyuşmazlık çözümünün Türkiye'de kurumsallaşmasının çeşitli yönlerini incelemektir. Bu amaçla, tezde ilk olarak uyuşmazlık çözümü disiplininin Kuzey Amerika ve Avrupa'da kurumsallaşma süreci analiz edilmiştir. İkinci olarak, uyuşmazlık çözümünün Türkiye'de olan ve/veya olası rolüne işaret etmek üzere, farklı uyuşmazlık alanları ele alınmıştır. Üçüncü olarak, uyuşmazlık çözümü yaklaşımının politika oluşturmaya uyarlanmasında bir araç olarak kullanılmak üzere bir model yaratılmıştır. Kentsel alanda arsa anlaşmazlığı örneği modele uygulanmıştır.

Anahtar Kelimeler: uyuşmazlık çözümü kurumsallaşması, görece yoksunluk, tanı, kavramlaştırmak, stratejik planlama, politika açılımı.

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Dedicated to my son Ozan İlker

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CHAPTER 1

INTRODUCTION

The aim of this thesis is to elaborate different aspects of institutionalization of conflict resolution in Turkey. In discussing and evaluating the process of institutionalization through a systematic model, this author assumes that individuals and institutions involved with different types of conflict are willing to make use of conflict resolution as a value system and a tool in managing present and future conflicts. To make use of different mechanisms and approaches of conflict resolution in different contexts leads to the institutionalization of the field.

Managing this process through a business management tool is a long-term proactive approach among many other possible approaches. Strategic planning and policy deployment are tools for managing business processes that provide proactivity and flexibility within changing conditions. Given the changing social dynamics of Turkey, this thesis can be considered as a proactive intervention to the management of the institutionalization process of conflict resolution in Turkey.

For this purpose, the thesis first analyzes the institutionalization process of the field of conflict resolution in the North American/European context in order to view how conflict resolution was adopted and to elaborate the prospects for Turkish context. Second, different issue areas of conflict are addressed in Turkey, in order to reflect the existing and/or potential role of conflict resolution in these realms. Third, a strategic deployment-planning (SDP) model is introduced as a tool for in depth adaptation of this approach in policy making in Turkey. An example from urban squatters area, land ownership is applied to the model.

Conflict resolution is a field of study, which analyzes causes and development of social conflict and mechanisms to deal with such conflicts. In

this study, the term conflict resolution is used to refer to two broad categories. One category consists of mechanisms, toolkits, knowledge and skills of conflict resolution. The second category involves value systems, culture of tolerance as an approach to deal with conflicts. Accordingly, institutionalization is defined as the creation of conflict resolution mechanisms in policy-making procedures and adaptation of conflict resolution as a value system and societal approaches. Institutionalization serves for the application of these mechanisms to conflicts and contributes to the promotion of culture of tolerance

The methodology used in this thesis is SDP, that is a strategy created with the combination of strategic planning and policy deployment. Strategic planning is the effort of designing a road map to reach the desired goals. Policy deployment is a tool to disseminate and realize the objectives within a process. These approaches are applied in the business environment for the improvement of business results. The Policy Deployment (Hoshin Kanri) and strategic planning process have been used successfully by many major corporations as well as non-profit organizations to create and then deploy and audit their strategic plans. The communication of this planning process increases both vertical and horizontal flow in the organization, thus, amplifying the effectiveness of the planning process. In short, this process is an excellent methodology to align and focus an organization on what are its most important strategic goals. Since this thesis treats conflict resolution as a value system and a practice to be used in political, social and economic policies SDP is adapted as a tool for evaluating and forecasting the institutionalization process of conflict resolution in Turkey.

CHAPTER 2

INSTITUTIONALIZATION OF CONFLICT RESOLUTION IN THE NORTH AMERICAN/EUROPEAN CONTEXT

The institutionalization of conflict management, in North America and Europe has evolved in recent decades, largely as a result of crowded and expensive judicial processes, and the demand for processes less mandatory than arbitration. While governments created their own agencies, (for example, the Administrative Conference of the US's promotion of 'Agencies' Use of Alternative Means of Dispute Resolution' adopted in 1986), most of the work in this area is performed by small professional groups, such as the Society for Professionals in Dispute Resolution (SPIDR) in the US.'¹

Conflict resolution goes hand in hand with the need for creating harmony in society. Conflict resolution, as a field of study, which encompasses both academic studies and practical work, has seen many contributions by scholars, practitioners, international and non-governmental organizations. Many factors affected the journey of institutionalization of conflict resolution; some hindered the evolution; some on the other hand accelerated and facilitated the creation of a room for this new approach to conflict.

2.1. Brief history

The history of the field started in the outbreak of World War I. Louis Kriesberg describes four distinct periods:²

¹ Burton, John. Conflict: Resolution and Provention. St. Martin's Press, 1990:272-273.

² Kriesberg, Louis. "The Development of the Conflict Resolution Field," International Conflict Resolution, 1. William Zartman and Lewis Rasmussen, Eds., Washington, DC: United States Institute of Peace Press, 1997.

1914-1945, this period is characterized by the World Wars, which prepared the ground for ideas and actions. The period witnessed large-scale conflicts, class struggles, and conflicts within labor-management relations. The Great Depression, Fascism, and the implications of World War II mobilized the scholars to analyze the causes of these conflicts and thus directed efforts towards the modern conflict resolution.

1946-1969 is the period of basic research. Activities such as collecting data for basic research provided the base for further development of the field. The major theme of economic concerns ceased bringing to the floor different topics such as justice, autonomy, and equality. The conflict of superpowers during the Cold War preoccupied the international community as well as many analysts. Some of them considered analyzing the events as a general phenomenon, as in international as industrial relations as well as domestic politics in ethnic conflicts or individuals. Traditional approaches to conflicts were reanalyzed. In North America and Europe, research groups, formal centers in academic institutions, were established and professional journals began to develop the theory of the field. Peace research activities began examining the different aspects of conflicts. In addition to academic works such as surveys and experimentation' non-official meetings and/or civil actions brought communication as the first stage of conflicts resolution. Scimecca analyzed the period from 1960 to 1970 as witness to new developments in organizational relations. The problem-solving workshop had been introduced to International Relations. It had been observed that the work of religious figures was redirected from activism to pacifism³.

1970-1985 is the period of growth and spreading of the field as the experience and publications increased so that field developed its own theory and subdivisions. The further institutionalization of the field is prepared

through journals and integration of negotiation and mediation trainings to the programs. Social movements and religious organizations in the United States such as the Quakers and Mennonites who contributed to the practice of the field as well as to the theory also support the development of conflict resolution. The emergence of Alternative Dispute Resolution (ADR) influenced the court system and the professionals who perceived it as a facilitating tool for the functioning of the system. Several European peace and conflict research institutes contributed to the expansion of the field in the world.

1970-1985: Interactive problem-solving workshops facilitated the discussion of conflicts by all the parties in Northern Ireland, Cyprus, and the Middle East. Multitrack channels were used in order to build dialogue and discuss conflicts. The use of conflict resolution was expanded over different issues at different levels.

1985-Present: conflict resolution is perceived as a long-term process embracing all levels of society. The institutionalization process started within the education and court system, private organizations and governments considering training and practice. Conflict resolution practice is legislated in the United States with universities providing graduate degree programs in Conflict resolution and university-based and independent centers, in training and consulting services in conflict resolution and mediation. Individual disputes are solved at community mediation centers providing also a professional outlet for most of the people. Conflict resolution has become a practical tool for building harmony between states, within the community, business environment and between individuals. During this period, the criticism of lawyers and the court system by the general public prepared the ground for Alternative Dispute Resolution⁴.

³ Scimecca, J., "Conflict Resolution in the United States: The Emergence of a Profession?" In: K. Avruch, P. Black, and J. Scimecca, Conflict Resolution in Crosscultural Perspectives. Westport, CT.: Greenwood Press, 1991, 19-36.

⁴ Ibid.

‘The friction between the driving wheel of the locomotive and the track is necessary to haul the train.’⁵

Organizational behavior theorists and sociologists supported Mary Parker Follet’s idea of assuming that conflict is good when one is able to turn it to his or her advantage. Cooperative problem solving was proposed as a way to do this. At the beginning, the resolution of conflicts within the organization was through bargaining and negotiation power, which did not necessarily, lead to productivity. The zero-sum approach was seen as inefficient. That change was a major turnaround. The lack of longitude in settlements stressed the importance of long-term agreements through resolution. R.R.Blake, H.A.Shepard and J.S. Mouton (1964) added a fifth way of dealing with conflict in addition to withdrawal, smoothing over the differences, forces a win-or-lose, compromise referring to problem solving. Thus, the problem-solving approach and mediators were introduced to the organizations.

2.2.The problem solving workshops

The idea of using conflict resolution in international relations found its place in problem solving workshops. The framework was to isolate the parties’ representatives in an informal setting so that they can communicate without the public pressure and under the guidance of generally conflict resolution scholars. The scholars who attempted to provide an alternative way to solve international conflicts were the London group of John Burton, the Yale group of Leonard Doob, and the Harvard group of Herbert Kelman. Burton and his colleagues with the Centre for the Analysis of Conflict at the University of London instituted the first international problem-solving workshop in 1965, called ‘Controlled Communication Workshops’. Through

⁵ Ibid.

the process, the scholars were playing the role of a neutral third party facilitating and ensuring acceptable outcomes. The facilitators were ten; the workshop lasted a week. John Burton invited nonofficial representatives from Indonesia, Malaysia, and Singapore to resolve their continuous violent conflicts. The parties were positive to this non-official invitation. The Yale group realized a similar attempt in 1969.

After these workshops, even if no solution could be generated to the conflict, valuable research was made out of these conflict resolution processes. On the other hand, these platforms for dialogue allowed the parties to understand the other parties' views and interests. During the follow-up, workshop, most of the participants agreed that even though the disputes had not been settled, the workshop had a positive impact. None of the workshops were successful but all created conditions for change as an alternative to official processes.

Such efforts continued and prepared the ground for use of different back channels, the nonofficial getting to the table processes.

2.3. Religion and peacemaking

The work of religious figures as third parties in conflict resolution played a good deal in the development of conflict resolution. Quakers and Mennonites especially perceived the institutionalization of conflict resolution as part of their religious mission. Quakers, who had come from Europe and settled in Pennsylvania, were already used to resolve disputes within their community without referring to the legal system. Their basic assumption is that the norm is designed to protect the community identified with the individual⁶. Their use of dispute-resolution is not binding but structured, that there was a certain process allowing people to reconcile through different mechanisms. When a disagreement or a dispute occurs, the parties try to

resolve their differences, if it does not work; they go to a third party, and to the town meeting if they are not satisfied with the mediator's decision.

Quaker mediators act at the international level. They use the tools in resolving domestic disputes within the international framework. Adam Curle was a pioneer bringing a differentiation between official mediator and nonofficial mediator as it relates to the level of impartiality.

2.4.Proventing Conflicts

The experience also proved that disputes could be resolved through the use of Alternative Dispute Resolution (ADR) and other institutionalized means. The situation with conflicts is more complicated. According to John Burton, conflict *provention* becomes a priority.

‘The term prevention has the connotation of containment. The term provention has been introduced to signify taking steps to remove sources of conflict, and more positively to promote conditions in which collaborative and valued relationships control behaviors.’⁷

The goal of problem-solving conflict resolution is not to merely remove the causes of the discord (conflict prevention) but also to create conditions for cooperative relationships (conflict "provention"). Conflict resolution differs from settlement in that it tries to predict future relationships and formulate policies at the core of which the political philosophy of human needs satisfaction as the main goal of the society is placed.

Political philosophy has to incorporate conflict resolution, which is applicable to any economic and political system. It is external to any

⁶ Ibid.

⁷ Burton, John. Conflict: Resolution and Provention. St. Martin's Press, 1990: v.

ideological framework. Problem-solving and conflict prevention are the missing parts needed for peaceful transformation of troubled societies.⁸

It is a process relevant to all systems. Conflict resolution does not impose solutions, or designate alternative systems, or advocate in a particular case. It contributes a process, a process of analytical and interactive problem-solving and costing, that enables participants to determine for themselves, in the light of the analysis made, whether they wish to meet the costs of policies that might be conflictual and dysfunctional in the long-term.⁹

Resolving conflicts through third party intervention means being able to change both parties' perceptions of each other and of their conflict. Third parties also help individual to realize their goals and fulfill their needs. For, most of them were unable by structural barriers.

According to John Burton conflict resolution is much more than "getting people to the table". It is also 'a political philosophy and political system (Burton, 1989, 1993) concerned with *conflict prevention* (Burton, 1990a; Burton and Dukes, 1990b). This involves transforming "structurally violent" structures which otherwise impact people's lives to the extent that the latter are quite prepared to explode their way into our consciousness, if not also literally into our lives.¹⁰

The Institutionalization timeline of conflict resolution in the West reflects a picture of combined activities in academy and in practice. There are a variety of institutions, scholars and professional work in the field of conflict resolution.¹¹ It is also possible to say that somehow it became an industry of facilitation, management and resolution of every kind of conflicts at all levels of life. This process started in the 1950s and 1960s, at the height of the Cold War, when the development of nuclear weapons and the conflict between the superpowers seemed to threaten human survival. Social movements, labor

⁸ <http://www.colorado.edu/conflict/transform/burton.htm>.

⁹ Burton, John. *Conflict: Resolution and Prevention*. St. Martin's Press, 1990:271.

¹⁰ http://www.gmu.edu/academic/ijps/vol6_1/Sandole.htm.

¹¹ <http://www.bradford.ac.uk/acad/confres/dislearn/unit2.html#>.

disputes, the increase of competition in the economic activity, changes in the international relations contributed to a general transformation. A group of pioneers from different disciplines saw the value of studying conflict as a general phenomenon, with similar properties whether it occurs in international relations, domestic politics, industrial relations, communities, families or between individuals. They saw the potential of applying approaches that were evolving in management, industrial relations, social work, social psychology, international relations, communications and systems theory to conflicts in general, including civil and international conflicts.¹²

Figure 1 summarizes the institutionalization attempts in the field of conflict resolution since 1914 in North America and Europe.

¹² <http://www.brad.ac.uk/acad/confres/dislearn/unit2.html>.

1914-1945	1946-1969	1970-1985	1986-Present
CHAIR FOR THE STUDY OF INTERNATIONAL INSTITUTIONS FOR THE ORGANISATION OF PEACE, UNIVERSITY OF LYON, FRANCE, 1931	FEDERAL MEDIATION & CONCILIATION SERVICE	THE FERMEDA WORKSHOP CONSORTIUM ON PEACE RESEARCH FOUNDED PROGRAM ON NON-VIOLENT CONFLICT & CHANGE AT SYRACUSE UNIVERSITY	CR NETWORK, AUSTRALIA
U.S. NATIONAL WAR LABOR BOARD	UN PROJECT ON TENSIONS AFFECTING INTERNATIONAL UNDERSTANDING	DEPARTMENT OF PEACE STUDIES, UNIVERSITY OF BRADFORD, UK	PROGRAM ON NEGOTIATION, HARVARD LAW SCHOOL
PEACE RESEARCH LABORATORY, MISSOURI, USA	JOURNAL OF CR, UNIVERSITY OF MICHIGAN	SOCIETY OF PROFESSIONALS IN DISPUTE RESOLUTION, INAUGURAL CONFERENCE	JOAN B. KROC INSTITUTE FOR INTERNATIONAL PEACE STUDIES, UNIVERSITY OF NOTRE DAME, USA
	CENTER FOR RESEARCH ON CR AT THE UNIVERSITY OF MICHIGAN	CENTER FOR STUDY OF CONFLICT, UNIVERSITY OF ULSTER, NORTHERN IRELAND	INSTITUTE FOR CONFLICT ANALYSIS & RESOLUTION, GEORGE MASON UNIVERSITY, USA
	INTERNATIONAL PEACE RESEARCH INSTITUTE (PRIO), OSLO, NORWAY	CARTER CENTER INTERNATIONAL NEGOTIATION NETWORK	AUSTRIAN STUDY CENTER FOR PEACE & CR, EUROPEAN PEACE UNIVERSITY
	POLEMOLOGICAL INSTITUTE, GROMINGEN, HOLLAND	NATIONAL CONFERENCE ON PEACEMAKING & CR, FIRST MEETING, USA	PARTNERS FOR DEMOCRATIC CHANGE FOUNDED, LINKING UNIVERSITY-BASED NATIONAL CENTERS
	CONFLICT RESEARCH SOCIETY, LONDON, UK	NAIROBI PEACE GROUP (FROM 1990, NAIROBI PEACE INITIATIVE)	CENTER FOR CR, UNIVERSITY OF BRADFORD
	JOURNAL OF PEACE RESEARCH, PRIO	UNITED STATES INSTITUTE OF PEACE (USIP), WASHINGTON	FIRST EUROPEAN CONFERENCE ON PEACE MAKING & CR, ISTANBUL
	INTERNATIONAL PEACE RESEARCH ASSOCIATION	THE WILLIAM & FLORENCE HEWLETT FOUNDATION PROGRAM TO SUPPORT WORK IN CR THEORY & PRACTICE	INSTITUTE FOR MULTI-TRACK DIPLOMACY, WASHINGTON
	PROBLEM-SOLVING WORKSHOP, JOHN BURTON	INTERNATIONAL ALLEE, UK	PERUAN INSTITUTE FOR CR, NEGOTIATION & MEDIATION, PERU
	CENTER FOR THE ANALYSIS OF CONFLICT, UNIVERSITY OF LONDON, UNIVERSITY OF KENT	THE NETWORK FOR COMMUNITY JUSTICE & CR, CANADA	BERGHOF RESEARCH CENTER FOR CONSTRUCTIVE CONFLICT MANAGEMENT, BERLIN
	STOCKHOLM INTERNATIONAL PEACE RESEARCH INSTITUTE		ORGANISATION OF AFRICAN UNITY, MECHANISM FOR CONFLICT PREVENTION, MANAGEMENT & RESOLUTION
	RICHARDSON INSTITUTE FOR PEACE & CONFLICT RESEARCH, UNIVERSITY OF LANCASTER		INITIATIVE ON CR & ETHNICITY (INCORE), UNIVERSITY OF ULSTER, UN UNIVERSITY
	TAMPERE PEACE RESEARCH INSTITUTE, FINLAND		THE CONFERENCE FOR SECURITY & COOPERATION IN EUROPE BECOMES OSCE
			CARNEGIE COMMISSION ON PREVENTING DEADLY CONFLICT, NY
			INSTITUTE FOR THE PREVENTION OF INTERNATIONAL CONFLICT, JAPAN
			UNESCO'S CULTURE OF PEACE PROGRAMME
			KAZAKHSTAN CENTER FOR CONFLICT MANAGEMENT
			DUTCH CENTER FOR CONFLICT PREVENTION
			PROGRAM ON CONFLICT ANALYSIS & RESOLUTION, SABANCI UNIVERSITY, ISTANBUL

Figure 1

The institutionalization process of conflict resolution in North America and Europe tells us two things:

First, conflict resolution adoption as a value system and as a tool in resolving the social conflicts in North America and Europe was realized in a social transformation context. It is observed that the presence of academic programs, school curriculum, legislation, community centers, systems designs, scholars, practitioners, journals, associations leads to a proactive institutional framework in North America and Europe.

It is assumed that Turkey also has been experiencing her own social transformation that challenges the management of present and future conflicts. According to Keyman and Öniş, major challenges for the new government after the November 3rd national election are:

(i) Establishing a reciprocal and democratic relationship between the state and society, so that the 1990's main problem of the disjuncture and the widened gap between the ineffective state and the changing society can be solved;

(ii) Coping effectively with the severe economic problem to create a better quality of life, financial stability, job security and sustainable economic development; and

(iii) Preparing Turkey as a strong and democratic country for its integration into the European Union.

These challenges are issues related to the transformation and further democratization of Turkish economy and society, and moreover transcend the specific agenda of any particular government.¹³

In Turkey there are some institutions that are practicing conflict resolution as a part of their function within the system of checks and balances. For example, the judiciary body can sometimes play a mediator role in evaluating the decisions of executive and the legislative. Institutionalizing conflict resolution as a value system within the existing system is a paradigm

shift within the status quo. For, the needs and the changes needed must be theoretized and conceptualized. This leads us to the analysis of the actual systems in which people operate. In this context what kind of relationships do people need in order to reach their goals and satisfy the needs is an important question. Conflict resolution seeks the roots of the problems and processes through which the harmony can be built, therefore its institutionalization.

Second, it is assumed that Turkey is experiencing her own institutionalization process that is at the beginning phase compared with the North American and European example. There are some implicit and explicit mechanisms operating conflict resolution but the practice is not structurally internalized in public and private life. The North American and European experience provides an example for the applicability of the conflict resolution mechanisms like mediation used in family, labor, community dispute resolution, and in international relations.

In proposing a systemic approach to the institutionalization process in Turkish context, a proactive intervention is made previous to the future social developments. To trace the dynamics of Turkish context, a systematic analysis is made from the conflict resolution perspective in focusing at some major issues.

Most of the issues analyzed are considered to be an indicator under four major categories that serve to understand some aspects of the overall picture. For example the unauthorized housing is used to be a demographic and cultural indicator. The next chapter addresses different issue areas of conflict in Turkey, with the aim of reflecting existing and/or potential role of conflict resolution in demographic and cultural, legal, political and economic contexts. The issues to be discussed are not exhausting all the aspects of these environments, but focusing on some major issues grouped under four categories in order to bring an insight from the perspective of institutionalizing conflict resolution values and mechanisms to issues that are

¹³ <http://home.ku.edu.tr/~zonis/summer2003/w.PDF>.

sources or potential sources of conflict in the Turkish context. Facilitation of realizing social harmony, creating new options for policy makers, providing efficiency in the relationship between the speed of the socioeconomic life and the allocation of resources would be some of the possible outcomes of institutionalizing a new approach to the issues addressed in the next chapter.

CHAPTER 3

THE STATE OF INSTITUTIONALIZATION OF CONFLICT RESOLUTION IN TURKEY

The term ‘*uyuřmazlık özümü*’ (conflict resolution) is not commonly used in Turkish language. For example ‘*arabuluculuk*’ (mediation) may have different connotations¹⁴ rather than referring to an institution. There are some practices in the form of implicit conflict resolution in Turkey but they do not reflect an institutionalization. Institutionalization is defined as the creation of conflict resolution mechanisms in policy-making procedures and adaptation of conflict resolution as a value system. Conflict resolution mechanisms consist of establishing a terminology and a jargon, conflict resolution processes at micro and macro levels, academic programs, scholars, and practitioners.

In the 1990s Turkey witnessed the disability of political space -limited to state/party and interparty relations- in satisfying the needs of social dynamics and the rapidly changing social structure. The level of education of population, capital accumulation, social mobility and integration to international economy increased. A crisis of representation is observed between state and society, within the process of resolution of social conflicts and also within the integration of social demands to the decision taking processes.¹⁵ Contemporary conflicts require long-term resolutions leading to the restructuring of the political space. Similar crises were experienced in North America and Europe. On the other hand globalization as one of the major driving concept of the 1990s enables creating a comparative approach to the local problems. The need for restructuring state and society relationship is one of the items brought by globalization. Moreover most of the issues require a participative approach. Civil society played an important role in

¹⁴ İhtiyarlık, Tatlıya bağlamak

¹⁵ Keyman, Fuat. *Türkiye ve Radikal Demokrasi*. Bağlam,1999:9.

bringing those issues into the agenda of public sphere. The attempts in resolving the conflicts initiated in the 1990s contributed to the institutionalization of reciprocal monitoring and accountability mechanisms between the political parties and non governmental organizations. Bottom up monitoring process starts functioning in the integration process of society to the decision taking processes.¹⁶ The influence of external political, social and economic dynamics met with Turkey's domestic dynamics for realizing the social transformation. In this context some attempts of conflict resolution in Turkey were initiated.

In the early 90's the First European Conference on Conflict resolution took place in Antalya. In the mid 90's couple of conflict resolution courses have been offered in the Middle East Technical University and Bilkent University. In the same period Conflict resolution workshops have been conducted at Bilkent University in association with the Ministry of Foreign Affairs on conflicts in TransCaucasia and the water conflict in the Middle East. Similarly Beyaz Nokta Foundation has conducted a conflict resolution workshop called dialogue 2000. Negotiation and conflict resolution trainings have been offered to junior diplomats in the Ministry of Foreign Affairs. An NGO, TOSAV has been realized to promote conflict resolution attempts on Kurdish conflict. Umut Foundation is another NGO working on the similar issues. In 2000 a masters program on conflict analysis and resolution has been established at Sabanci University. In this context conflict resolution and mediation trainings have been provided to local governments in Istanbul with the collaboration of the students of the Program. Similarly negotiation mediation trainings have been offered in different workshop on Greek-Turkish conflict.

As the above picture shows, there are few attempts in establishing mechanisms of conflict resolution in Turkey. The involvement of more people

¹⁶ *ibid*, pp.205.

and institutions is required. On the other hand, there are major social issue areas left which require further institutionalization of conflict resolution.

3.1. Major Social Issues In Turkey and The Role of Conflict Resolution

The external context of the post cold war era in Turkey, the increasing involvement of Turkey with the international community in the framework of globalization, greatly changed the existing institutions and caused them to adapt their functions according to these new developments after the 1980s. This process is in itself, can be considered as a conciliation process.¹⁷ In this thesis it is claimed that the process of transformation has to be backed up by institutionalization of conflict resolution as a value system.

The following section illustrates major social issues of Turkey and assesses the need for incorporation of conflict resolution for each issue. Most of the issues are considered as to be potential sources of conflict in the future.

Within the cultural and demographic environment, the lack of culture of tolerance is considered to be as one of the major sources of conflict that has to be challenged in the future. Tolerance is perceived as an important value that has be sustained in order to promote conflict resolution as a value system. Deprivation is another issue arising from the perception of the gap between the expectations and their realization. The uneven distribution of income is an existing source of conflict that leads to social dissonance. Unauthorized housing refers to an urban dynamic functioning within the process of transformation of poverty through illegal mechanisms. Since urbanization is considered to be as one of the future driving forces of cultural and demographic environment in Turkey¹⁸, the impacts of unauthorized housing stand for a future source of conflict waiting for remedy. If one of the roles of

¹⁷ Işık, Yusuf. Former Head of Strategic Research Division, State Planning Organization Interview notes, May, 2003.

¹⁸ Işık, Oğuz. 'Demographic Environment.' Tofaş Roundtable Report . 2002.

education is ‘a transformation opportunity in solving problems and developing new visions’¹⁹, it should constitute a tool for realizing the goals. Education is treated as a major indicator in resolving the future conflicts arising from the disability of realizing one’s education providing upward mobility. Family institution is another important aspect of cultural and demographic environment that constitutes a major role in the containment of the social and economic conflicts.

The political environment is the basic platform to which most of the issues are addressed. Civil society is considered as the catalyst for considering the issues and developing and implementing new approaches for the resolution of existing and future conflicts.

The legal framework and existing and future conflict resolution mechanisms need to be assessed in satisfying the needs of a transforming society.

The dynamics of economic environment in Turkey generates conflicts because of its unstable nature. In the next section, the stand of these issues as sources of conflict and the possible contribution of conflict resolution to these issues will be discussed.

3.1.1. Cultural and Demographic Environment

Some of the issues examined under the cultural and demographic environment refer to a value such as tolerance, some refer to a perception such as relative deprivation and some refer to an indicator such as the level of income.

¹⁹ Terzioğlu, Tosun. Eğitimin Geleceği. Sabancı Üniversitesi, 2003:7.

1. Lack of Culture of Tolerance

The definition of culture of tolerance is similar to Almond and Verba's civic culture²⁰, which is based upon communication and convincing, a compromise and variety culture; civic culture allows change and also softens it. The point is to tolerate diversities, to respect different ideas, being conciliatory rather than being conflicting. One cannot be tolerant by the force of Law. Individuals should understand and adopt tolerance as a value.²¹

One of the basic factors in adopting tolerance as a culture is the concept of empathy, a key concept in understanding and respecting differences. Empathy is to be able to put one's self in to the other's place. It is a tool for understanding the other and transforming the conflict prone atmosphere to a reconciling one.

Isolation is another factor affecting the adoption of culture of tolerance but in a negative way. Cultural isolation of individuals from one another decreases social exchange and social development. The creation of common grounds in which different groups can exchange their needs and aspirations may contribute in creating a culture of tolerance towards resolving the conflicts arising from isolation.

In this context, socialization is another factor that generates stereotypes reframing the level of tolerance of an individual. This process starts from the early ages and gets stronger in time. Education is the basic tool in shaping future behavior of individual in internalizing tolerance.

According to the Value Survey 2000,²² the level of tolerance of population in Turkey is very low. For example when the sample group is asked to choose one of the groups that they can not tolerate as their neighbors,

²⁰ <http://academic.regis.edu/jriley/205civicculture.htm>.

²¹ Esmer, Yılmaz. Devrim, Evrim, Statüko: Türkiye'de Sosyal, Siyasal, Ekonomik Değerler. TESEV, 1999.

²² Esmer, Yılmaz . Türkiye Değerler Araştırması 2000, Tofaş Brief .

homosexuals come before mafia members or killers. In this context, cultural sensitivity trainings and prejudice reduction workshops are some of the tools that can be used as conflict resolution mechanism in order to understand differences and appreciating interdependence.

The lack of tolerance creates a ground for negative feelings vis-à-vis the other. Tolerance is a value that is gained in long term. Relative deprivation is one of those feelings arising from lack of social, political and economic disequilibria.

2. Relative Deprivation

Relative Deprivation is defined as actors' perception of discrepancy between their value expectations and their value capabilities.²³ The huge gap between groups' perceived limitations for upward mobility and their life expectations is a potential source of conflict. Especially in the metropolitan areas the economic burden of the huge gap between the income groups prevents most of the young people to reach better education opportunities and to increase their level of wealth through realization of their education.

In addition to the perception of relative deprivation, people living as squatters cannot find common areas between their identity group and their reference groups. Identity group is the socioeconomic group they belong to. Reference group is the group they observe and refer to in their social life. With whom the individual make comparisons? Runciman (1966) suggests two possible reference groups: individual in the same social situation, comparison within social class or neighborhood, and comparison with individuals you wish to emulate²⁴. People generally act upon the values of the group they refer to in their mind and not upon the identity group they belong to. In ideal terms,

²³ Gurr, Ted. *Why Men Rebel* .Princeton University Press, 1970:24.

²⁴ <http://www.york.ac.uk/res/herc/docs/WP4WI.pdf> .

it is not easy to match the behaviors of identity group with the reference group expectations.

The individual belongs to multiple subcultures and these cultural spheres are in constant change. Individual is under the cross pressure of those different subcultures to which s/he belongs. An individual living as squatter and working in urban area experiences the pressure of the difference between the two cultures. Sometimes in Turkey implicit mechanisms intervene in order to facilitate the transition from one subculture to the other. The existing ‘hemşerilik’²⁵ relations operate as an embedded conflict resolution mechanism to the problem. The individuals coming from the same regions collaborate in providing employment facilities and housing. Sometimes accommodate each other until these needs are fulfilled. But dependence on these social mechanisms can also lead to isolation.

Understanding the roots of the perception of relative deprivation is the first step to prevail the measures of deprivation. Most of the time, income is the measure.

Richard Sennett introduces the concept of ‘enacting social respect’ that is to ‘provide social respect to people who *fail* to climb the greasy pole defined by the professional classes’²⁶. According to him that is especially important, because rewards (both financial and status) are tending to flow to smaller groups in each field. There is a need to discover and promote new ways of enacting social respect in order to bridge the most difficult kind of inequality for people, the difference in ability’. From this perspective Conflict resolution can be perceived as an empowerment mechanism to transform the perception of relative deprivation vis-à-vis the able ones.

Additionally, some macro level adjustments can be made; such as skill building/replacement programs, extended study programs as mechanisms of conflict resolution.

²⁵ The relationship between the individuals coming from the same region

Relative deprivation is a perception that can be changed in long term similar to the value of tolerance. The uneven distribution of income is a demographic indicator that reflects the level of income in different groups. It refers to facts indicating the socioeconomic balance in the society.

3. Uneven Distribution of Income

One of the indicators of social mobilization is the uneven income distribution. According to the income distribution surveys,²⁷ the level of education that refers to status segments does not match with the level of income in Turkey. The picture is the reverse in the European countries.

A deepening frustration arises from not being able to find an employment opportunity, which corresponds to one's formal education, or not being able to find a job at all.

The deepening gap between the income groups in the society has become a major social issue. Household Income Distribution Survey shows that around 55 % of the total income goes only to 20 % of the total population. The so-called middle class is totally ruined. Uneven income distribution is one of the major sources of social polarization.

The existing conflict resolution mechanisms are: Fak-Fuk Fon²⁸, Yeşil Kart, new social security policies enabling the sharing of different health insurance services. These institutions help poor people accessing health services or allocating money in order to decrease the level of poverty and the perception of deprivation relatively. According to Ayşe Buğra²⁹, those institutions work well but they are not enough for integrating the low-income group to the society. 'Türk toplumunun refah rejimi ve yeni yoksulluk'

²⁶ <http://chronicle.com/cgi2bin/printable.cgi?article=http://chronicle.com/free/v49/i18/18a01201.htm>

²⁷ Infratest Burke, Tofaş Hanehalkı Gelir Dağılımı araştırması, 1998.

²⁸ Sosyal Yardımlaşma ve Dayanışma Fonu

²⁹ Buğra, Ayşe. Seminar notes, 'Türkiye'nin yeni Refah Rejimi ve Yeni Yoksulluk', June 2003 at Sabancı University.

Survey conducted by Buğra and Keyder, points out that children cannot go to school just because they do not have a piece of bread to carry with them. People living in such conditions are experiencing a trauma. NGOs are not working efficiently they do not even cooperate.³⁰ The survey shows that before getting to the table for social policies there is an emergency for keeping those people alive. According to Buğra and Keyder the first intervention has to be the allocation of a certain amount of money for each month for reestablishing hope for the future. Within such a context, conflict resolution as an approach can help people realize the potential sources of conflict by providing dialogue and respect platforms in order to empathize with those people.

4.Unauthorized Housing

Urbanization is one of the most important dynamics of Turkey as a major source of conflict. In this thesis one aspect of urbanization, that is unauthorized housing UH ('gecekondulaşma') is considered as an important pattern of urbanization in Turkey. This illegal form of urban development indicates Turkey's wealth regime.³¹It also played a differentiator role in transforming the poverty.³² People living as squatters change their destiny through relationship networks, within a formal and informal, legal and illegal zone.

Until 1985s,UH referred to a wealth regime based on family, personal and community relationships, 'hemşerilik', patronage. It served as a support mechanism to hinder poverty and alienation from the society but today it cannot carry this function anymore³³. UH turns out to be a source of conflict

³⁰ Ibid.

³¹ Ibid.

³² Işık, Oğuz, Pınarcıoğlu, Melih,M. Nöbetleşe Yoksulluk Sultanbeyli Örneği . İletişim , 2001:333.

³³ Buğra, Ayşe. Seminar notes on 'Türkiye'nin yeni Refah Rejimi ve Yeni Yoksulluk', June 2003 at Sabancı University.

rather than a solution mechanism as it was before. UH is not anymore a space providing a bridge from poverty to wealth. The land to be occupied is scarce. There are no available sources that can be allocated to increase the level of income. The illegal occupation of the land is one of potential source of conflict, the relationships are weakened, and cooperation is not present at all at the lowest income group.³⁴

Işık and Pınarcıoğlu called the new regime ‘poverty by turns’ PBT (nöbetleşe yoksulluk).³⁵ PBT is the system of unequal relationships within an informal and rentier setting. Due to the limited state means of social regulation, communities became the place for transforming the wealth level. Işık and Pınarcıoğlu also points out that an informal gray area operated as a support system for the increase of a new wealth type. The result of this process was a social fragmentation in urban life. The tendency towards a fragmented intra-community city rather than an anonymous city composed of citizens. The lack of interaction between those communities exhausted the possibilities of social change and a healthy societal system. The potential sources of conflict resides in the definition of people living as squatter:

People living as squatters constitutes a segment, in search of increasing their wealth through the gaps of the Law, with an aggressive strategy refusing to pay the costs, refusing to reconcile with anybody except for the ones like them. The actors of a game open to every kind of degeneration for easy gain,like the other segments of the society.³⁶

³⁴ Buğra, Ayşe. Seminar notes on ‘Türkiye’nin yeni Refah Rejimi ve Yeni Yoksulluk’, June 2003 at Sabancı University

³⁵ Translated by this author

³⁶ Translated by this author, Işık, Oğuz, Pınarcıoğlu, Melih, M.,Nöbetleşe Yoksulluk Sultanbeyli Örneği, 2001, İletişim ,p.336

The transformation capacity is related to the relationship networks and to the land allocated to unauthorized housing. However it is known that from now on, allocating land to the new comers is almost impossible. The end of PBT as a regulation tool means that a new mass will appear without any rule. In this context conflict resolution will deal with fear, violence, lack of services for normalization of life (children's park), integration to urban life. Creating communication groups for increasing interaction between the communities, building community centers, organizing townhall meetings can serve as platforms for the initiation of the resolution of future conflicts. Mediation can be a tool for resolving disputes in the process of legalizing land ownership. Ombudsman is another way of reconciling the individual with the state. Ombudsmans works in the improvement of government and citizen relationship. Ombudsman receives the citizen's the complaints and tries to find a solution. Amnesty can be temporary tool for allowing compensation payments for the unauthorized residence. Establishment of transparency in the gray area, creating a new urban law can help resolving future conflicts.

5. Education

In Turkey, experts claim that education is a matter of quality rather than quantity.³⁷ The main point is to have access to a job matching with one's education, that is a matter of quality and overall economic growth. Since both factors require adjustments, the realization of education is a potential source of conflict in Turkey. In this context education is considered to be a tool for realizing the individual and institutional vision. For, education is also a tool of empowerment. Conflict resolution values and mechanisms can contribute to realize the transformation through education. The stereotyping effect of socialization mentioned above for example can be diminished through the conflict resolution education.

It is a correct path to start from accrediting the future practices of conflict resolution mechanisms as a value system and as a tool through education of conflict resolution. The incorporation of conflict resolution in the curriculum, research capacity building with the establishment of academic programs and trainings can contribute to the formation of new educational policies towards a competitive future. Through certificate programs new professions like mediation can be developed as a mechanism of conflict resolution in the society.

6. Family

Family is one of the most conflict prone institutions in a transitional society. As an existing conflict resolution mechanism one can mention Family Research Institution, within the Prime Minister's office, which defines the family's main responsibilities and functions as follows:

Family is accomplishing the responsibility and functions of the continuation of generation, child custody, transmission to the new generation of cultural identity, religious and ethical values, historical and social conscience, development of behavior and values based upon love, respect and tolerance. The importance of the family stems from the irreplaceable nature of that institution by another institution in the society. When the family institution cannot fulfill its functions, social problems arise. The industrialization, urbanization and the fast changes affected a lot this institution.³⁸

The first official reference to family in Turkey is the Article 41 of the Constitution.³⁹ It states that 'Family is the basic of Turkish society', and that is why the state is responsible for caring for the family and its welfare. However in practice it has been observed that with the inclusion of women in the workforce, family as an institution could not reproduce itself. The change

³⁷ Türkiye'nin Fırsat Penceresi, Tüsiad, 1999

³⁸ Aile Araştırma Kurumu, www.aile.gov.tr

³⁹ *ibid*

in family structure produces additional issues such as, elderly care and childcare. The population of Turkey is aging and the process of demographic transformation has started and it is irrefutable.⁴⁰In the long term, the care and social security of elderly seem to be problem for the State. Conflict resolution can help in managing the family issues through establishment official mechanisms such as family mediation centers.

Another family related issue is domestic violence. Child abuse is another problem waiting to be faced through official resolution tools. Apart from the civil women initiative, which can be considered as individual efforts, Law # 4320 on the protection of the family regulates the penalties against domestic violence. There is no mechanism to prevent or repair long-term injuries.

The number of divorces has increased. The process of divorce is costly and painful. In the United States divorce mediation makes this process more bearable for all the parties, the couple, and the children. The judge convokes a mediator in order to help the couple in the distribution of wealth, child custody, and all other issues before the trial. This process decreases the time, money invested and since the mediation process is based on a voluntary action the divorce is realized on a peaceful platform.

A new development in Turkey involves a proposal in the Parliament, in the status of deliberation in the commissions concerning the formation of General Directorate of Family and Social Research on Family Policies and Implementations. This proposal aims at building an administrative body conforming the EU laws and regulations. Considering also the Copenhagen criteria, in 2003, the General Directorate of Family and Social Research will be a part of the ministry of Work & Social Security, which will also constitute a legal platform for research, training and planning activities.

⁴⁰ Türkiye'nin Fırsat Penceresi, Tüsiad, 1999

3.1.2. Political Environment

According to Britannica online, the functions of government include the task of supervision and resolution of conflicts. The conflict of private interest is the leading characteristic of the political process in constitutional democracies, and the supervision, mediation, arbitration, and adjudication of such conflicts are among the key functions of their governments. Representative institutions are themselves a device for the resolution of conflict. Elections in constitutional democracies provide opportunities for mass participation in a process of open debate and public decision; assemblies, congresses, and other parliamentary institutions provide for public hearings on major issues of policy and require formal deliberative procedures at different stages of the legislative process; and political parties integrate a variety of interests and effect compromises on policy that win acceptance from many different groups.

From this perspective there is a need for paradigm shift in order to transform Turkish political environment. Actors of political environment are the ones who are generally considered as being the supporters of status quo. ‘The challenge is to produce an acceptable alternative even while the status quo ideology still exists’⁴¹. Conflict resolution can be introduced as a tool and a value system in transformation of the Turkish political environment in order to meet the needs of the changing social environment. Participative planning can be a tool for integrating citizens to the decision taking process, conflict resolution and mediation trainings can be delivered to the political parties and to the responsible for policy making.

⁴¹ Burton, John. Conflict: Resolution and Provention. St. Martin’s Press, 1990:277.

1. International Relations

Generally, taking a reactive stance to the ongoing events produces foreign policy outputs in Turkey. Policies are formulated and discussed on post hoc bases. Foreign policies are generally formulated in order to reduce costs rather than to increase gains. Adapting the mediator's role in foreign policy formulations can constitute an example for the implementation of conflict resolution mechanism at international level.⁴² The recent initiatives by the Turkish government in mediating the Road Map plan between Palestinian authority and Israelis can be an example of such an attempt. Due to her international commitments Turkey has to adapt a conflict resolution framework to its relations with her neighbors as it was mentioned in the criteria of EU membership.

2. Civil Society

The Union as it stands today is not only a Union of Member States but also a Union of social partners, NGOs private and public authorities and citizens who have to co-operate in a spirit of goodwill partnership. This is the reason why the Commission has attributed more and more importance to the discussion on the European governance and the role of the civil society in this respect.

The European Union has not defined its limits in geographical terms, but every applicant country has to meet the fundamental conditions laid down by the European Council in Copenhagen: democracy, the rule of law, respect for human rights and protection of minorities, a functioning market economy with the capacity to withstand competitive pressure in the EU, and the ability to take on the obligations of membership. Meeting the accession criteria and then preparing for accession requires a lot of efforts. These efforts cannot be successfully made and concluded without the prior mobilization and active participation of citizens.⁴³

⁴² Beriker-Atiyas, Nimet. 'Yeni Dünya eski Yaklaşımlar.' *Foreign Policy* Ocak-Şubat 2001:47.

⁴³ http://europa.eu.int/comm/employment_social/speeches/2002/ad271102_en.pdf.

The words of Anna Diamantopoulou, responsible for employment and social affairs in European Commission, summarizes in a very realistic way the mission of Turkey in terms of civil society building. It is a crucial effort to put and prove through institutionalization of citizen participation.

According to John Burton, there are some limits to the extent to which the human person, acting separately or within a wider ethnic or national community, can be socialized or manipulated.⁴⁴ Human beings have development needs that must be satisfied by institutions. A need arises for seeing the picture of different ideas and approaches. Next step is to define solution mechanisms to reconcile probable conflicts between those different needs. NGOs are important at that stage of expression of new approaches and then preparing the ground for alternative solutions.

The culture of tolerance relates to the capacity building activities. Some of major actors at that point are the NGOs. NGOs in principle have the basic mission of catalysts in the society. Independent from state and its institutions, they constitute a platform for creating alternative ideas and mechanisms of conflict resolution to the problems of society. Civil society leaders and institutions can perform different functions through the various stages of the evolution of conflict. At the preventive and the peace building stages, these include the following:

- Offering early warning and analysis of conflicts,
- Channeling and dissemination of information,
- Providing advice to governmental interlocutors seeking to de-escalate conflict,
- Advocating norms, values and standards - from the individual to the governmental levels - that will temper the recourse to violence and establish a code of behavior during violent conflict,

- Encouraging power sharing among competing interests,
- Contributing to good governance, the development of a democratic culture,
- Encouraging and participating in socio-economic activities aimed at mitigating disparities that may lead to conflicts,
- Providing means for interaction and confidence building across the lines that divide parties in conflict,
- Promoting dispensation of justice at the local levels.

The presence of NGOs makes the society and state notice the issue, create a public opinion pressure over the government, with resolution realized through political power.

On the other hand NGOs are very important for the development of local government. In Turkey, the lack of institutional links between the interest groups and political parties leads to the monopolization of political processes by political leaders. That is why parties can dissolve and form quickly and why parliament members readily switch parties. However modernization commitment of Turkey requires that parties of a country should mobilize local associations and interest groups to solve problems and offer methods that can be applied; rather than providing favor and advantage to supporters within a clientelist relationship.

According to Kalaycıoğlu, the number of voluntary associations in Turkey – where there seems to be one voluntary association per 540 people – the country does not appear to have a weak civil society. However, to understand how active and effective the civil society is in Turkey, we need to know how active are the rank-and-file members of those associations, and how large is their membership. As he states, the overall rate of membership in voluntary associations seems to be quite low, hovering around 7 per cent of the population for all associations, except for co-operatives. Co-operatives

⁴⁴ Burton, John. Conflict: Resolution and Prevention. St. Martin's Press, 1990:23.

seem to have more active members, who constitute around 11 per cent of the population. Membership in various types of associations in Turkey, except for political parties, is relatively low.

He relates the lack of enthusiasm in joining voluntary associations may partly be explained by a culture that is deeply distrustful in interpersonal terms. Indeed, field surveys indicate that more than 90 per cent of the Turkish voting age population declares that their fellow citizens cannot be trusted. When compared with the findings of the World Values Surveys, Turkish interpersonal trust rates rank at the bottom of a list of 43 countries, with Brazil. Lack of interpersonal trust undermines any effort at establishing and sustaining partnerships, whether they are economic, political or cultural. A milieu deeply penetrated by interpersonal distrust forestalls the development of associability and mass membership in associations.⁴⁵

The civil society structuring of developing countries is generally not well organized and dependent on political power. It is preferable that NGOs amplify the capacity of the society to negotiate with and collaborate with state institutions. By representing particular programs of action and by marketing/expressing these programs to other interest groups NGOs create sustainable coalitions for change. This is how they help modernize state institutions.

The number of NGOs has grown significantly over the last 15 years, but is still behind other newly democratizing societies. As of May 2001 Turkish Daily News estimates that there were about 10.000 NGOs in Turkey.

Active NGOs in Turkey occupy the uneasy space between social development and political mobilization. For example when business groups mobilize, some members risk losing arrangements they depend on. On the other side, NGOs are global institutions in the sense that they have wide

⁴⁵ http://www.iis.ac.uk/research/sem_con_lec/sem_00/kalaycioglu.htm.

contacts with similar people around the world. The status of NGOs in a country is considered as an indicator of a nation's political development and maturity. Insofar as Turkey seeks to join the EU, it must find a way to create social space for NGOs.⁴⁶

In some cases NGOs can act as mediators between the parties as an effort to make the parties to a solution. For example the Norwegian Institute for Applied Social Science acted in creation of 'Oslo Channel' leading the peace process in the Middle East. A back channel was created as a conflict resolution mechanism in order to gain time and reduce risks of involvement of official authorities in 1991.⁴⁷

3.1.3. Legal Environment

The mission of Law is to provide the normative order for society. The speed of life and the speed of adaptation of Law to these changes do not go hand in hand. Life is more rapid than Law, resulting in a problem of cohabitation between regulations and the daily life. Most of the time, the rules created as solutions become the source of conflict themselves, such as the conflict between economic life and economic Law. For example, the efforts to manage this through deregulation in the United States have resulted in a greater amount of regulation of deregulation.

Also, the realization of justice is a major issue for the people who do not have means to go to courts or to follow the painful process of defending their rights. One of the reforms in the agenda of the government is justice reform. The working conditions of judges, the court system have been criticized a lot in Turkey.

⁴⁶ Hirschhorn , Larry. The Driving Forces and Turkey's Modernization Project . Tofas Report , 2001:9.

⁴⁷ Peck, Connie. Sustainable Peace The role of the UN and Regional Organizations in Preventing Conflict. Rowman and Littlefield, 1998:187.

Some mechanisms exist in order to resolve the land disputes in rural areas called 'ihtiyarlık'. Elders of the town are referred to show/prove the historical borders for land inheritance. There are also some institutions that work for the tax disputes. The tax objection commissions come together with the representative related institutions, with the citizen as the issue can be solved through 'tatlıya bağlamak' in most of the cases. There is a need for alternative mechanism for the adaptation of modern daily life.

1.Practice of Conflict Resolution in Turkish Labor Law

Within the labor law, we observe some degree of conflict resolution practices. There are arbitrators, Arbitration, between 1960 and 1980, labor lawyers worked as mediators during strikes and labor disputes. The main framework for conflict resolution is defined in regulation no: 2822 'Collective contract, strike and lockout Law'⁴⁸ in Turkey in 1990. Article 1 of the Legislation determines the aim as to regulate the working conditions and the reciprocal social and economic situation of both workers and employers, to resolve conflicts through peaceful means and determine the rules of strike:

Article 1: In order to regulate the reciprocal economic and social positions of employees and employers, this Law aims at defining the conditions of strike and lockout, making collective contract and resolving conflicts through peaceful means.⁴⁹

A chapter, 'Conflict Resolution and Mediation' within the same legislation states the determination of conflict, underlines the conditions and provides the procedure to follow in order to charge a mediator. If the parties did not reach an agreement, one of the parties applies to the official institution informing about the determined conflict or disagreement within a time limit of 60 days after the start

⁴⁸ Translated by this author

⁴⁹ Translated by this author. Çalışma ve Sosyal Güvenlik Bakanlığı. 2822 Sayılı Toplu İş Sözleşmesi Grev ve Lokavt Kanunu . 1990.

of deliberations. The mediation process starts after the demand of one party by the official institution. If the parties do not come to the common meeting for the choice of mediator or do not reach to a consensus, the related institution makes a blind choice from the official list of mediators with the presence of at least one party. The Official Mediation Organization works within the Ministry of Work and Social Security and forms the list of official mediators. The working procedures of Official Mediation Organization are regulated by article 59 of the same Legislation.

The job of the mediator starts after the delivery of the mission to him or her by the related court. The mediation time limit is 15 days, if the parties agree, 6 days can be added. 'The mediator makes his or her best to make the parties agree and makes proposals to the officials. If the parties agree, article 20 is applied. If there is no agreement after the mediation session/s, the mediators prepares a report determining the conflict within 3 days, adds to the report his or her views on the resolution of the conflict and delivers to the related institution. The report is communicated to the parties by the institution. The parties have the possibility to go to a private arbitrator or to the Board of Arbitration to reach to an agreement. If they did not agree, or apply for a private arbitrator, the Ministry of Work and Social Security applies to the Board of Arbitration for the resolution of the conflict.

Another Chapter in the Law refers to 'The Peaceful Resolution of Labor Conflicts'. This chapter explains the procedure of application for the Board of Arbitration. The formation of Board of Arbitration is coordinated under the direction of the Supreme Court, Labor disputes division president. The Board consists of: One independent expert of economics, management, social politics, or law, One professor of economics or labor law chosen by YÖK from Academia, The general Manager of Work from the ministry of Work and Social Security, Two

members from one of the most populated worker confederation chosen by the confederation, Two members, -one from public sector and from the most populated employer confederation chosen by the confederation.

The Board analyses the conflict on paper. If additional information is required, it asks the related parties. In addition, the Board invites the people in order to listen or asks for their written views. The decision of the Board is binding. The procedure for applying for arbitration and mediation is regulated by Article 65. The mediators are accountable (Article 69) and the nature of the work is considered as public service during the mediation process.

As a new practice, conflict resolution mechanism introduced to the attorney ship legislation, is that the attorneys can conduct a session as mediators with the parties in order to let parties come to an agreement before the trial, by may 2000.⁵⁰

3.1.4. Economic Environment

Turkey's economic environment is volatile. This volatility is partially based upon the lack of coordination in the management of the economy. There is a misperception between the state and the market on the rules of the economic game.⁵¹ The obligations of Turkey vis-à-vis the EU and the ongoing economic program under the supervision of IMF set a given agenda to Turkey. The laws and regulations are passing and most of the experts;

⁵⁰ http://www.ankarabarusu.org/tr/mevzuat/yonetmelik/av_yon.asp.

⁵¹ Akçay, O.Cevdet. Economist, Interview notes, May 2003.

academicians argue that the implementation phase will be a major potential source of conflict. The existing unemployment problem will be deepened with the implementation of new regulations such as the agricultural reform. The existing mechanisms are not qualified enough for resolving the unemployment issues or for communicating the urge of passing the EU laws to the population. Those issues constitute a potential for future conflicts. Arbitration is an existing mechanism within the economic environment but it is generally used for resolving the labor disputes. The efficiency of existing mechanisms can be increased. Some existing Institutions may be transformed or some new institutions may be established.

Conflict resolution can also be used within the business environment. Business processes, human resources management, public relations, marketing activities are some of the areas in which mediation and negotiation can be used. Workshops and trainings can be designed in order to realize the business results and peace at workplace.

The general overview of some major social issues in Turkey represents a picture in which there are some elements of conflict resolution. In some instances they are explicit conciliatory mechanisms such the Board of Arbitration, in some instances they are embedded in daily practices, such as *hemşerilik* (citizenship), and in some instances they do not exist. Conflict resolution is perceived as a value system and a mechanism that can be used to resolve those issues. A systematic approach can facilitate the resolution of conflicts. Chapter 4 designs a model for the management of the institutionalization process in Turkey. The model itself is an intervention to the future approach to conflict resolution in Turkey.

CHAPTER 4

STRATEGIC DEPLOYMENT OF THE INSTITUTIONALIZATION OF CONFLICT RESOLUTION IN TURKEY

4.1. Basic Steps of the Strategic Deployment Planning Process

One of the basic differences between American business environment and Japanese one is that; while the former's device is 'Don't repair if it is not broken', the latter's one is 'This is perfect, let's improve it'.⁵² The main difference between those approaches is their approach to problem solving. Improvement relies on not only solving problems within existing processes but also reviewing and improving the process itself. That is why conflict resolution and its derivatives such as problem solving should be applied carefully. Resolution of conflicts should allow room for creativity and development of creative options. Creativity in generating new ideas is also helpful in escaping from old ones.

In addition to that, sometimes diagnosis is not enough for removing conflicts. There may be multiple causes or it may be impossible to find out the roots of conflicts or it is just very difficult to remove the causes. For all those probabilities designing a road map can help to resolve conflicts.

SP is a set of actionable items to carry out the strategy. It turns the concept of strategy into actions. The plan identifies actions to handle specific challenges or constraints of the organization. After the plan is developed, there are still important questions of governance, implementation, monitoring, performance evaluation, and adjustment. SP is the long road that carries to the realization of goals. SP is considered to be a tool and a process of management. Generally it is considered as being the master process covering all other sub processes to reach the goals. SP Process (SPP) can be designed based upon the functioning of the environment referred to.

There are several reasons why the strategic planning process is used as a tool for designing the institutionalization of conflict resolution in Turkey. First of all planning is covering externalities. Especially in volatile environments as of Turkey, everything is operating under changing environmental conditions. In this work conflict resolution is perceived as an approach to be implemented at every level of our lives. A plan also serves as a mirror in case when there is mismatch. SPs have a long-term vision. There may be wrong estimations at the end of a term. At that point plans guides where was the mistake through a process.

Secondly, if the increase of wealth in Turkey to the level of developed countries is taken as the ultimate goal of the state, it requires formulation of many different sub processes. Realization of economic goals like increasing the per capita income to the level of developed countries is a sub process. This is also the vision stated in the state development plans from the beginning⁵³. This vision requires a very long- term strategy formulation and deployment of policies within coordination between different priorities at different levels. This may be defined as strategic management. The lack of a common road to follow or controversies between the policies can result with failure in realization of the vision. Putting an effort for different directions in the same boat is inefficient. Not taking in to consideration such challenges is costly. That was the case of Turkey during its development process at the beginning of the 1960s. There is a vision that can be traced in the Five Year Development Plans but most of the industrial or social strategies were not implemented or were controversial to each other. In this work conflict resolution is considered as a framework in which conflict resolution is perceived as a creative tool kit for the realization of goals. The usage of conflict resolution as a value system or as a mechanism for overcoming conflicts at every level of a society, it requires an institutionalization.

⁵² De Bono, Edward. Rekabet Üstü (Sur/Petition) . RK , 1992 :27.

Institutionalization as a comprehensive framework perceives conflict resolution as a common concept, as an approach, as a mechanism, as a common language. In order to put into action the institutionalization it is needed to look at the whole picture referring to the domestic and international environment of Turkey. Finally here, strategic planning approach is considered as a management tool for creating a model of institutionalization process of conflict resolution in Turkey. This process is a tool for the use of institutions as well as individuals.

Four major steps are identified in formulating a strategy of conflict resolution in Turkey: 1. Diagnosis 2. Creation of Concepts 3. Policy Deployment and 4. Evaluation

4.1.1. Diagnosis

Diagnosis means investigation or analysis of the cause or nature of a condition, situation, or problem. Within the framework of the planning process diagnosis refers to the first stage. At that stage, the roots, underlying reasons behind the conflicts are searched. There may be different variables that have an effect on each other. Those variables should be defined as well as the relationship between them. For example in searching the roots of an international conflict, the diagnosis starts with defining the conflict map. A conflict map basically explains the issue/s, the primary, secondary and third parties, the history of the conflict and the positions/ interests of the parties. The map can be developed depending upon the context.

This is to say there is no unique formula for processing a diagnosis, but there are some facilitations and basic concepts. Strategic research is one of them. It refers to the research and analysis activity from a long-term perspective that is considering the prospective critical variables. A critical

⁵³ Tofaş Stratejik Araştırma ve Yönetim Geliştirme Takımı. Türkiye’de Otomobil Sanayii Gelişme Stratejisi . Tofaş A.Ş., 1997:8.

variable can be asleep for the moment but probably will be very important to the relevant environment in the future. The strategic research mechanism provides such vision and required activities like monitoring data or events, collecting and analyzing. For example in order to understand the urban land disputes there is a need for defining the conflict map. Within this map there may be some issues related to the urbanization dynamics. One of the reasons of the urban squatter area land disputes may be limited resources.

Diagnosis is a continuous process. In time the root causes can change nature because of the changing environment. The same conflict may arise because of different reasons due to the new developments. For example reasons of the Turkish-Greek conflict is dynamic due to the parties' changing commitments and interests. That is why the diagnosis stage should be modeled and reviewed on a periodic basis.

4.1.2. Creation of Concepts

After elaborating the roots of conflicts the next step is to theorize and conceptualize the needs and goals of the parties in a conflict. During the conceptualization, the facts and figures are interpreted from an academic perspective. Conceptualization allows processing the information and turns it to an outcome. The assessment of the needs and goals of an institution or an individual is the essence of conceptualization. Before getting faced to the decision making process one should determine its needs and goals.

Self-assessment is to ask the question of what do I want or what kind of relationship do I need. The determination of the nature of relationships desired by the parties of a conflict is crucial in the realization of parties' goals.

Within an organization this question is asked if the environmental factors are manageable, if not most of the managers, professionals prefer to set their goals based upon the given data. This leads to a lack of vision, a lack of long-term goals. Conceptualization effort gives the opportunity to set the

needs and the goals independent from the constraints. Once constraints shape the decisions the individual or the institution loses the power to shape its future.

The ‘transformation capacity’⁵⁴ (dönüştürme kapasitesi) concept of Işık and Pınarcıoğlu⁵⁵ in their field study in Sultanbeyli is a good example for conceptualization. The transformation capacity refers to the capacity of individuals to change their conditions of existence within relationship networks. The authors conclude that being able to define this concept helped them to perceive poverty as a process and not as a static fact. Also, this conceptualization allowed going beyond a definition based only upon income or consumption capacity. This capacity was also the need for increasing wealth capacity. It showed that people found a process in which they can fulfill their needs and expectations.

The function of creation of concepts stage is to understand the logic of past, present as well as future conflicts and then prioritize the issues in the agenda.

4.1.3. Policy Deployment⁵⁶

After conceptualization of the system of the conflict, the next step is to formulate policies. The agenda is set based upon the priorities and a logic flow. Policy deployment is a tool for managing and disseminating the policies in a consistent manner.

The term hoshin kanri has many English equivalents created by practitioners of management science, in an attempt to capture the essence of this practice. The most frequently used terms – management by policy, hoshin planning, and policy deployment- all fall short of the complete meaning of the

⁵⁴ Translated by this author

⁵⁵ Işık, Oğuz, Pınarcıoğlu, Melih, M. Nöbetleşe Yoksulluk Sultanbeyli Örneği . İletişim , 2001:333.

⁵⁶ Politika Açınımı

Japanese term and the methodology it stands for. Perhaps the most accurate term would be target-means deployment, but the dryness of that fails to capture the power of this method. Hoshin means shining metal, compass, or pointing the direction; kanri means management or control. Hoshin is often translated as policy, but it refers to something more far reaching, like the vision, purpose, or long-term direction of an institution or an individual⁵⁷

Hoshin Kanri is a method devised to capture and concretize strategic goals as well as flashes of insight about the future and develop the means to bring these into reality. It is to integrate an organization, an individual's daily activities with its long-term goals.

With Hoshin Kanri, insight and vision are not lost. The conflicts are determined and managed by the plans themselves. There is a continual process of checking to make sure that what is done reflects the intentions, the targets, the vision that is agreed to pursue.

In the institutionalization process of conflict resolution, there is an emphasis on the deployment process itself. The deployment process covers the development of targets, the development of means to achieve targets, and the deployment of both. Conflict resolution has tools to offer during the process of development of means to achieve targets. Such as negotiation and mediation. These are methodologies, which can be used for the successful implementation of policy deployment. 'Catchball' is that kind of tool referring to the commitment to continual communication that is essential to the development of realistic goals and means and to their deployment at every level of the institution or to the individual actions. Through negotiation and mediation a structural change in relationships and establishment of communication during the implementation of policies.

In this work policy deployment is used as an approach to the implementation of conflict resolution mechanisms as a system managing conflict step by step. It formulates 4 steps for implementing conflict

management strategies. It does not necessarily require naming as a conflict resolution activity but the essence of a conflict resolution approach. The steps include the formulation of vision, goals, policies, deployment of policies and formation of financial plans that is the allocation of resources.

As it was stated above, conflict resolution is perceived as a system. One should define the ultimate goal to be reached. That is qualified as the vision. For example in the urban land dispute issue the approach may be to increase the quality of life in urban areas to the European level in Turkey. The goal here may be to overcome informal relationships through peaceful policies. Creating communication channels between the parties and raising consciousness about the situation, organizing problem solving workshops, providing third party intervention are some of the possible conflict resolution tools which can be used. The allocation of resources is set upon the priorities set based on the diagnosis of conflict causes and understanding the functioning of the relationships between the parties to the conflict. In Turkey it is a very centralized political issue. Again a process through the participation of stakeholders in the issue may design the approach to the allocation of resources in urban land disputes. The resource allocation plan will be an outcome created together.

The more people in the policy deployment process feel themselves owner of the solutions not only the problems, the more the desire for resolving conflicts increase, and the risk of escalation diminishes. From this perspective policy deployment is a participative methodology.

4.1.4. Evaluation

In order to ensure the realization of the goals there should be a measurement mechanism. An organized approach to measurement is vital because performance measures indicate the degree of success. Measurement

⁵⁷ Akao, Yoji. Hoshin Kanri Policy Deployment for successful TQM. Productivity, 1991: xiii.

monitors continuous improvement, and individual, institutional performance. Establishing measures of processes early in the planning stage let monitoring process errors before it could be tested and achieves cost savings.⁵⁸

The name of the mechanism may differ considering the context and the institutional or the individual goals. The measurement is a continuous process. In order to measure the performance in achieving targets some indicators should be defined. Those indicators depend within the context and within the process. For example in order to measure the success in resolving land disputes in urban areas, there may be some quantitative and qualitative indicators, such as, the number of disputes resolved, the satisfaction level of the parties from the outcome, were these disputes resolved or managed?

According to the feedback and evaluation results, the adjustment and improvement processes start. It is a critical ‘catchball’ process operated at every level.

‘Feedback systems must be put in place to break down linear communication flows and allow for bottom-up, top-down, horizontal, multi-directional communication about targets, means and their deployment progress.’⁵⁹

Conflict resolution toolkit is very useful in establishing such a communication system making all the parties a part of the issue.

Figure 2 summarizes basic steps of conflict resolution strategic deployment planning process.

Figure 3 summarizes basic steps for strategic deployment planning in land ownership issue.

Figure 4 illustrates an action plan for the institutionalization of conflict resolution within the demographic, legal, political and economic environments.

⁵⁸ http://www.juran.com/research/articles/EQ8.1_Juran%201MK.pdf.

⁵⁹ Akao, Yoji. Hoshin Kanri Policy Deployment for successful TQM. Productivity, 1991: xv.

**BASIC STEPS OF CONFLICT RESOLUTION
STRATEGIC DEPLOYMENT PLANNING PROCESS**

DIAGNOSIS	CREATION OF CONCEPTS	POLICY DEPLOYMENT	EVALUATION
<ul style="list-style-type: none">• Environment Analysis (Strategic Research)• Roots of the conflicts• Assesment of actual systems/mechanisms	<ul style="list-style-type: none">• Expectations and Goals• What kind of relationship is needed?	<ul style="list-style-type: none">• Vision• Goals• Policies• Deployment of policies• Catchball	<ul style="list-style-type: none">• Performance evaluation• Improvement

Figure 2

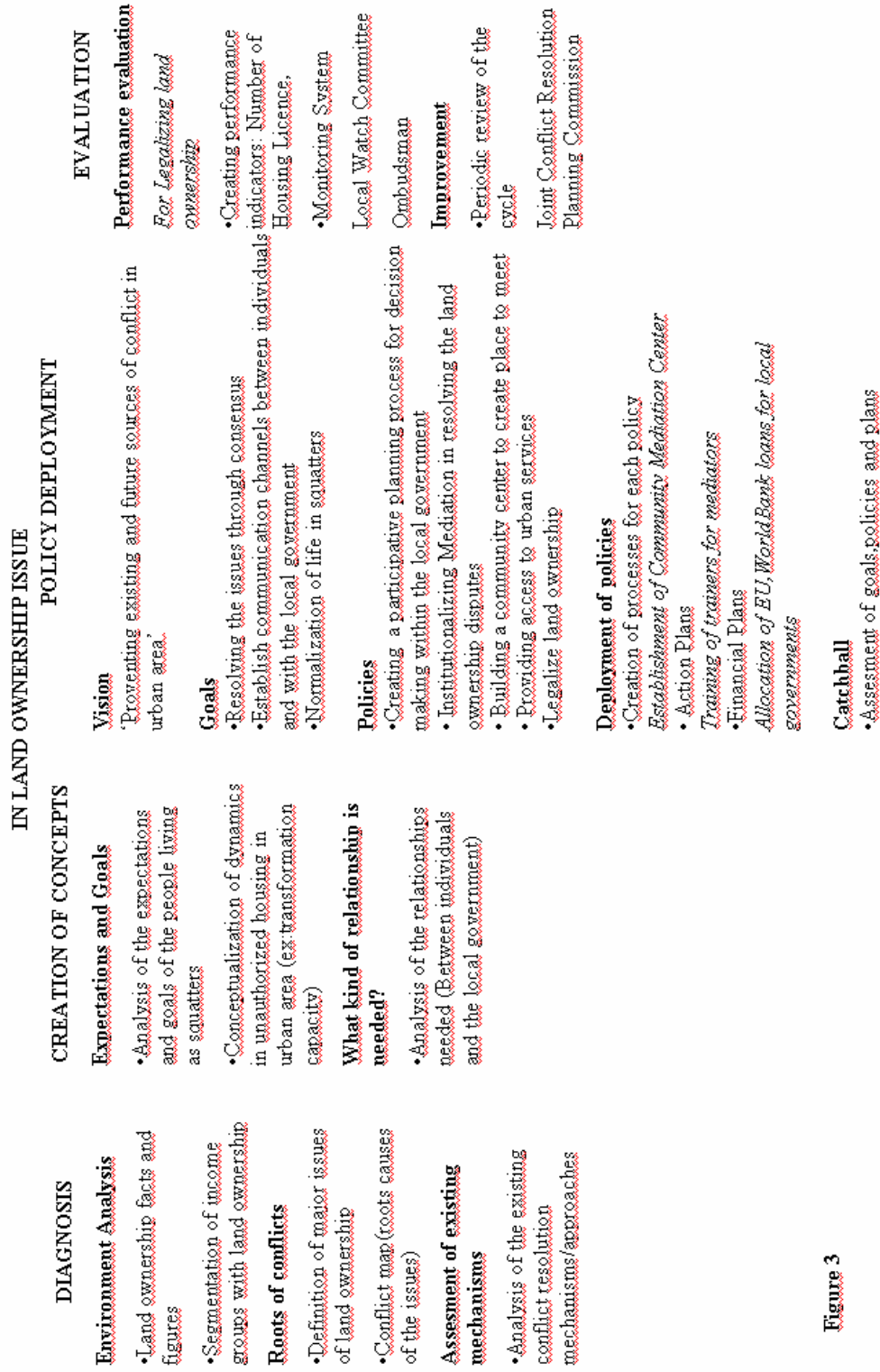


Figure 3

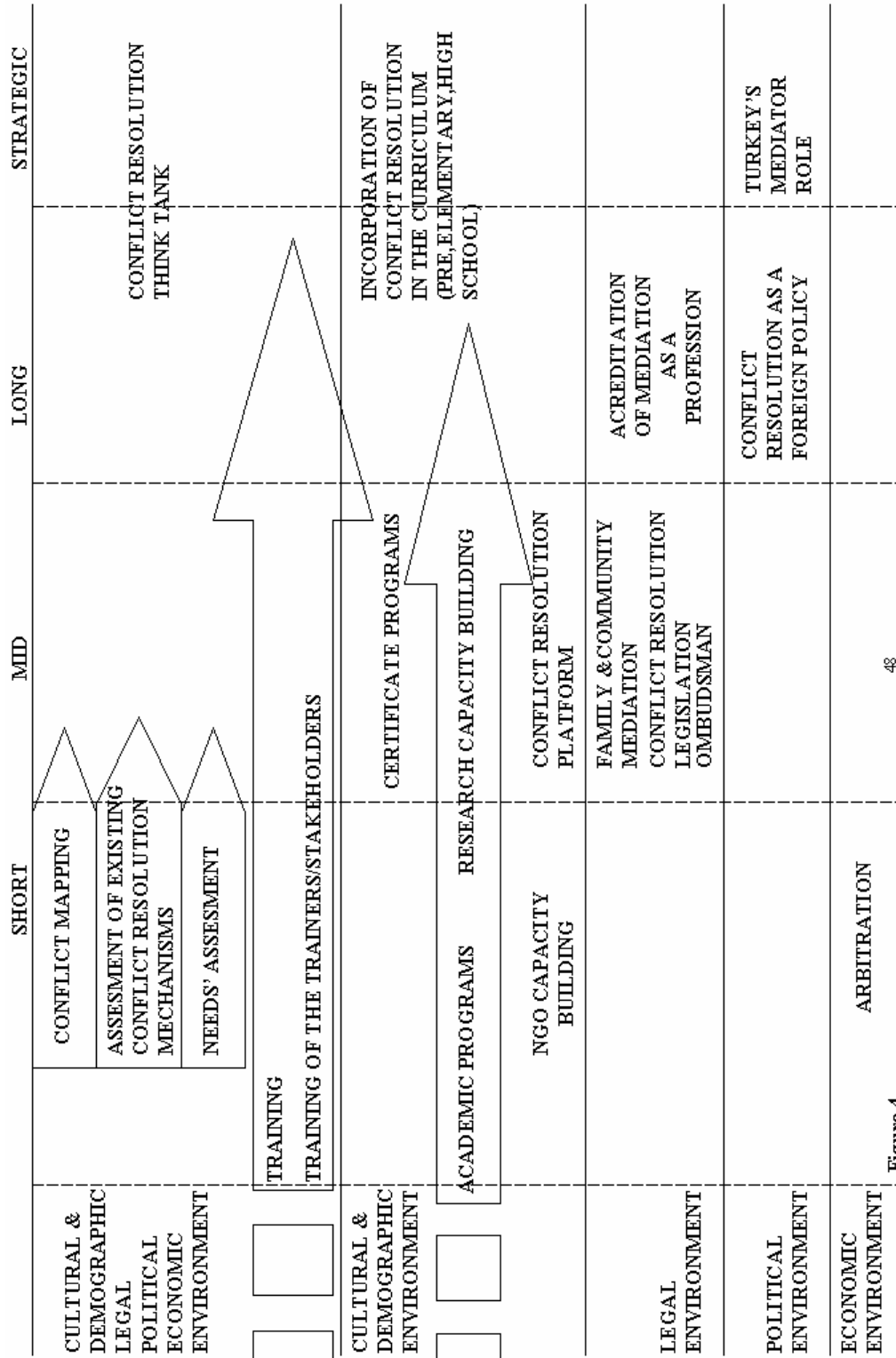


Figure 4

CHAPTER 5

CONCLUSION

In this thesis, different aspects of institutionalization of conflict resolution in Turkey have been discussed. A model is proposed for a systemic analysis of the institutionalization of the field.

Conflict and its derivatives are injuring people and economies. There is a need for a long-term action plan in order to analyze the roots of the conflicts. As a second step the needs and the changes needed must be theoretized and conceptualized. This leads us to the analysis of the actual systems in which people operate. In this context, what kind of relationships do people need in order to reach their goals and satisfy their needs is an important question to answer. Conflict resolution seeks the roots of the problems and processes through which the harmony can be built, therefore its institutionalization.

Conflict resolution has not received as much attention though. It is capable of dealing with both domestic and international conflicts, as well as in operating in different economic and political systems. Its analytical problem-solving techniques provide insights in understanding the causes and nature of conflicts. But these are not the main tasks of conflict resolution. The major promise of it is conflict *provention*. Both goals promote conditions for peaceful transformation of the societies toward social harmony.⁶⁰

Within the process of institutionalization of conflict resolution in Turkey there are two issues that should be considered. First, there is a precondition to the initiation of the process at every level. Whether it is an institution or an individual, the process requires a will to resolve the conflict. Parties should be voluntary in resolving the conflicts. A local government

⁶⁰ <http://www.colorado.edu/conflict/transform/burton.htm>.

initiative in resolving the conflicts of urbanization for example can only be carried if there is a will to resolve the issues.

Second, the way conflict resolution is going to be internalized in the Turkish context has to be analyzed and the Turkish version should be created in order to consider the cultural differences between the North American/European and the Turkish experience. The Turkish version of conflict resolution terminology, training materials and concepts, code of ethics has to be created.

This thesis considers conflict resolution as a tool and a value system that can be practiced in different areas such, interpersonal relations, family issues, social, legal, economic, domestic and foreign policy making, business processes. Conflict resolution can be adopted by an individual in shaping their relations and behaviors or by states, institutions in formulating their strategies. The thesis makes a proactive intervention in designing a roadmap using the strategic deployment process in order to plan the long-term institutionalization journey of conflict resolution in Turkey. An original process of strategic planning is created in order to conceptualize the practice and implementation of conflict resolution in the long-term in Turkey. The process is applied to a case in order to show the function of the concepts. The action plan can be used as a guidance to see some of the possible tools of conflict resolution that can be applied to major areas.

I believe the model created here will inspire the future conflict resolution practitioners, the policy makers in Turkey, in practicing conflict resolution as a major strategy in dealing with every kind of conflict and transforming their environment.

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