

**THE MAIN FEATURES OF 1982 TURKISH  
CONSTITUTION AND RECENT  
CONSTITUTIONAL CHANGES IN  
TURKEY**

**Doç. Dr. Yavuz ATAR \***

**I. A Short Look at the Constitutional Developments in Turkey**

The first constitutional movements in Turkey took place by the Deed of Alliance (Sened-i İttifak, 1808), Decree of Reforms (Tanzimat Fermanı, 1839) and the Decree of Improvements (Islahat Fermanı, 1856). After these movements the first constitution was written and declared in 1876 titled *Kanun Esasi*<sup>1</sup>.

The Deed of Alliance was accepted as a result of negotiations between the representatives of the central government and the notable (*ayan*) senators. By this Deed it was decided that none should interfere with governmental affairs except the government officials, that the chief president (*padışah*) should participate in the exercise of power and share responsibility, and that in case of a revolt against the state by a government official they should work together to repress him. However, no mechanism was proposed for applying these rules. In 1839, with the declaration of the Deed of Reforms by the Sultan, the state undertook the providence of security of life, property and honor for all subjects of the government, and the regulation of all taxation and military affairs. The Decree of Improvements has, in a sense, renewed promises which were initially suggested by the Decree of Reforms assuring equal treatment of all subjects without regard to their religious differences.

The Constitution of 1876 founded a parliament consisting of two assemblies: first was the "Heyet-i Mebusan" whose members were elected through a two-stage electoral system, and the Assembly of Senators (Heyet-i Ayan) whose members were appointed by the Sultan. According to the Constitution, the power of the Parliament were quite limited and the law or deed proposition of the

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1 For the details of the constitutional developments in Turkey see: Tuncel, Hüsnü: *Osmanlı İnkılabı, Devrim ve Gelişimleri (1774-1908)*, İstanbul 1995, pp. 23-283, Erdoğan, Mustafa: *Türkiye'de Devrim ve Gelişimler ve Sonrası*, Ankara 1997.

# Effect Of Recent Constitutional Changes

**S Marginson**



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## **Table of Contents Effect Of Recent Constitutional Changes**

1. Understanding the eBook Effect Of Recent Constitutional Changes
  - The Rise of Digital Reading Effect Of Recent Constitutional Changes
  - Advantages of eBooks Over Traditional Books
2. Identifying Effect Of Recent Constitutional Changes
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Effect Of Recent Constitutional Changes
  - User-Friendly Interface
4. Exploring eBook Recommendations from Effect Of Recent Constitutional Changes
  - Personalized Recommendations
  - Effect Of Recent Constitutional Changes User Reviews and Ratings
  - Effect Of Recent Constitutional Changes and Bestseller Lists
5. Accessing Effect Of Recent Constitutional Changes Free and Paid eBooks
  - Effect Of Recent Constitutional Changes Public Domain eBooks
  - Effect Of Recent Constitutional Changes eBook Subscription Services
  - Effect Of Recent Constitutional Changes Budget-Friendly Options

6. Navigating Effect Of Recent Constitutional Changes eBook Formats
  - ePub, PDF, MOBI, and More
  - Effect Of Recent Constitutional Changes Compatibility with Devices
  - Effect Of Recent Constitutional Changes Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Effect Of Recent Constitutional Changes
  - Highlighting and Note-Taking Effect Of Recent Constitutional Changes
  - Interactive Elements Effect Of Recent Constitutional Changes
8. Staying Engaged with Effect Of Recent Constitutional Changes
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Effect Of Recent Constitutional Changes
9. Balancing eBooks and Physical Books Effect Of Recent Constitutional Changes
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Effect Of Recent Constitutional Changes
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Effect Of Recent Constitutional Changes
  - Setting Reading Goals Effect Of Recent Constitutional Changes
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Effect Of Recent Constitutional Changes
  - Fact-Checking eBook Content of Effect Of Recent Constitutional Changes
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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