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# Do Ask, Do Tell: The Exclusion of Gay Men from Universal Male Conscription in the Republic of Turkey

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DO ASK, DO TELL:  
THE EXCLUSION OF GAY MEN FROM UNIVERSAL MALE CONSCRIPTION IN  
THE REPUBLIC OF TURKEY

A Capstone Experience/Thesis Project

Presented in Partial Fulfillment of the Requirements for the Degree Bachelor of Arts with  
Honors College Graduate Distinction at Western Kentucky University

By

Barrett J. Greenwell

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Western Kentucky University

2016

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## ABSTRACT

What are the implications of the Republic of Turkey's paradoxical policies of universal male conscription and exclusion of gay men from military service? To answer this question, this project draws on four months of research in Turkey where interviews were conducted with prominent lawyers and activists as well as with gay men who personally experienced the inhumane exemption process of the Turkish military. This project first analyzes the historical reasons for the military's pervasive influence in Turkish society. Next, it explores the many issues inherent in a policy of universal conscription without the right to conscientious objection. The project then focuses on the methods utilized from 1986 to the present to "prove" the sexuality of men in Turkey. These methods are based in Victorian pseudoscience, including invasive anal examinations, video or photographic evidence of sexual acts, video or photographic evidence of cross-dressing, the Minnesota Multiphasic Personality Inventory, the House-Tree-Person Test, and mandatory family interviews. Each method is based on outdated gender roles, violates basic human rights, and wholly lacks validity in the capacity to determine sexual orientation. These exemption methods, along with the classification of gay men as psychologically ill, demonstrate the Turkish military's repeated adherence to scientific practices discredited by the modern medical and psychological community.

Keywords: LGBTQ, Human Rights, Turkey, Military, Universal Male Conscription.

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## FIELDS OF STUDY

Major Fields: Political Science, International Affairs

Minor Fields: Economics, Criminology

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## LIST OF ABBREVIATIONS

A-GATA	Ankara Gülhane Military Medical Academy
DSM	Diagnostic and Statistical Manual of Mental Disorders
DADT	Don't Ask, Don't Tell
HTP	House-Tree-Person Test
I-GATA	Istanbul Gülhane Military Medical Academy
AKP	Justice and Development Party
LGBTQ	Lesbian, gay, bisexual, transgender, and queer
MF	Masculinity-femininity
MMPI	Minnesota Multiphasic Personality Inventory
NATO	North Atlantic Treaty Organization
HDP	People's Democratic Party
CHP	Republican People's Party
UN	United Nations

## CHAPTER 1

### INTRODUCTION

*In an Istanbul Starbucks on February 13, 2015, few people took notice of three men discreetly sitting at a corner table sipping their hot coffee. The customers quickly ordered their lattes and then dispersed throughout the world's fifth largest city, which serves as a shining example of Turkey's development and modernity. The Starbucks logo invoking the epitome of Western capitalist sentiment paired with the Islamic call to prayer provided a backdrop for this scene in iconic "east meets west" Istanbul. The three men, however, were there to discuss the ways in which Turkey still lags far behind other modern societies. The first man, EO, who wishes to remain anonymous for his safety, discussed his harrowing experiences with the Turkish military. The second man translated from Turkish to English while the third man quickly scribbled down notes so that he could later recount EO's story.*

EO, now 29, was only 21 when he went through the exemption process that all gay men in Turkey must undergo in some form before their exclusion from the Turkish military is complete. His exemption took place over the course of three weeks in 2007—a life-changing experience that would ultimately leave his body emaciated and his skin an unnatural yellow tint. For EO, the deepest fear of many gay men passing through this exemption process was realized: a copy of his infamous “pink certificate” ended up at the

home of his parents. This document officially denotes EO as unfit for military service on the grounds of his homosexuality. Luckily for EO, his illiterate mother received the forms. This turn of events was quite fortunate because, as EO casually noted, in his native region the punishment for homosexuality is often death. He explained the personal details of his story with the laugh and smile of one for whom the looming threat of death at the hands of his loved ones is an established and accepted reality.<sup>1</sup> While unique since he chose to seek exemption from the military after having already enlisted, his classification as mentally ill and his evocative exemption story of forced imprisonment, prying questions, invasion of privacy, and bureaucratic obstacles is illustrative of the numerous abuses that gay men are forced to endure at the hands of the Turkish military. His account is not an archaic story of some past abuse; rather, it is the reality faced by homosexuals in modern Turkey. The overt discrimination and mistreatment of gay men by the military is a feature of Turkish society that persists not just a hundred years ago, not a decade ago, but today.

In Turkish civil and political society, the military wields vast influence in no small part because of a strict policy of universal male conscription as established under the Constitution of 1982. This policy ensures that every Turkish man is brought directly under the influence of the military. Yet gay Turkish men are not deemed worthy to serve alongside their peers. They are therefore exempt from mandatory conscription and excluded from the military altogether. This thesis will explore the sources of this exclusionary policy in order to demonstrate the Turkish military's blatantly homophobic and discriminatory stance concerning homosexuality. However, the military has for

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<sup>1</sup> EO, Interview by Barrett Greenwell, translated by Fikret Erkut Emcioglu, Istanbul, Turkey, February 13, 2015.

decades ineffectually grappled with a fundamental question concerning this discriminatory policy: how can they verify one's sexuality to ensure that this gay ban is properly enforced? The military's search for an answer to this question has resulted in decades of human rights violations and torture that have ultimately yielded no viable solutions. Starting in 1986, exemption methods have included invasive anal examinations, demands for photographic or video evidence of sexual acts, demands for photographic or video evidence of cross-dressing, psychological tests, and mandatory family interviews. Through an in-depth analysis of each method, this project will demonstrate the Turkish military's utilization of pseudoscience, reliance on outdated gender roles, complete misunderstanding of sexual orientation, and violation of fundamental human rights.

Notions of public morality have been utilized to shape Turkey's criminal code, civil code, and constitutionally-provided rights in ways that normalize discrimination and no longer offer adequate protection for Turkey's LGBTQ population. When analyzing these aforementioned abuses then, it is necessary to rely on an international framework of human rights as established and defined by international treaties such as the European Convention of Human Rights, the United Nations (UN) Universal Declaration of Human Rights, the UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and the UN International Covenant on Civil and Political Rights. With these standards in mind, this project will describe and analyze the human rights abuses perpetrated against gay men who endured the military exemption process in the Republic of Turkey from 1986 to the present.

Ultimately, this project will demonstrate how constitutionalized and normalized homophobia has adversely impacted the lived experience of nearly every gay man in the Republic of Turkey. The goal of this work is to look beyond the human rights abuses and reliance on absurd pseudoscience that epitomize the military exemption process in order to illustrate the harm that gay men incur as a result. These injuries are both psychological and physical, leading to repercussions that follow these men for the rest of their lives.

**CHAPTER 2:**  
**FROM ATATURK TO ERDOĞAN: THE HISTORICAL GROWTH OF**  
**MILITARY INFLUENCE IN MODERN TURKISH SOCIETY**

No discussion of modern Turkey is complete without an examination of Mustafa Kemal Atatürk, the Republic of Turkey's founding father and first president. Atatürk rose to prominence in World War I and, following the dissolution of the Ottoman Empire, defeated European forces to form a sovereign Turkey.<sup>2</sup> Atatürk's revolutionary vision for Turkey was rooted in the establishment of new republic guided by the principles of secularism.<sup>3</sup> Atatürk's first ambition was accomplished in 1923 with the creation of the Republic of Turkey, which he was unanimously chosen to lead as President.<sup>4</sup> As President, Atatürk's secularization agenda was pursued quickly and efficiently. In 1924, Atatürk worked with the military and Parliament to abolish the Caliphate and to disband the court system based on Sharia law.<sup>5</sup> A new, modern civil code, modeled after Switzerland, was implemented in 1926.<sup>6</sup> Although his secular vision was met with heavy resistance within Turkey and throughout Muslim world, years after his death Atatürk

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<sup>2</sup> "Turkey's Leaders Praise Atatürk's Heritage," *Anadolu Agency*, November 10, 2014, <http://www.aa.com.tr/en/turkey/418068--erdogan-praises-ataturks-heritage>, accessed December 1, 2014.

<sup>3</sup> Sina Aksin, *Turkey: From Empire to Revolutionary Republic; The Emergence of the Turkish Nation from 1789 to Present* (New York: New York University Press, 2007), 195.

<sup>4</sup> Aksin, *Empire to Revolutionary Republic*, 190.

<sup>5</sup> Aksin, *Empire to Revolutionary Republic*, 192-193.

<sup>6</sup> Aksin, *Empire to Revolutionary Republic*, 194.

still serves as a model figure for the modern government and military of Turkey. As such, his portrait adorns the walls of classrooms and military buildings throughout Turkey.<sup>7</sup> This continued relevance of Atatürk's legacy was demonstrated in 2014 when former Prime Minister and newly confirmed President Recep Tayyip Erdoğan, along with newly confirmed Prime Minister Ahmet Davutoğlu, praised Atatürk for his dedication to an independent Turkey.<sup>8</sup> Davutoğlu cited Atatürk's self-confidence, trust from his people, and ability to correctly interpret history as his most important qualifications that allowed him to effectively lead and modernize Turkey.<sup>9</sup> In 2015, Turkey's official foreign policy statement, as presented on Turkish Consulate General websites all around the world, explicitly cites Atatürk's vision of a democratic, secular political system that can safeguard "peace at home and peace abroad."<sup>10</sup>

However, Atatürk's fast-paced agenda, maintained in the Turkish political system as the philosophy of Kemalism, was not implemented without a price. While Kemalism embodies many favorable ideals, such as "self-reliance, an open attitude to the outside world...a concentration of effort on domestic development, and...prudence in foreign policy,"<sup>11</sup> the preservation of Kemalist ideals in modern Turkey has created "an exaggerated fear of the undermining of the integrity of the Turkish state" that has fostered

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<sup>7</sup> At Yeditepe University, his portrait hangs in every classroom and office on campus—often the only decoration adorning otherwise blank walls. His giant portrait, placed atop a nearby hill keeps watches over the entire university as students carry out their studies.

<sup>8</sup> "Turkey's Leaders Praise Atatürk's Heritage."

<sup>9</sup> Ibid.

<sup>10</sup> For example, see: <http://newyork.cg.mfa.gov.tr>.

<sup>11</sup> Celia Kerslake, Kerem Oktem and Philip Robins, *Turkey's Engagement with Modernity: Conflict and Change in the Twentieth Century* (New York: Palgrave Macmillan, 2010), 9.

greater levels of statism and military control in society.<sup>12</sup> The Kemalist philosophy's unflinching focus on law and order has been blamed for the violent relations with Kurdish nationalists and the marginalization of any group that could threaten the ideals embodied by the modern yet still militaristic Turkish state.<sup>13</sup> As a result of the sustained prevalence of Kemalism in Turkish society, the military continues to view itself as the guardian of the republic. Therefore, leading military officials view it as their right and duty to intervene when democratically elected governments stray too far from Atatürk's secular vision. As a result, the army has historically set both the domestic and international policy agenda.<sup>14</sup> Beyond political control, the army also manages its considerable assets to play an important role in the Turkish economy.<sup>15</sup> The vast army pension fund has been used "to form a huge conglomeration of firms" throughout Turkey.<sup>16</sup> The Turkish military receives massive public support and is considered by the Turkish public to be one of the most respectable institutions in society.<sup>17</sup> From a very early age, children are taught by their parents and within the public school system that the military is to be respected and obeyed.<sup>18</sup> Many within the public believe that political parties and the government are crippled by widespread corruption but that the military somehow remains above such pettiness.<sup>19</sup> This assumed guardianship has led to three

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<sup>12</sup> Arie Oostlander, quoted in Kerslake, Oktem, and Robins, *Turkey's Engagement with Modernity*, 1-2.

<sup>13</sup> Kerslake, Oktem, and Robins, *Turkey's Engagement with Modernity*, 7-8.

<sup>14</sup> "Turkey Military Service," For The Netherlands: Ministry of Foreign Affairs, Directorate for Movements of Persons, Migration and Consular Affairs, Asylum and Migration Division, July 1, 2001, 11, <http://www.refworld.org/pdfid/467010bd2.pdf>, accessed August 25, 2014.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> "Turkey Military Service," 12.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.



coup d'états since the founding of the republic: the removal of Prime Minister Adnan Menderes in 1960, Prime Minister Süleyman Demirel in 1971, and Süleyman Demirel once again in 1980.<sup>20</sup> The 1980 coup was followed by several years of military rule, which were marked by military violence and social unrest.

In 1982, a new constitution was drafted and subsequently approved by the public in a referendum.<sup>21</sup> Its preamble established the Republic of Turkey as a secular nation, following in line with the ideas of modernism as established by Atatürk, its “immortal leader and unrivalled hero.”<sup>22</sup> The preamble provides a clear definition of secularism: “There shall be absolutely no interjection of the sacred tenets of religion into State affairs and politics.”<sup>23</sup> The preamble recognizes “the birthright of every Turkish citizen to exercise the fundamental rights and freedoms set forth by this constitution, and to do so within the requirements inherent in the concepts of equality and social justice.”<sup>24</sup> Furthermore, the “collectivity of the Turkish citizens share...the absolute respect [of] each other’s right and freedoms.”<sup>25</sup> The preamble presents the noble and certainly optimistic intentions of Turkey’s new constitution, establishing goals that ultimately have proven unattainable. While the preamble purportedly adheres to the principles of secularism, the constitution allows the state to limit privacy of individual life, the freedom of the press, the right to hold meetings and demonstration marches, the right to

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<sup>20</sup> “Timeline: A History of Turkish Coups,” *Al Jazeera News*, April 4, 2012, <http://www.aljazeera.com/news/europe/2012/04/20124472814687973.html>, accessed February 11, 2015.

<sup>21</sup> *Ibid.*

<sup>22</sup> Gisbert Flanz and Albert Blaustein, ed., *Constitutions of the Countries of the World: Turkey* (New York: Oceana Publications, Inc, 1984) 1-2.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

organize labor unions, and the right to public hearings and verdict justifications under the pretense of protecting public morals.<sup>26</sup> In practice, this so-called protection of public morals allows the cultural and religious majority of Turkey to decide for the rest of society what is socially acceptable and what is deviant. Ultimately, a “decision duly given by a [single] judge” can arbitrarily classify an “immoral” individual as a threat to public morality, effectively stripping them of the aforementioned constitutional rights.<sup>27</sup>

In many cases, this vague notion of public morality has been levied pejoratively against the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community.<sup>28</sup> The naïve notion that the Turkish government engenders equal opportunity for all Turkish citizens, as first presented in the 1982 preamble, has been repeated in the rhetoric of prominent politicians in more recent times. Outgoing Prime Minister and incoming President Erdoğan declared in 2014 that Turkey was the most sensitive country in the world when it came to the plight of minorities.<sup>29</sup> Furthermore, he shared his belief that “everyone within the borders of the Republic of Turkey [can] freely express their faith, culture and identity...all minorities in Turkey are in peace.”<sup>30</sup> This declaration of equality for minority groups does not match up with the present reality, as clearly seen in ethnic conflicts with the Kurdish minority, the unequal status of women in society, and the continued mistreatment of the LGBTQ population. Erdoğan’s statements reveal that he is

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<sup>26</sup> Flanz and Blaustein, *Constitutions*, 8-15.

<sup>27</sup> Ibid.

<sup>28</sup> For the purpose of this project, LGBTQ will be utilized when generally discussing sexual and gender identity minorities. The Q, referring to ‘queer’ rather than ‘questioning,’ serves as an umbrella term to include any individuals treated as subaltern because of their sexual or gender identity.

<sup>29</sup> “Turkey is Sensitive Towards its Minorities says PM,” *World Bulletin*, August 14, 2014, <http://www.worldbulletin.net/news/142512/turkey-is-sensitive-towards-its-minorities-says-pm>, accessed January 2, 2015.

<sup>30</sup> Ibid.

either disingenuous or completely out of touch with the reality faced by everyday Turks. From the large 2013 Gezi Park protests in downtown Istanbul and conflicts over Kurdish sovereignty rights to the continued mistreatment of LGBTQ minorities and the denial of the Armenian genocide, Turkey is far from being the most sensitive society in the world concerning minority rights.<sup>31</sup>

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<sup>31</sup> The Gezi Park protests resulted after environmentalist protesting the planned demolition of the park were assaulted and disbanded by police officers. For many, this event represented vocal opposition to the perceived authoritarianism of then Prime Minister Erdoğan. Suzy Hansen, “Whose Turkey Is It?” *New York Times*, February 5, 2014, <http://www.nytimes.com/2014/02/09/magazine/whose-turkey-is-it.html>, accessed January 28, 2016. Many officials and citizens throughout Turkey continue to deny to scope of the Armenian genocide that began in 1915 and lasted roughly until 1920. Some officials even reject its classification as genocide. For more information on the atrocities of the Armenian Genocide, see Samantha Power, “*A Problem from Hell: America and the Age of Genocide*,” (New York: Basic Books, 2013).

**CHAPTER 3**

**THE ROOT OF THE MILITARY PROBLEM:**

**UNIVERSAL MALE CONSCRIPTION WITHOUT CONSCIENTIOUS**

**OBJECTION**

As established by Article 72 of the 1982 Constitution of the Republic of Turkey, “National service is the right and duty of every Turk. The manner in which this service shall be performed, or considered as performed, either in the Armed Forces or in public service shall be regulated by law.”<sup>32</sup> This mandate applies to “any male of Turkish nationality irrespective of his background or place of residence.”<sup>33</sup> All men are eligible from January 1 of the year they will reach age 19 to January 1 of the year they will reach age 40.<sup>34</sup> Burak Acil, LGBTQ rights activist with LambdaIstanbul,<sup>35</sup> discussed the varying age requirements for mandatory conscription. Military service can be temporarily deferred but only for very specific reasons and almost always for a finite period of time. For example, men can gain a temporary reprieve as long as they are actively enrolled in some form of higher education. Those men who have not chosen to continue their education beyond high school are expected to begin the enrollment for their military

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<sup>32</sup> Flanz and Blaustein, *Constitutions*, 27.

<sup>33</sup> “Turkey Military Service,” 9.

<sup>34</sup> *Ibid.*

<sup>35</sup> LambdaIstanbul is a grassroots LGBTI solidarity organization that has been in operation in Istanbul since 1993. They choose to use the acronym LGBTI, which denotes lesbian, gay, bisexual, transgender, and intersex respectively.

service at the age of 18 but no later than age 20.<sup>36</sup> Men pursuing an undergraduate degree are able to avoid this post-high school military enrollment. However, even this rule has limits. Men who have not achieved their undergraduate degree by the age of 27 are expected to leave university and enroll in the army.<sup>37</sup> In these circumstances, the military contacts the student's university directly to inform them that the student in question will be dropping out to fulfill his military mandate.<sup>38</sup> For those in graduate school, the military gives until age 29 after which they will remove the student from university.<sup>39</sup> Students pursuing a PhD have until age 34.<sup>40</sup> This policy of pulling students from their universities is relatively new and demonstrates the ruling Justice and Development Party's (AKP) attempt to combat military deferment.<sup>41</sup> Citizens with dual nationality can receive exemption as long as they can prove they completed comparable levels of military service in their other home nation.<sup>42</sup> Turkish citizens living and working abroad may also seek deferment until the age of 38 or they may buy their way out of military service in order to continue living abroad.<sup>43</sup> Sometimes, when a Turkish soldier dies in battle, the next brother in the family is granted a full exemption.<sup>44</sup>

Even though Article 72 of the constitution clearly dictates military service for "every Turk," Article 1 of the Law on Military Service fails to mention women when reiterating this constitutional mandate: "Every male national of the Republic of Turkey is

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<sup>36</sup> Burak Acil, Interview by Barrett Greenwell, Istanbul, Turkey, April 28, 2015.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> "Turkey Military Service," 27.

<sup>43</sup> "Turkey Military Service," 26.

<sup>44</sup> "Turkey Military Service," 29.

obliged to perform his military service in accordance with the law.”<sup>45</sup> This exclusion of women places military policy in direct non-complacency with the explicit wording of the Turkish Constitution that clearly explicates a policy of universal conscription. As explained by Yasemin Öz, an LGBTQ activist for over 20 years and co-founder of KAOS GL,<sup>46</sup> in the eyes of the military “only men are [people], not women.”<sup>47</sup> As a result, rather than feeling obligated to rationalize the unconstitutional exclusion of women, the military considers it a non-issue that does not warrant a direct response. This exclusion of women, exacerbated by military administrators’ belief that inclusion of women is not a substantial question even worthy of consideration, provides a clear depiction of the imbalanced place that women hold in Turkish society. However, it is possible for women to join the professional army by choice rather than by the forced conscription that men have to endure. When these women thrive in the military ranks, they are often disconnected from their femininity and are considered just one of the men.<sup>48</sup> Outside of the military, there are consequences for a perceived breach in gendered expectations. For instance, recent government figures reveal that half of the murders that take place in Turkey are suspected to be so-called “honor killings” in which women are targeted by family members because of a perceived breach of family honor.<sup>49</sup> These murders have plagued Turkish society for decades because of deeply entrenched gender roles and an unyielding interpretation of

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<sup>45</sup> “Turkey Military Service,” 9.

<sup>46</sup> KAOS GL is an Ankara based LGBTQ solidarity, journalism, and activist organization in operation since 1994.

<sup>47</sup> Yasemin Öz, Interview by Barrett Greenwell, Istanbul, Turkey, February 20, 2015.

<sup>48</sup> Ibid.

<sup>49</sup> Hannah Ingber Win, “Honor Killings Have Morphed into Honor Suicides in Turkey,” *The World Post*, May 25, 2011, [http://www.huffingtonpost.com/2009/03/27/honor-killings-have-morph\\_n\\_179928.html](http://www.huffingtonpost.com/2009/03/27/honor-killings-have-morph_n_179928.html), accessed May 29, 2014.

what constitutes honor.<sup>50</sup> In turn, efforts to curb the practice are stymied by law enforcement officials that share in this traditional interpretation of honor.<sup>51</sup>

These “honor” murders demonstrate the unyielding expectations that women face in society and the fatal consequences that result when these expectations are not met. Despite governmental efforts to curb “honor killings” through mandatory minimum sentencing, these murders remain a prevalent and disturbing phenomenon in Turkish society.<sup>52</sup> In some cases, women are pressured or forced to take their own lives in callously named “honor suicides” so that family honor can be restored without the fear that a male family member will be subject to imprisonment.<sup>53</sup> This antiquated view on the proper role of women in society is in turn projected onto men, establishing their gendered expectations as well. The strict interpretation of masculinity creates a narrow definition of what it means to be a “true man” in Turkey. The practice of “honor killings” reveals the seemingly endless depths that men will go to rather than face a slight on their masculine honor.<sup>54</sup> In other words, they feel an obligation to murder their loved ones that transcends reason or even their actual wishes. However, it is important to remember that many of the men who participate in honor killings are just as young as the victims, often forced to commit murder by a family council of elders.<sup>55</sup> In this way, a cycle of subordination, patriarchy, and violence is passed on to the next generation.

Chief among the aforementioned expectations imposed on Turkish men is that they must serve in the armed forces. The strict interpretation and construction of

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<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

masculinity has led to a paradox in the application of the constitutional mandate on universal male conscription. The Turkish military does not recognize the right to conscientious objection, but at the same time it forbids gay men from joining the armed forces.<sup>56</sup> In this way, some men who seek exemption are refused while others who want to serve are blacklisted. When asked about this seemingly irrational paradox, Fırat Söyle, a prominent LGBTQ rights lawyer working in Istanbul, stated this is the “reality of Turkey...a kind of torture, forcing some [to serve] while rejecting others” who want to serve.<sup>57</sup>

The case of openly gay man and conscientious objector Mehmet Tarhan provides a clear example of the lack of acceptance for conscientious objection and the negative perception of both conscientious objection and homosexuality in the eyes of the military.<sup>58</sup> In 2005, Tarhan applied for military exemption citing his right to be a conscientious objector.<sup>59</sup> He refused to apply for exemption on the grounds of his sexual orientation, and he refused to undergo any medical examinations.<sup>60</sup> Because he chose to cite his objection to military service rather than his sexual orientation when applying for exemption, he was convicted on charges of insubordination and sentenced to four years in

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<sup>56</sup> Juliana Cano Nieto, “We Need a Law for Liberation: Gender Sexuality and Human Rights in a Changing Turkey,” *Human Rights Watch*, May 22, 2008, 9, <http://www.hrw.org/reports/2008/05/21/we-need-law-liberation-0>, accessed October 17, 2014.

<sup>57</sup> Fırat Söyle, Interview by Barrett Greenwell, Istanbul, Turkey, translated by Özgür Burak Gürsoy. April 4, 2015.

<sup>58</sup> Tolga Korkut, “Military Court Defies Medical Science,” *Bia News*, May 4, 2006, <http://bianet.org/english/human-rights/78618-military-court-defies-medical-science>, accessed November 24, 2014.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*



prison.<sup>61</sup>

Furthermore, the Turkish military refuses to provide any viable civilian option that would allow citizens to fulfill the constitutional mandate on conscription.<sup>62</sup> This continued rejection of the right to conscientious objection paired with a lack of a civilian alternative has been found in violation of Article 9 of the European Convention on Human Rights, which recognizes the freedom of thought, conscience, and religion.<sup>63</sup> This ruling on conscientious objection was directly applied to Turkey in the case of *Ercep v. Turkey* in 2011, in which a Chamber of the European Court on Human Rights agreed that Mr. Ercep, a Jehovah's Witness, could not fulfill his military service while maintaining his freedom of conscience and religion.<sup>64</sup> This ruling also found that Ercep, as a civilian, should not be subject to a trial before military judges citing Article 6 of the Convention that guarantees the right to a fair trial.<sup>65</sup> Following a brief period in which the government purportedly assessed the right to conscientious objection, former Prime Minister Erdoğan announced that the issue had been removed from the government's agenda.<sup>66</sup>

While the Constitution may profess that military service is both a right and a duty of every Turk, neither women nor gay men meet the standards of masculinity necessary to fulfill this constitutional mandate. The exclusion of gay men continues even though the European Court on Human Rights invalidated a similar ban in the United Kingdom over

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<sup>61</sup> Ibid.

<sup>62</sup> "Turkey: European Court of Human Rights Reaffirms Right to Conscientious Objection," *War Resisters' International*, December 1, 2011, <http://www.wri-irg.org/node/14299>, accessed December 1, 2014.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

fifteen years ago in 1999.<sup>67</sup> Turkey ignores this precedent and legitimizes its exclusion of gay men from the armed forces by appealing to the outdated Diagnostic and Statistical Manual of Mental Disorders (DSM) Second Edition published in 1968. With the utilization of DSM II, Turkey defines homosexuality as a psychosexual disorder, even though DSM II was revised in 1973 to remove homosexuality from its list of mental illnesses.<sup>68</sup> Since that time, the American Psychiatric Association has released three subsequent manuals, DSM III, DSM IV and DSM V respectively, none of which classify homosexuality as a disorder. Interestingly, rather than including homosexuality, DSM III lists “ego-dystonic homosexuality” as a psychosexual disorder.<sup>69</sup> This disorder is apparent when a homosexual “desire[s] to acquire or increase heterosexual arousal, so that heterosexual relationships can be initiated and maintained.”<sup>70</sup> DSM III enumerates several factors that predispose one to ego-dystonic homosexuality, most notably “negative societal attitudes toward homosexuality that have been internalized.”<sup>71</sup> When

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<sup>67</sup> Turkey has publicly stated that it has no obligation to abide by decisions of the Court. However, blatant refusal to adhere to the Court’s judgments impedes Turkey’s hopes of creating closer ties with Europe.

Elena Katselli, “The European Court of Human Rights has Spoken Again, Does Turkey Listen?” *Strasbourg Observers*, July 7, 2014,

<http://strasbourgobservers.com/2014/07/07/the-european-court-of-human-rights-has-spoken-again-does-turkey-listen/>, accessed November 24, 2014.

Nieto, “Law for Liberation,” 11.

*Lustig-Prean and Beckett v. United Kingdom*, 31417/96; 32377/96, Council of Europe: European Court of Human Rights, July 25 2000,

<http://www.refworld.org/docid/3ae6b6151c.html>.

<sup>68</sup> Jack Drescher, “Queer Diagnoses: Parallels and Contrasts in the History of Homosexuality, Gender Variance, and the *Diagnostic and Statistical Manual*,” *Archives of Sexual Behavior* 39, no. 2 (2010) 429.

<sup>69</sup> American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders: DSM—III*, Washington DC: American Psychiatric Association, 1980, 281-283.

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*

discussing ego-dystonic disorder, DSM III explicitly states, “homosexuality itself is not a mental disorder...this category is reserved for homosexuals for whom changing sexual orientations is a persistent concern.”<sup>72</sup> The following quotation from the *Journal of Sex Research* in 1986 succinctly sums up the inconsistency of the DSM: “Ironically, it appears that before, you were sick if you liked being homosexual; now you are sick if you don’t like being homosexual.”<sup>73</sup> However, the Turkish military continues to cite the original DSM II when identifying homosexuality as an illness. In this way, Turkey’s understanding of homosexuality adheres to the obsolete standards established by DSM II in 1968, completely ignoring the removal of homosexuality from DSM II-R in 1973, the creation of ego-dystonic homosexuality disorder in DSM III in 1980, and the complete removal of homosexuality from DSM III-R in 1987.<sup>74</sup>

Homosexual men are therefore considered unfit to serve in the Turkish military, and they are barred from service because of their sexual orientation.<sup>75</sup> The military’s rich history in Turkish society is inextricably linked with an equally long story of discrimination against LGBTQ individuals. Fırat Söyle stated that the military’s exclusion of gay men from armed service dates back to a 1927 military code.<sup>76</sup> This “Turkish Military Service Healthcare Skill Regulation” excluded gay men on the basis of

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<sup>72</sup> Ibid.

<sup>73</sup> Paula Nurius, “Mental Health Implications of Sexual Orientation,” *The Journal of Sex Research* 19, no. 2 (1983): 120, <http://www.jstor.org/stable/3812493>, accessed May 14, 2015.

<sup>74</sup> Drescher, “Queer Diagnoses,” 435.

<sup>75</sup> “Not an Illness Nor a Crime: Lesbian, Gay, Bisexual and Transgender People in Turkey Demand Equality,” For *Amnesty International*, June 2011, 18, <http://www.amnesty.org/en/library/asset/EUR44/001/2011/en/aff47406-89e4-43b4-93ed-ebb6fa107637/eur440012011en.pdf>, accessed May 26, 2014.

<sup>76</sup> Fırat Söyle, Interview.

their sexual orientation and was codified into the Turkish military law just four years after the official founding of Turkey in 1923.<sup>77</sup> This information suggests that Turkey has been openly discriminating against gay men for almost 100 years, nearly as long as the Republic has existed. While clearly a negative law, the need for such a regulation as early as 1927 demonstrates the presence of openly LGBTQ individuals at this early stage in Turkish society. Following the aforementioned coup of 1980 and the ratification of a new constitution in 1982, the military once again had to decide how gay men should be treated. The Turkish military unsurprisingly reinstated its ban on the service of gay men in 1986 on the grounds that homosexuality was a psychosexual disease.<sup>78</sup> This ban based its legitimacy on the original 1927 law and DSM II of 1968, which was already outdated at the time this policy was re-codified.<sup>79</sup>

Even though this policy of exclusion is far from new, the Military Code was updated in 2013 justify the exclusion of gay men by stating that homosexuality is an unnatural intimacy or imminence.<sup>80</sup> This classification places exemption for homosexuality alongside other potential exemptions for murder, fraud, bribery, or imprisonment of longer than one year.<sup>81</sup> In this way, homosexual conduct breaches societal honor to a degree equivalent to egregious acts such as murder. This code directly cites the aforementioned, outdated DSM II when classifying gay men as either having a

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<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> “Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe – 2013,” Report for *International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)*, May 17, 2013, 220, <http://www.refworld.org/docid/5195e05d4.html>, accessed November 29, 2014.

<sup>81</sup> Ibid.

“normal psychosexual” or in “extreme” cases an “extra psychosexual” disorder.<sup>82</sup> Under this newly codified “Turkish Armed Forces Discipline Law 6413,” gay men can now be expelled from the army for violation of a “disciplinary crime.”<sup>83</sup> While this codification of discrimination may seem unimportant considering the Turkish military has a long history of banning gay men from service, its significance must not be underestimated.

Following the repeal of the American Don’t Ask, Don’t Tell policy (DADT) in 2010, Turkey is now the only member of the North Atlantic Treaty Organization (NATO) in which the military continues to view homosexuality as a psychological disorder.<sup>84</sup> As LGBTQ rights spread in NATO countries, the creation of Discipline Law 6413 is an outspoken resistance to change.<sup>85</sup> Even so, the exclusion of gay men from the military in direct violation of human rights courts has only received sparse attention in the United States. The Council of Europe Parliamentary Assembly has taken some action by officially criticizing the outdated classification of homosexuality as a psychological disorder, although the denouncement seems to have had more symbolic implications than

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<sup>82</sup> Firat Söyle, Interview.

<sup>83</sup> “Country Reports on Human Rights Practices for 2013: Turkey,” Report for United States Department of State: Bureau of Democracy, Human Rights, and Labor, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>, accessed November 29, 2014.

<sup>84</sup> Sheryl Stolberg, “Obama Signs Away ‘Don’t Ask, Don’t Tell,’” *The New York Times*, December 22, 2010, <http://www.nytimes.com/2010/12/23/us/politics/23military.html>, accessed December 2, 2015.

Orhan Kemal Cengiz, “Gay in the Turkish Army,” *Al-Monitor: The Pulse of the Middle East*, August 22, 2013, <http://www.al-monitor.com/pulse/fr/originals/2013/08/Gay-turkish-army-legal-rights.html>, accessed August 26, 2014.

<sup>85</sup>For more reading on the advancement of LGBTQ rights in some regions of the world and the resultant setbacks in other regions, see “The Gay Divide: Victories for Gay Rights in Some Parts of the World have Provoked a Backlash Elsewhere,” *The Economist*, October 11, 2014, <http://www.economist.com/news/leaders/21623668-victories-gay-rights-some-parts-world-have-provoked-backlash-elsewhere-gay>, accessed December 19, 2014.

actual results.<sup>86</sup> As other nations move towards LGBTQ acceptance, Turkey remains obstinate in its inequality. Furthermore, this resistance to progress is reflected in Turkish society beyond the military realm.

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<sup>86</sup> "Review of the Human Rights Situation," *Report for ILGA*, 217.

## CHAPTER 4

### TURKEY IN 2015:

#### UNDERSTANDING THE PLIGHT OF LGBTQ INDIVIDUALS IN TURKEY

Overt discrimination against the LGBTQ community does not currently exist in the Turkish criminal code.<sup>87</sup> However, covert discrimination is still prominent in the form of ambiguous wording and the unfair application of certain domestic laws that are used to disadvantage Turkey's LGBTQ population. For instance, Article 29 of the Criminal Code, which allows for sentence reduction in cases involving so-called unjust provocation, has been cited to rationalize sentence leniency granted to individuals who committed LGBTQ hate crimes, including assault and murder.<sup>88</sup> This unjust provocation claim relies on the assumption that one's sexual or gender identity can provide a valid source of anger to explain the violent actions of the assailant. Therefore, the assailant receives a reduced punishment and violence against an LGBTQ individual is legitimized to the community at large. Article 226 of the Criminal Code, which allows the government to limit freedom of speech to combat "indecenty," has been used to ban content that promotes homosexuality and to place sanctions on companies that spread

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<sup>87</sup> Kaos GL, LGBTI News Turkey, and International Gay and Lesbian Human Rights Commission, "Human Rights Violations of LGBT Individuals in Turkey," *Report for United Nations Human Rights Council*, June 13, 2014, 2, <http://iglhrc.org/sites/iglhrc.org/files/uprSubTurkey.pdf>, accessed December 16, 2014.

<sup>88</sup>"Human Rights Violations," 3.

such content.<sup>89</sup> This classification of homosexuality as inherently indecent and the resultant difficulties in creating a homosexual subculture further alienates the LGBTQ community. Article 56 of the Turkish Civil Code, which builds off of the Turkish Constitution to limit freedom of association when associations operate contrary to “public ethics,” has been used to attempt to disband LGBTQ solidarity and academic organizations.<sup>90</sup> Article 125 of Turkey’s Law on Civil Servants, which prohibits civil servants from acting in “shameful and embarrassing ways,” has been cited as the rationale when firing LGBTQ individuals from civil servant positions.<sup>91</sup>

Within Turkish society, there is little political incentive to change the obsolete classification of homosexuals as inherently unwell societal pariahs. This negative view of homosexuality in Turkish society can easily be demonstrated in the quotes of several government leaders in the past years. Rather than publicly condemning discrimination against LGBTQ individuals in order to foster a safe society for all citizens, members of the current Turkish Administration have actively derided “the homosexual lifestyle.”<sup>92</sup> In 2003, a spokesperson for Prime Minister Erdoğan issued a public statement rejecting homosexuals from the AKP, suggesting instead that they should simply establish their own party.<sup>93</sup> In 2010, Selma Aliye Kavaf, Minister of State for Women and Family Affairs, publicly stated her belief that “homosexuality is a biological disorder and should be treated.”<sup>94</sup> This statement of Kavaf’s personal views is undoubtedly reflected in the

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<sup>89</sup> “Human Rights Violations,” 4.

<sup>90</sup> Ibid.

<sup>91</sup> “Human Rights Violations,” 5.

<sup>92</sup> “Human Rights Violations,” 7.

<sup>93</sup> “Not an Illness,” 9.

<sup>94</sup> Ibid.



official policy decisions of the Turkish military. In 2012, Melih Gokcek—mayor of Ankara and member of AKP—described homosexuality as inherently contrary to Turkish culture and moral values.<sup>95</sup> In 2013, Turkey was working to draft a civilian constitution, unlike the current Constitution that was created by the military following the coup of 1980.<sup>96</sup> During this process, many LGBTQ advocates, along with the Republican People’s Party (CHP) and the Peace and Democracy Party, pressured the AKP to include a clause that would provide protection for those people discriminated against because of their sexual orientation or gender identity.<sup>97</sup> A spokesperson for AKP stated, “We do not find it right to have an expression concerning gays.”<sup>98</sup> The AKP’s dismissal of protections for the LGBTQ community is non-inclusive erasure that refuses to acknowledge the rampant discrimination against Turkish individuals on the grounds of their sexual orientation and gender identity.

Many of these negative views concerning homosexuality carry over into the conduct of police forces throughout Turkish society. Cases concerning the LGBTQ community are often marred by inadequate protection for threatened individuals and improper prosecution of the perpetrators of hate crimes. Perhaps the most salient example of discrimination against Turkey’s LGBTQ population in terms of police conduct is the case of Ahmet Yıldız. In 2008, the openly gay Yıldız was murdered by his father in

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<sup>95</sup> “Human Rights Violations,” 7.

<sup>96</sup> The creation of a civilian constitution has been unsuccessful due to the inability of major parties to reconcile differences. The current constitution was the result of the military coup of 1980 and still bears the stamp of military tutelage.” Gulsen Solaker, “Hopes Fade for a New Constitution,” *Reuters*, November 18, 2013, <http://www.reuters.com/article/2013/11/18/us-turkey-constitution-idUSBRE9AH0OV20131118>, accessed November 29, 2014.

<sup>97</sup> “Review of the Human Rights Situation,” Report for ILGA, 221.

<sup>98</sup> *Ibid.*

Istanbul. When Yıldız first came out to his deeply conservative parents, he was rejected for his “affront to religious and filial honor.”<sup>99</sup> When he refused to undergo “treatment” for his homosexuality, his father traveled over 600 miles from Yıldız’s hometown and shot him five times outside of his apartment.<sup>100</sup> In the months prior to his murder, Yıldız reported the death threats from his family to the local prosecutor’s office but received no support.<sup>101</sup> Of the many people who witnessed the crime, only one of Yıldız’s many neighbors was willing to testify on his behalf, even though she reported that police detectives encouraged her to remain silent.<sup>102</sup> Despite clear evidence implicating Yıldız’s father as the culprit, the detectives’ slow response time and apparent apathy as to whether or not justice was served allowed him to flee the country.<sup>103</sup> The initial arrest warrant was not issued until three months after Yıldız’s murder and the international arrest warrant took over three years to issue.<sup>104</sup> The case of Ahmet Yıldız is considered by many to be the first publicly reported “gay honor killing” in Turkey. In contrast to the publicity connected with the murder of women as a way to cleanse the family of their shame, gay honor killings are kept secret because of the inherent threats that homosexuality poses to Turkey’s rigid masculine identity.<sup>105</sup> The murder of one’s close family member is enough to cleanse the family of shame, but the acknowledgment of same-sex attraction and

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<sup>99</sup>Dan Bilefsky, “Soul-Searching in Turkey After a Gay Man Is Killed,” *New York Times*, November 25, 2009, [http://www.nytimes.com/2009/11/26/world/europe/26turkey.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2009/11/26/world/europe/26turkey.html?pagewanted=all&_r=0), accessed May 27, 2014.

<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

<sup>103</sup> “Not an Illness,” 29.

<sup>104</sup> Ibid.

<sup>105</sup> Bilefsky, “Soul Searching.”

conduct threatens the bedrock of Turkey's strictly gendered familial structure.

In recent years, however, LGBTQ people and their movement to attain basic rights have gained awareness and momentum. Many trace this growing strength of this movement to the Gezi Park Protests of 2013, in which the LGBTQ community was an active partner demonstrating unrest and solidarity with other oppressed groups.<sup>106</sup> The main opposition party, the CHP, has even come out in support of LGBTQ rights and encourages women and LGBTQ individuals to run in local elections.<sup>107</sup> Firat Söyle explained that the CHP was supportive of women and that the rights of women and the LGBTQ community often operate together because of their shared experiences as oppressed social classes.<sup>108</sup> The People's Democratic Party (HDP) has also arisen as an unlikely ally for LGBTQ people since this pro-Kurdish party has slowly begun to serve as representatives for all minority groups in society.<sup>109</sup>

In sum, open disdain for homosexuality by government leaders paired with the institutionalized, homophobic policies of the Turkish military place gay men at a distinct disadvantage in society. While all Turkish men—but certainly not women—are expected to serve their country, gay men are excluded. Turkey continues to implement this insidious “Do Ask, Do Tell” policy with relatively little backlash from its foreign allies. Sufficient public outcry or pressure for reform does not exist, even though Turkey hosts the second largest army in NATO and is the only member that continues to prohibit military service solely on the grounds of one's sexual orientation. This hesitancy to

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<sup>106</sup> ES, Interview by Barrett Greenwell, Istanbul, Turkey, February 19, 2015.

<sup>107</sup> Ibid.

<sup>108</sup> Firat Söyle, Interview.

<sup>109</sup> Ibid.

condemn Turkey's exclusionary policy may arise from Turkey's geo-political importance in the NATO alliance. Nevertheless, Turkey's continued exclusion of gay men places them at odds with the military policies of its allied nations.

While the DADT policy in the United States posed a serious moral and human rights dilemma, it is important to make several distinctions between the former exclusionary policy of the United States and that of the Republic of Turkey. First and foremost, while the United States military improperly forced its gay and lesbian service members to conceal their sexual orientation,<sup>110</sup> the Turkish military does not want sexual orientation concealed. The belief that homosexuality is an inherently disordered state leads to a blanket policy of exclusion for all gay men, regardless of one's willingness to hide their orientation. In this way, the Turkish military openly condemns not only a homosexual lifestyle but also homosexual orientation in itself. Another important distinction is that the DADT policy did not directly affect the lives of all LGBTQ U.S. citizens; only those who chose to join the military were impacted. In contrast, Turkey's policy of universal male conscription means that the military's policy of exclusion has direct consequences for every single gay or bisexual man in Turkey.<sup>111</sup>

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<sup>110</sup> Elisabeth Bumiller, "Obama Ends 'Don't Ask, Don't Tell,'" *The New York Times*, July 22, 2011, <http://www.nytimes.com/2011/07/23/us/23military.html>, accessed November 29, 2014.

<sup>111</sup> For further reading on DADT and the lives of gay men in the military, see Nathaniel Frank, *Unfriendly Fire: How the Gay Ban Undermines the Military and Weakens America* (New York: Thomas Dunne Books, 2009).

## CHAPTER 5

### THE PINK CERTIFICATE

In order for the exclusion of gay men to be official, they must pass through the arduous exemption process and receive the sardonically named “Pink Certificate.”<sup>112</sup> This document officially designates the man in question as psychologically disordered and unfit for military service. The exemption report is also often known as *Çürük Raporu*—the translation of which is the “rotten report.” As one can tell by the name, the attainment of a rotten report for any reason is a source of personal and familial shame.<sup>113</sup>

Despite his concerns over receiving backlash and his fear that military officials would somehow learn of his involvement in revealing his mistreatment throughout the exemption process in 2007, EO has bravely provided copies of his “pink certificate” for consideration, displayed in Figure 1, Figure 2, Figure 3, and Figure 4. Figure 4 explains the grounds for EO’s exemption:

**Complaint:** Same-Sex Attraction

**Psychiatric Examination of the Patient:** His appearance looks normal. His demeanor is effeminate. He behaves in a friendly manner. His speech is feminine. His voice tone is normal. His gestures are feminine. His movements are feminine. The way that he acts is feminine. He has a normal appetite and has normal sleep patterns. He is clearheaded. His concentration is fully on the questions. He

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<sup>112</sup> Reference to this document as a “Pink Certificate” is common in Turkish vernacular and international journalism.

<sup>113</sup> ES, Interview.

understands the questions fully. He expresses his thoughts in an organized way that leads to a clear conclusion. He has an average level of intelligence. The way he expresses his feelings is effeminate. When he expresses those feelings, it is easy to detect feminine gestures. In his story, he said that he was interested in same-sex people since his childhood. He has had same-sex intercourse, and his sexual preference plays an important role in his decision-making. When questioned at his unit by his superiors, he said that he feels uncomfortable in the military environment since he is always together with same-sex people and he feels attracted to them. The patient has been taken to the medical council and has been examined by our medical council and we certify that he is not suitable for military service.

**Diagnosis:** Advanced Level of Psychosexual Disorder<sup>114</sup>

The information presented in this document creates more questions than answers when trying to determine the medical or psychological legitimacy of the council's judgment. For instance, does EO's aforementioned "friendly manner" make him more gay or less gay in the eyes of the Turkish military? Are homosexual men expected to have "a normal appetite" and "a normal sleep pattern" or is that only for heterosexual men? EO may have "feminine gestures" but are they feminine enough to outweigh his seemingly "normal appearance?" How exactly does EO's sexual preference play a role in his decision-making? These questions further demonstrate the Turkish military's lack of understanding concerning LGBTQ individuals and unwillingness to remedy such confusion. This ignorance provides a driving force behind the military's homophobic and discriminatory policies.

EO's journey to attain this pink certificate exemplifies the inhumane and arbitrary nature of Turkey's exemption process. However, EO's story is distinct since he actually attained his pink certificate after joining the military rather than before enlisting. EO originally planned to complete his service because, as a young man of 21, he did not want

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<sup>114</sup> Pink Certificate of EO, Provided by EO, Translation by Fikret Erkut Emcioglu, Received March 30, 2015.

others to know about his private sexual life. However, on his first morning in camp in 2007, EO knew the military was not for him and he was overcome with feelings that his “whole life was behind [him].” He went to his commander and told him he was gay, sparking an exemption process that EO had no way to know would last three weeks and leave him ten kilograms lighter.<sup>115</sup> From his military camp in the Tokat Province, he was sent to the Sivas Province where he met with a committee of psychologists. EO was then sent to a hospital in Ankara where preliminary paperwork was completed. He was then sent to Ankara Gülhane Military Medical Academy (A-GATA). Once there, he was quarantined for two days in what he described as an underground prison with iron doors meant to contain the mentally ill. After his clothes and possessions were taken, he was given a blue uniform and placed in a cell with a drug addict experiencing symptoms of withdrawal. For the duration of his stay, EO was housed in close contact with mentally ill patients, one of whom attacked him. It was during his imprisonment in the basement of A-GATA that EO realized that the Turkish military “see[s] [him] as an ill man.” During his stay, he also experienced deep unhappiness with himself because of his sexuality. At this point, he even called his parents to explain his predicament. However, fearing a violent reaction, he still did not openly reveal his sexuality to them nor was he explicit about the reason for his detainment.<sup>116</sup>

After two days, EO went before an A-GATA board of approximately twenty people from different sectors of the hospital. However, because his name was misspelled on an official form completed at the first hospital that he visited, A-GATA refused to exempt him from service at that time. Therefore, he was then forced to retrace his steps,

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<sup>115</sup> Ten kilograms equals 22.0462 pounds.

<sup>116</sup> EO, Interview.

returning to the Tokat Province, the Sivas Province, and then finally back to Ankara. Once he returned to Ankara, EO met another man who was also there to receive an exemption for his sexuality. Together, they lied and pretended to be acquaintances from Istanbul gay bars. With this testimony, EO received the pink certificate presented in this work. When he returned back to the Tokat Province to present his report at a military clinic, EO received mixed reactions. He specifically recalled one surprised soldier musing, “[the] whole group would [have] fuck[ed] you if we had known.”<sup>117</sup> In this soldier’s mind, a gay man in the military was in paradise because of his proximity to so many sexually-deprived men. This musing soldier and his reference to the rest of the group clearly personify the double standard in the Turkish military. On the very occasion that EO was excluded on the basis of his sexual orientation, other soldiers made homosexual advances towards him. The only distinction was that these soldiers planned to retain their manhood by serving as the active participant in the homosexual act. While EO was able to discuss his story with laughter and a sense of humor, he was clear that at the time there were only tears.<sup>118</sup>

EO’s story is a rare example of a soldier receiving exemption after enlisting, but his harsh treatment, classification as a mentally ill patient, and unnecessary bureaucratic obstacles is representative of the lived experiences of many gay men throughout Turkey. However, the requirements necessary to complete this exemption process have changed throughout the past several decades.

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<sup>117</sup> Ibid.

<sup>118</sup> Ibid.



## **CHAPTER 6**

### **THE MILITARY EXEMPTION PROCESS, PAST AND PRESENT:**

#### **AN ACCOUNT OF PSEUDOSCIENCE AND TORTURE**

Even though Turkish military policy explicitly excludes gay men from service, the only way for them to receive exemption on these grounds is to pass through the military's exemption process. This process is wrought with inhumane treatment, humiliating assessments, and bureaucratic obstacles. Yet, even though this policy of exclusion is enforced by the military, the exemption process often places the burden of proof back on the individual in question. The methods that have been utilized to "prove" one's sexual orientation in the last three decades include anal examinations, video or photographic evidence of sexual acts, video or photographic evidence of cross-dressing, the Minnesota Multiphasic Personality Inventory paired with a House-Tree-Person Test, and, more recently, interviews with one's friends and family. Each of these commonly used methods is impractical and deleterious, violating modern standards of human rights and wholly lacking validity in the capacity to determine sexual orientation. Furthermore, these exemption methods, along with the very classification of gay men as psychologically ill, demonstrate the Turkish military's repeated adherence to outdated modes of thought and scientific practices discredited by the modern medical and psychological community. Human Rights Watch, a nongovernmental organization focused on human rights advocacy and activism, appropriately sums up the exemption

process: “These stories indicate how the military clings to powerful myths about both homosexuality and masculinity itself. They show how far the most powerful institution of the Turkish state will go—investigating anuses and producing its own pornography—to adhere to its exclusive definition of the meaning of being a man.”<sup>119</sup>

**Anal Examinations: “intrusive, invasive...abusive [and] medically valueless.”**

Nearly every article, interview, and human rights report detailing the plight of gay men seeking exemption from military service cites that the Turkish military previously utilized anal examinations in order to determine sexual orientation. Burak Acil believes that anal examinations were utilized from the start of the modern exemption process in 1986 until approximately 2004 or 2005.<sup>120</sup> Firat Söyle confirms this approximation saying the practice mostly ended when the military began to shift its focus instead on the collection of photos and videos.<sup>121</sup>

This policy of forced anal examinations is clearly questionable when placed in the context of ethics and human rights, but it also represents a grotesque form of outdated, Victorian pseudoscience. This policy violates the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, which was adopted by the UN General Assembly in 1984 and which Turkey signed in 1988.<sup>122</sup> Under this convention, torture denotes “...any act by which severe pain or suffering...is

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<sup>119</sup> Nieto, “Law for Liberation,” 88.

<sup>120</sup> Burak Acil, Interview.

<sup>121</sup> Firat Söyle, Interview.

<sup>122</sup> “Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,” *United Nations Treaty Collection*, December 10, 1984, 85 and 193, [https://treaties.un.org/Pages/ViewDetails.aspx?mtdsg\\_no=IV-9&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-9&chapter=4&lang=en), accessed November 17, 2014.

intentionally inflicted on a person for such purposes as obtaining from him or a third person information...for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of...a public official or other person acting in an official capacity.”<sup>123</sup>

To remain in compliance with this UN Convention, medical procedures that require internal examinations should only be conducted with the express consent of the patient in situations such that the patient does not feel pressured to consent.<sup>124</sup> The UN Convention also states that these invasive procedures should be reserved for situations that necessitate action because of fear for patient health.<sup>125</sup> Gay men in Turkey experience pain and suffering as a result of discrimination so that the military, acting in an official capacity, can gather information. In these situations, the men feel pressured to consent even though there is not legitimate medical need to necessitate an invasive procedure. In light of these established and accepted definitions of torture, military doctors, on behalf of the Turkish military, are guilty of torture in their efforts to exclude gay men from their constitutional right and duty to serve their country.

Beyond the inherent concerns with human rights violations, the use of anal examinations to determine sexual orientation is irrational for several additional reasons. Chiefly, the use of anal examinations to determine sexuality is based on several incorrect assumptions concerning the sexual conduct of men. It is important to note that one’s sexual orientation does not mandate sexual conduct. In other words, a man can be gay

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<sup>123</sup> “Convention Against Torture,” 113-114.

<sup>124</sup> “Not an Illness,” 18.

<sup>125</sup> Ibid.

even if he has never had a sexual encounter with another man. Furthermore, in cases where the men in question are sexually active, same-sex sexual conduct does not mandate anal penetration. This fact is especially pertinent when one remembers the youth of many men who pass through the exemption process. Even if anal sex left identifiable marks that would allow the Turkish military to discover evidence of past anal penetration, such a discovery would not guarantee that the man in question was in fact gay, since some straight men also practice anal stimulation. It is clear that the Turkish military has no grasp of this more nuanced understanding of sexuality.<sup>126</sup>

### **Victorian Pseudoscience**

While clearly questionable in terms of human rights and the ability to accurately link all gay men with anal sex, the use of anal examinations wholly lacks medical merit. When conducting these examinations, doctors look generally for signs that—for them at least—would suggest repeated anal penetration. These signs may be an enlarged anus or the easy penetration of a foreign object, often the doctor’s or several doctors’ fingers.<sup>127</sup> Testimony from men whom had been the victims of forced anal examinations suggests

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<sup>126</sup> The author finds the claims made in the previous paragraph to be self-evident. However, for more reading on the subject of sexual identification and sexual conduct as they pertain to military service, see: Gregory Herek, Jared Jobe, and Ralph Carney, *Out in Force: Sexual Orientation and the Military* (Chicago and London: The University of Chicago Press, 1996).

Most notably, several reputable studies at the time the book was written were cited to determine, “Some people who call themselves heterosexual...engage in homosexual acts...[and] there are people who consider themselves to be homosexual or bisexual who...refrain from homosexual activities,” at 27. This book also finds that if a literal interpretation were taken of the United States Military’s ban of sodomy—including oral as well as anal sex—then at least 75% of military personnel could be at risk of discharge,” at 34.

<sup>127</sup> Fırat Söyle, Interview.

that this practice may be based upon the work of Auguste Ambroise Tardieu.<sup>128</sup> Tardieu wrote “Forensic Study of Assaults Against Decency” in 1857, which was initially popular for its sensational content matter but was later discredited by the modern medical community.<sup>129</sup> Listed among rape and other indecent acts, Tardieu’s work provides guidelines for the investigation of suspected pederasty<sup>130</sup> and sodomy,<sup>131</sup> terms that he used interchangeably.<sup>132</sup> Tardieu worked on the basis of several incorrect beliefs—that sodomy left identifiable marks on the body and that those who practiced sodomy were either exclusively passive or active.<sup>133</sup> When investigating sodomy, his work outlined six recognizable characteristics of those who had engaged in anal sex: “excessive development of the buttocks; funnel-shaped deformation of the anus; the relaxation of the sphincter; the effacement of the folds, the crests, and the wattles at the circumference of the anus; extreme dilation of the anal orifice; and ulcerations, hemorrhoids, fistules.”<sup>134</sup> Tardieu’s work also details how to ascertain evidence of sodomy from the active participant—most notably a penis that is deformed to fit the shape of the supposed funneled anus.<sup>135</sup>

However, as will be discussed later, the Turkish military is only concerned with proving the sexual orientation of passive sex partners. Dr. Robert Nye, a historian of

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<sup>128</sup> Nieto, “Law for Liberation,” 84.

<sup>129</sup> Nieto, “Law for Liberation,” 85.

<sup>130</sup> Defined as sexual conduct between a man and a young boy.

<sup>131</sup> Defined as anal or oral sexual conduct.

<sup>132</sup> Scott Long, “When Doctors Torture: The Anus and the State in Egypt and Beyond,” *Health and Human Rights Journal*, 7, no. 2 (2004): 118, <http://www.hhrjournal.org/wp-content/uploads/sites/13/2013/07/7-Long.pdf>, accessed November 30, 2014.

<sup>133</sup> *Ibid.*

<sup>134</sup> Quoted by Long, “When Doctors Torture,” 119.

<sup>135</sup> Long, “When Doctors Torture,” 119.

sexology at Oregon State University, stated that the aforementioned signs to determine sodomy were “disregarded by the very next generation of forensic doctors and sexologists,” referring to Tardieu as “utterly discredited” and calling the use of such examinations “horrific in the extreme.”<sup>136</sup> Dr. Lorna Martin, professor of forensic psychology at the University of Cape Town, refers to Tardieu’s work as “bizarre and antiquated...rubbish” noting that it is “impossible to detect chronic anal penetration.”<sup>137</sup> Scott Long, former Executive Director of the LGBTQ Rights Program for Human Rights Watch, accurately and succinctly sums up the use of anal examinations to determine sexual orientation: “These examinations are profoundly intrusive, invasive, and abusive; they are medically valueless, and, by international standards, a form of torture.”<sup>138</sup> However, the Turkish military has repeatedly demonstrated its willingness to utilize torture and adhere to pseudoscience in order to justify their harsh exclusion of gay men from the military.

### **Photographic and Video Evidence of Homosexual Conduct and Cross-Dressing: “I am not a porn star.”**

Reportedly around 2005, doctors at Turkish military hospitals began to move away from the use of anal examinations since such operations were not based on legitimate medical science and subsequent reports provided no sound evidence to prove sexuality.<sup>139</sup> This “revelation” makes the Turkish military slightly over 100 years slow on the uptake. Following the conclusion of the anal examination era, military doctors were

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<sup>136</sup> Quoted by Long, “When Doctors Torture,” 119.

<sup>137</sup> Quoted in Nieto, “Law for Liberation,” 85.

<sup>138</sup> Long, “When Doctors Torture,” 116.

<sup>139</sup> Fırat Söyle, Interview.

forced to find another way to “prove” homosexuality. To gain military exemption during this period, many men were forced to provide video or photographic evidence in order to prove their alleged homosexual conduct.<sup>140</sup> This method of assessment was not new but merely moved to the forefront of methods utilized to determine sexual orientation. The collection of intimate photographs and videos was hardly an improvement over anal examinations in terms of human rights or the ability to accurately conclude that a man in question is in fact homosexual. The Turkish General Staff denies allegations that the military requests that gay men provide photographic or video evidence as part of the exemption process.<sup>141</sup> The army contends that when such evidence is voluntarily provided, it is not included when determining grounds for exemption.<sup>142</sup> This denial by the military is contrary to the reports of many gay men from within Turkey, as documented by Amnesty International, the Human Rights Watch, and numerous interviews conducted during the course of this research.<sup>143</sup> For instance, even a Turkish military official was reported as saying, “You may be homosexual but the army has to document it. We can’t know on our own who is gay and who is not.”<sup>144</sup> In such situations, the man seeking exemption must be shown in the “passive” sexual role with a clearly visible face, ideally while smiling to reassure military officials that the man in

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<sup>140</sup> “Not an Illness,” 17.

<sup>141</sup> Piotr Zaleski, “Do Ask, Must Tell; Turkey’s Military Doesn’t Just Discriminate Against Gays, it Humiliates them,” *Foreign Policy*, December 4, 2010, [http://www.foreignpolicy.com/articles/2010/12/03/do\\_ask\\_must\\_tell](http://www.foreignpolicy.com/articles/2010/12/03/do_ask_must_tell), accessed October 17, 2014.

<sup>142</sup> *Ibid.*

<sup>143</sup> “Not an Illness,” 17-18.

Nieto, “Law for Liberation,” 9.

<sup>144</sup> Quoted in Nieto, “Law for Liberation,” 86.

question is enjoying the sex act.<sup>145</sup> In order to create these pictures, two additional willing parties are necessary—one willing to take on the role of the active sexual partner and another individual willing to serve as the photographer.<sup>146</sup> One man described the surreal experience as both funny and tragic, but ultimately uncomfortable and humiliating.<sup>147</sup> Even after the pictures have been successfully captured according to the established standards, it is difficult to find a place where one can have them discreetly developed.<sup>148</sup>

Demands for photographic evidence of sexual acts presents a clear violation of the right to privacy as established by UN International Covenant on Civil and Political Rights, which Turkey ratified in 2003.<sup>149</sup> Article 17 of this Covenant explicitly states, “No one shall be subjected to arbitrary or unlawful interference with his privacy...everyone has the right to the protection of the law against such interference or attacks.”<sup>150</sup> Undoubtedly, the Turkish military’s policy of forcing its citizens to participate in sexual intercourse and then photograph or film the encounter is an odious

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<sup>145</sup> Emre Azizlerli, “Proving You’re Gay to the Turkish Military,” *BBC News*, March 25, 2012, <http://www.bbc.com/news/magazine-17474967>, accessed August 26, 2014.

Zalewesiki, “Do Ask, Must Tell.”

<sup>146</sup> Nieto, “Law for Liberation,” 87.

<sup>147</sup> *Ibid.*

<sup>148</sup> *Ibid.*

<sup>149</sup> “International Covenant on Civil and Political Rights,” United Nations Treaty Collection, Adopted by the General Assembly on December 16, 1966, [https://treaties.un.org/pages/viewdetails.aspx?chapter=4&src=treaty&mtmsg\\_no=iv-4&lang=en](https://treaties.un.org/pages/viewdetails.aspx?chapter=4&src=treaty&mtmsg_no=iv-4&lang=en), accessed December 20, 2014.

<sup>150</sup> Turkey should also reference Article 2 and Article 26 of this Covenant, both that recognize the equal dignity and rights of all persons before the law. “International Covenant on Civil and Political Rights.” United Nations Human Rights: Office of the High Commission for Human Rights. Adopted by the General Assembly on December 16, 1966, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>, accessed December 20, 2014.



violation of this Covenant. The result is constitutionalized fraud in contravention of international law in which young, gay men play a role that emulates the Turkish military's rudimentary understanding of sexuality.

As seen in the use of anal examinations, the request for photographic evidence incorrectly equates sexual orientation with sexual conduct. Therefore, this request for photographs may inadvertently force young gay men—remember that military expectations start at 18—into sexual acts in order to “prove” their sexuality so that they can gain exemption. In cities such as Ankara, the location of several prominent military hospitals, some male prostitutes once “specialized in providing themselves for sex videos.”<sup>151</sup> This effect of forcing young men into gay intercourse and the resultant upsurge of prostitution is counterintuitive when compared against the goal of the Turkish military and the Turkish Constitution to defend so-called public morals. EO stated that one simply cannot attain exemption unless they have previously engaged in at least one sexual act as the passive partner.<sup>152</sup> In other words, for the Turkish military it does not matter how one “feels” or who one is, it only matters how one acts on such feelings.<sup>153</sup> In this way, conduct takes precedence over identity. Those who are not ready to engage in sexual intercourse or who do not prefer to engage in anal intercourse as the passive partner must either lie about their sexual experiences or conceal their orientation in order to carry out their mandatory service.<sup>154</sup> The conclusion is simple: for the Turkish military,

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<sup>151</sup> Maximilian Von Popp, “Pornos für den General,” *Der Spiegel*, November 30, 2010, <http://www.spiegel.de/spiegel/a-726903.html>, accessed April 4, 2015, translated from the original by Karoline Scherb.

<sup>152</sup> EO, Interview.

<sup>153</sup> *Ibid.*

<sup>154</sup> Fırat Söyle, Interview.

gay virgins do not exist.

The regulation stipulating that exemption is conditional on the man being seen in the passive and perceived female role provides insight into the concept of masculinity and femininity in Turkish society and therefore warrants further consideration. According to these established norms, when two men engage in sexual intercourse, only one—the passive partner—is actually gay. In the Turkish language, these distinct passive and active identities are preserved through the use of two terms: *vermek* means “to give” and refers to the passive partner while *koymak* means “to put” and refers to the active partner.<sup>155</sup> The distinction is also made by the Turkish words *pasif* meaning passive and *aktif* meaning active, which possess feminine and masculine connotations respectively.<sup>156</sup> In a more vernacular sense, military slang often refers to the passive partner as “the socket” while referring to the active partner as “the plug.”<sup>157</sup>

In Turkish society, the homosexual label is often reserved only for the penetrated sexual partner. Therefore, the active sexual partner can retain his heterosexual social status.<sup>158</sup> This distinction between the passive and active actor can be traced back to the “polarized and inflexible gender system” that pervades Turkish society.<sup>159</sup> Traditional gender roles dictate expected behavior for men and women in both public and private

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<sup>155</sup> Ken Plummer, *Modern Homosexualities: Fragments of Lesbian and Gay Experiences* (London: Routledge, 1992) 41-43.

<sup>156</sup> Tarik Bereket and Jennifer Brayton, “‘Bi’ No Means: Bisexuality and the Influence of Binarism on Identity,” *Journal of Bisexuality*, 8 no. 1-2 (2008): 56, <http://www.tandfonline.com/doi/abs/10.1080/15299710802142234#preview>, accessed December 19, 2014.

<sup>157</sup> Firat Söyle, Interview.

<sup>158</sup> Plummer, *Modern Homosexualities*, 41-43.

<sup>159</sup> *Ibid.*

spheres.<sup>160</sup> Consequently, it is a man's deviation from these gendered expectations in a sexual encounter that results in the assignment of a homosexual label rather than actual homosexual conduct.<sup>161</sup> The passive partner, but not the active one, is then branded as an *ibne*.<sup>162</sup> This term is used to relegate passive gay men, but can also be used pejoratively against any man with a feminine nature, which demonstrates another way that Turkish society equates the passive sexual partner with femininity.<sup>163</sup> In contrast, those men who retain an *actif* status manage to avoid much of the social stigma associated with homosexuality.<sup>164</sup> RÇ tersely explained this rudimentary concept: "If you're fucking, you're still a man."<sup>165</sup> Ultimately, these established gender roles are created and then reinforced by language, regardless of the actual gender or sexual orientation of men engaging in same-sex relations.<sup>166</sup> Turkey's dichotomized gender system, reinforced by language that only acknowledges a rigid gender binary, results in a nearly complete misunderstanding of sexual orientation. The result is a society that incorrectly equates homosexuality with the feminine, penetrated sex partner and that leaves no place for bisexuality as a legitimate sexual orientation.<sup>167</sup>

This feminine status is then used to further denigrate gay men by consigning them the negative societal views already affiliated with women. In Turkey, women hold an unequal place in society. As a result, domestic violence and murder is an endemic

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<sup>160</sup> Ibid.

<sup>161</sup> Ibid.

<sup>162</sup> Ibid.

The most common English translation of *ibne* is "faggot."

<sup>163</sup> Ibid.

<sup>164</sup> Bereket and Brayton, "Bi' No Means," 57.

<sup>165</sup> RÇ, Interview by Barrett Greenwell, Istanbul, Turkey, May 10, 2015.

<sup>166</sup> Bereket and Brayton, "Bi' No Means," 57.

<sup>167</sup> Bereket and Brayton, "Bi' No Means," 58.

problem that is further exacerbated by a lack of economic opportunities for women.<sup>168</sup> Without economic independence, Turkish women are often unable to remove themselves from harmful situations or demand equal treatment under the law. Progress towards equality that women have attained in recent years is reportedly backsliding as Turkey's European Union accession becomes a distant possibility and the Muslim-influenced AKP retains power.<sup>169</sup> This association of passive gay men with women is not an inherently offensive one. However, when analyzed in the context of Turkish society, this link serves as another tool meant to marginalize gay men.

When these established standards of sexual conduct and gender are considered, it is actually the feminization of a man engaged in gay sexual contact, and not the homosexual act itself, that the military considers an inappropriate sexual intimacy that makes a man unfit for military service. This perception of masculinity then directly correlates with the military's treatment of gay men seeking exemption, most notably that only passive sex partners are to be excluded. Taken in this light, it would seem that the military ban is not truly targeting homosexuality; rather, it is meant to exclude feminine men. In other words, "in Turkey [the armed] service is for only men [so] if you are not a man in their eyes then you cannot join."<sup>170</sup> The story of AA, an openly homosexual man who was told that he could still serve in the military despite his sexual orientation because he was masculine rather than feminine, clearly demonstrates this idea of the

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<sup>168</sup> Dan Bilefsky and Sebnem Arsu, "Women See Worrisome Shift in Turkey," *New York Times*, April 25, 2012, [http://www.nytimes.com/2012/04/26/world/europe/women-see-worrisome-shift-in-turkey.html?\\_r=0](http://www.nytimes.com/2012/04/26/world/europe/women-see-worrisome-shift-in-turkey.html?_r=0), accessed October 22, 2015.

<sup>169</sup> *Ibid.*

<sup>170</sup> Fırat Söyle, Interview.

military as a “manly” institution.<sup>171</sup> AA was exempt only once he provided photographic evidence of himself engaged in sexual contact as the passive partner and evidence demonstrating that he was the victim of past violence.<sup>172</sup> This evidence must have convinced the military that AA was more “womanly” than they previously suspected.

In still other cases, men were asked to provide photographic evidence of themselves dressed as a woman, which presents another instance where officials of the Turkish military possess a fundamental misunderstanding of what it means to be homosexual.<sup>173</sup> Many homosexual men never experiment with makeup or dress as women. In turn, some heterosexual men wear womens’ clothing or wear makeup. As with the regulation that gay men must be photographed in the passive sexual role, the request for photographs of men dressed as women lends support to the claim that the true targets of their military ban are feminine men rather than homosexuals. For the military, these men are women and therefore have no place in the Turkish military. ES reports that anything that “adds to [one’s] femininity” increases the likelihood of attaining exemption.<sup>174</sup> Undoubtedly, dressing in all women’s clothing helps the military to conclude that one has a “feminine” nature. To further create a feminine persona, gay men are advised to shave their beards before meeting with any military doctors; even though most men in Turkey are bearded, a smooth face plays into the stereotypes of a gay, Turkish man.<sup>175</sup> RÇ stated that some gay men believe they can only attain exemption if they convince the military doctors they are actively considering a sex change

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<sup>171</sup> Nieto, “Law for Liberation,” 87.

<sup>172</sup> Nieto, “Law for Liberation,” 88.

<sup>173</sup> Azizlerli, “Proving You’re Gay.”

<sup>174</sup> ES, Interview.

<sup>175</sup> IZ, Interview by Barrett Greenwell, Istanbul, Turkey, May 15, 2015.

operation.<sup>176</sup> Such men progressively feminize themselves in the ruse to gain exemption.<sup>177</sup> This explicit demand for proof that men seeking exemption are “womanly” paired with the belief that passive gay men are women creates a strong impression that feminine gay men are anathema to Turkish military officials.

Experiences discussed by IZ, a man who went through the exemption process in May 2015, reveal the ways in which gay men take advantage of the military’s aversion to feminine gay men. He described the often over the top and exaggerated nature of the deliberate feminization techniques. He said that the other men hoping to receive exemption on account of their sexual orientation were easily recognizable by their adornment of makeup and women's clothing. One man wore "super skinny glitter jeans" that appeared to be glowing, purchased especially for the occasion. For a top, he chose a floral kimono and what was described as a "woman's cape." Another man wore tight black jeans and a bright pink, deep V-neck T-shirt with a woman's shawl over the top. The three gay men that IZ met on the day of his panel meeting all wore heavy makeup and some wore women's earrings. The men bonded over comparing photos of how they really looked in everyday life—an amusing way to handle an otherwise embarrassing and stressful situation. At the same time, IZ explains that the exaggeration of feminine characteristics makes the process unfair. After meeting these men, he became even more nervous, feeling that he could not "prove" his homosexuality when compared against the caricatures of the other men. However, he himself admits to wearing tight, colorful clothes and feminizing his gestures and movements in the hopes of gaining exemption.<sup>178</sup>

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<sup>176</sup> RÇ, Interview.

<sup>177</sup> Ibid.

<sup>178</sup> IZ, Interview.

However, if IZ had sought exemption only five years prior, he would have found himself in an even greater ethical dilemma. When asked about the use of photographs to prove sexuality, IZ said he would have refused to provide such evidence stating, "I am not a porn star."<sup>179</sup>

Interestingly, IZ said that the over-exaggerated femininity of the gay men was the source of ridicule by others hoping to receive exemption for different reasons, such as poor vision or obesity. He was surprised that even these men, they themselves receiving a so-called "rotten report," still looked down on them. For reasons such as this, IZ made sure to wear clothes that could be easily altered to appear less feminine so he could avoid embarrassment on public transportation on his way home. However, for the kimono, cape, and makeup wearing man, no amount of alterations could shield him from hostile stares if he chose to take public transport home.<sup>180</sup> It seems reasonable to believe that this clear over-exaggeration of one's femininity would be transparent to a panel of trained psychologists and psychiatrists. However, when asked about this over-exaggeration, Firat Söyle said that even obvious feminization can serve to help one's application.<sup>181</sup>

ES provided some important clarity when discussing the recent changes made to the exemption process. While the changes may initially seem like an improvement, the problems associated with attaining exemption ultimately remain the same. Either way, gay men are being forced to provide an untrue image of whom they really are.<sup>182</sup>

Numerous examples exist of gay men who are uncomfortable feminizing themselves to

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<sup>179</sup> Ibid.

<sup>180</sup> Ibid.

<sup>181</sup> Firat Söyle, Interview.

<sup>182</sup> ES, Interview.

attain a pink certificate.<sup>183</sup> However, perhaps the benefit of briefly falsifying their true identity outweighs the negativity of being forced to conceal their sexual orientation for their entire tenure in the military.

A psychiatrist who previously worked at a military hospital in Turkey tried to defend the integrity of Turkish doctors whom are charged with granting exemption. While the psychiatrist agreed that the aforementioned diagnostic tools to determine one's sexuality were "medically impossible and not at all ethical," he or she placed blame on military commanders who apply immense pressure on doctors to prove homosexuality even though there exists no legitimate "diagnostic tools to determine sexual orientation."<sup>184</sup> For these doctors, to exempt a man who later marries a woman could place their jobs in jeopardy.<sup>185</sup> This defense of some military doctors was supported by the story of Erman Paçalı, who passed through the exemption process in 2010. While his interaction with one doctor was marred by homophobia, judgment, and threats, his interaction with another was surprisingly pleasant. This doctor shared his belief with Paçalı that the military was in error in its classification of homosexuality as a disease.<sup>186</sup> Furthermore, this doctor agreed that it is not possible to accurately determine one's sexuality.<sup>187</sup> While this statement represents a positive step forward, it is ironic that he is one of the doctors currently deciding whether or not someone is feminine enough to receive military exemption. This doctor was proactive enough to share his belief with

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<sup>183</sup> Ibid.

<sup>184</sup> Azizlerli, "Proving You're Gay."

<sup>185</sup> Von Popp, "Pornos."

<sup>186</sup> The doctor will remain unidentified to ensure that he receives no negative repercussions for his kindness.

<sup>187</sup> Erman Paçalı, Interview by Barrett Greenwell, translated by Ece Söğütçü and Demet Osmançeşlebioğlu, Istanbul, Turkey, May 17, 2015.



leading military officials that their continued classification of homosexuals as psychologically ill was incorrect.<sup>188</sup> However, military officials did not address these concerns.

The policy of attaining the aforementioned sex photos was the subject of a stinging article from German magazine *Der Spiegel* that suggested that the Turkish military must now be the owner of the “world’s largest gay porn collection.”<sup>189</sup> The cleverly named “Porn for the General”<sup>190</sup> tells the story of Adnan Öztürk and his journey to receive a pink certificate.<sup>191</sup> “Porn for the General” effectively uses Öztürk’s story to succinctly sum up the all-too-common challenges that gay men face in Turkish society: the presentation of homosexuality as abnormal and disgusting, rejection by one’s family, self-hatred that often turns to self-harm, and the eventual flight from home in the hopes of finding greater acceptance in a different region of Turkey.<sup>192</sup> In turn, Öztürk’s account encompasses the worst parts of the military exemption process: weighing the fear of losing potential future employment against the fear of violence and rape in the military, false feminization, rectal examinations, and eventually the demand for photographic evidence.<sup>193</sup> The importance of this one article cannot be stressed enough. Numerous contacts agree that this article was instrumental in effectively shaming the Turkish military into ending their reprehensible practice of forcing young gay men to provide exposing and deeply intimate photographs of themselves and others.<sup>194</sup> Published on

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<sup>188</sup> Ibid.

<sup>189</sup> Cengiz, “Gay in the Turkish Army.”

<sup>190</sup> Translated from the original German.

<sup>191</sup> Von Popp, “Pornos.”

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> Fırat Söyle, Interview. Yasemin Öz, Interview. Burak Acil, Interview.

November 10, 2010, the utilization of photographic evidence to prove homosexuality reportedly ended in the months that followed. Even though the collection of photos by military hospitals has reportedly ended, there exists at least one example as recent as 2012 of a man who received an exemption from the strict Istanbul Gülhane Military Medical Academy Hospital (I-GATA) by including a photo of himself in a passive sexual act.<sup>195</sup>

### **The Minnesota Multiphasic Personality Inventory: “A silly, stupid test.”**

To supplement the pseudoscientific evidence gained in the aforementioned exemption methods, many men have been asked to complete the Minnesota Multiphasic Personality Inventory (MMPI). This test has been a part of the examination process since it was reinstated in 1986.<sup>196</sup> However, some activists suggest that the use of the MMPI has been phased out in recent years.<sup>197</sup> For instance, IZ who completed his exemption process in 2015 was not asked to complete the MMPI; however, he also reports that he knows of at least two circumstances where men did complete the MMPI in 2015.<sup>198</sup> As with other exemption methods, Turkey’s use of the MMPI relies on outdated gender roles, pseudoscience, and an inherent misunderstanding of homosexuality. Originally introduced in 1942 by Hathaway and McKinley, the MMPI was meant to be utilized in medical and psychological settings.<sup>199</sup> In the past, encouraged by DSM II’s classification

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<sup>195</sup> Firat Söyle, Interview.

<sup>196</sup> Firat Söyle, Interview.

<sup>197</sup> Burak Acil, Interview.

<sup>198</sup> IZ, Interview.

<sup>199</sup> James Butcher and Carolyn Williams, “Personality Assessment with the MMPI-2: Historical Roots, International Adaptations, and Current Challenges,” *Applied Psychology: Health and Well-Being*, (2009): 106.

of homosexuality as a psychosexual disorder, many academic studies focused on the correlation between homosexuality and other “abnormal characteristics.”<sup>200</sup> Much of the past research that tried to substantiate the claim that homosexuals were psychologically unwell was “characterized by poor or biased sampling procedures, vague, erroneous, or simplistic definitions of homosexuality, the application of inappropriate measures, and the lack of clear or consistent finding to support these assumptions.”<sup>201</sup> In turn, the MMPI “has been criticized due to...lack of reliability and objectivity.”<sup>202</sup> Despite the removal of homosexuality from DSM and the criticisms of the MMPI as it pertains to gender and sexuality, Turkey continues to utilize both when passing judgment on gay men.

A thorough discussion of the MMPI and all of its revisions and uses since 1941 is beyond the scope of this project.<sup>203</sup> However, previous use of the MMPI concerning homosexuality, especially during the 1960s and early part of the 1970s, has been focused on the use of Scale 5, which creates a measure of masculinity-femininity (MF). In turn, reports suggest that Turkish military doctors utilize responses from the MMPI to make assumptions about one’s homosexuality based on the relative masculinity or femininity of the answers provided.<sup>204</sup> However, Scale 5 has been described as the “most misunderstood of all the MMPI clinical scales,” the development of which has been deemed “sketchy and inconsistent.”<sup>205</sup> When discussing the relevance of Scale 5 as it

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<sup>200</sup> Nurius, “Mental Health,” 120.

<sup>201</sup> Ibid.

<sup>202</sup> Nurius, “Mental Health,” 121.

<sup>203</sup> For more information on the MMPI and its focus on masculinity and femininity, see: Hale Martin and Stephen E. Finn, *Masculinity and Femininity in the MMPI-2 and MMPI-A* (Minneapolis: University of Minnesota Press, 2010).

<sup>204</sup> Firat Söyle, Interview.

<sup>205</sup> Martin and Finn, 60.

pertains to sexuality at the genesis of the MMPI in 1942, even Hathaway and McKinley made it clear that “abnormality must not be assumed on the basis of a high score without confirmatory evidence.”<sup>206</sup> Almost a decade later in 1951, Hathaway and Meehl once again cautioned that high scores on Scale 5 “are not uncommon among males in literary and artistic lines of work. One would never be justified in assuming an identity between high scores on this scale and the existence of homosexual practices.”<sup>207</sup> In some documented studies, the MF scale was not even able to determine the gender of a test participant.<sup>208</sup> Furthermore, studies have demonstrated that a MF score is subject to drastic changes based on the socioeconomic class, education level, intelligence level, and occupation of the participant.<sup>209</sup> A summary of past results found that men scoring high on the MF scale are often ambitious, intellectually curious, and self-aware. In contrast, those men achieving low scores are characterized by lack of insight and narrow interests.<sup>210</sup>

Scale 5 of the MMPI has also been demonstrated to be susceptible to conscious impression management.<sup>211</sup> In other words, gay men can deliberately skew their scores in order to receive a low Scale 5 score, which would lead to heterosexual classification. In Turkey, the opposite phenomenon is common and gay men deliberately feminize their answers in order to ensure that the MMPI classifies them as homosexual. As discussed by Firat, there are deliberate ways that one can answer the questions of the MMPI to ensure

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<sup>206</sup> Quoted in Martin and Finn, 64.

<sup>207</sup> Ibid.

<sup>208</sup> Martin and Finn, 65.

<sup>209</sup> Ibid.

<sup>210</sup> Martin and Finn, 66.

<sup>211</sup> Martin and Finn, 64.

that the military receives the results they are looking for. For example, one should answer “true” to a question about an interest in art but should answer “false” when asked about smoking in the street.<sup>212</sup> The responses to these questions are based on assumptions about masculinity and femininity. The assumption in Turkish society is that women like art but should not smoke on the street. With artificial responses to superficial questions such as these, a man can ensure the military doctors conclude that he is gay. The MMPI includes many other inane questions that cling to obsolete gender expectations. “Feminine” or gay men are expected to respond affirmatively to statements such as “I occasionally hate family members I love,” “I liked ‘Alice in Wonderland,’” and “I frequently worry.”<sup>213</sup> In contrast, “masculine” or straight men are expected to respond positively to statements such as “My feelings are not hurt easily,” “I believe in eternity,” and “I don’t mind not being better looking.”<sup>214</sup>

As with the other exemption methods, the use of the MMPI by Turkish military doctors for nearly three decades represents a grotesque misuse of science that would be comical if not for the grave consequences that the results of such testing have had on the lives of countless gay men. As explicitly stated by its creators, the MMPI was never meant to prove or disprove sexuality. Despite warnings against such a practice, attempts to determine homosexuality were reliant on the MF scale, which prescribes to a grossly oversimplified and outdated idea of gender and the relationship between masculinity and femininity. As demonstrated in numerous aforementioned studies, this MF relationship can be skewed by a variety of factors such as profession and education level. Finally,

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<sup>212</sup>Firat Söyle, Interview.

<sup>213</sup> Martin and Finn, 219-220.

<sup>214</sup> Martin and Finn, 220.

even if the MMPI was able to determine sexuality and Turkish military doctors were able to control for external variables such as intelligence level and socioeconomic class, gay men with only minimal preparation could skew their answers to deliberately achieve their desired results. Burak Acil succinctly and appropriately summarized his beliefs about the relevance of the MMPI in the military exemption process: it is “a silly, stupid test.”<sup>215</sup>

**The House Tree Person Test: “Over-emphasis upon windows [and] orifice-fixation.”**

Alongside the MMPI, the House Tree-Person Test (HTP) has been utilized as part of the exemption process. The HTP is a projective test created by John Buck in 1948 in which the ambiguity of the drawing prompt allows participants to project their own personality onto the page.<sup>216</sup> The projective psychological test has been criticized for its lack of validity and is being used by the Turkish military outside the scope of its intended purpose.<sup>217</sup> These types of examinations have been criticized for a variety of different reasons. In many cases, the interpreter of the projection has no knowledge of the subject, which leads to poor reliability. Most projective tests also have little demonstrated evidence to support their conclusions, leading to a lack of validity. Such tests are also influenced by various other factors, such as the subject’s gender, race, or ethnicity and even the context in which the projection test was administered. Lastly, the quantitative scoring system utilized to analyze subjects relies on poor rationales. Examiners who

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<sup>215</sup> Burak Acil, Interview.

<sup>216</sup> Andrew Colman, “House-Tree-Person Technique,” *A Dictionary of Psychology* (Oxford: Oxford University Press, 2008), <http://www.oxfordreference.com/view/10.1093/acref/9780199534067.001.0001/acref-9780199534067-e-3854?rskey=dLM27F&result=2>, accessed December 2, 2015.

<sup>217</sup> Paul Kline, *Handbook of Psychological Testing: Second Edition* (London and New York: Routledge, 2000), 278.

analyze projective tests try to ascertain information about nearly any aspect of the subject's personality, such as temperament, abilities, and attitudes. Most scientific tests, however, focus on providing a framework for analyzing a single variable.<sup>218</sup>

Facing early criticism, John Buck hoped to alleviate some of these complaints by analyzing ten distinct cases in 1949 to provide both a qualitative and quantitative scoring guide.<sup>219</sup> In general, Buck suggests that the house provides information about the subject's "home-life and intra-familial relationships," the tree provides information about the subject's "experience with the environment," and the person provides information about the subject's "inter-personal relationships."<sup>220</sup> Interestingly, this case study analyzed the drawings, as seen in Figure 5, of a 23-year-old man whom had experienced "more than 50 homosexual paramours" even though he was married to a woman at the time the test was administered. The qualitative analysis cited a detection of "oral and anal erotic tendencies."<sup>221</sup> These tendencies were reportedly related to the "over-emphasis upon windows" in the subject's drawing of a house, which indicates an "orifice fixation." The image of the man was shaded near the hips, which demonstrate a "sexual conflict" in the subject. The man in question however suggested that they were simply pant pockets. In turn, the shaded shoes represented the subject's lack of mobility and sense of being trapped in his marriage.<sup>222</sup> The subject's tree drawing, which is toppled over but refuses to give in to the elements, represented "his own refusal to bow to social pressure against

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<sup>218</sup> Kline, *Handbook*, 281.

<sup>219</sup> John Buck, "The H-T-P Technique," *Journal of Clinical Psychology* 5, no. 1 (1949): 38.

<sup>220</sup> Buck, "The H-T-P Technique," 72.

<sup>221</sup> Buck, "The H-T-P Technique," 63-64.

<sup>222</sup> *Ibid.*

his deviant sexual activities.” The subject suggested instead that he simply drew a tree that he remembered from a trip to the Mediterranean.<sup>223</sup> A different man in this study was also attributed to having “oral and/or anal eroticism” because of a lack of windowpanes on his home.<sup>224</sup> Even John Buck, the creator of the test who clearly believed in the legitimacy of such methods, noted in 1949 that the HTP test should only be an aid in diagnosis and that inexperienced examiners should only focus on factors identified by the subject to be significant.<sup>225</sup> He concluded that the overall purpose of this projective test is not to diagnose; rather, it provides an astute examiner information about the subjects overall personality and provides an opportunity to view the subject’s reaction to a stressful situation.<sup>226</sup>

EO told the story of his friend’s experience completing the HTP test. When given the HTP test, EO’s friend drew a house with wide doors and a long chimney. In the backyard, he drew a large tree. The diagnosis was that he clearly was a homosexual. The military psychologist concluded that he drew the large tree because of his attraction to large men and that the long chimney represented his focus on phallic objects. Finally, the presence of wide front doors demonstrated his desire for a wide-open sexual life.<sup>227</sup>

Burak Acil also completed the HTP test in 2012. He was then prompted with follow up questions about the season portrayed in the picture, the color of the house, and if there was a river nearby. He was also asked where the man was looking in the photo and why

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<sup>223</sup> Ibid.

<sup>224</sup> Buck, “The H-T-P Technique,” 56.

<sup>225</sup> Buck, “The H-T-P Technique,” 38 and 72-73.

<sup>226</sup> Ibid.

<sup>227</sup> EO, Interview.



he was looking in that direction.<sup>228</sup>

By using the HTP to determine one's sexuality, the Turkish military is improperly using a psychological test that is questionable even when applied for appropriate uses by medical professionals. This test alone cannot be used as a diagnostic tool for psychological disorders, and it was not designed with the intent of determining one's sexuality. The military doctors who give the HTP test then focus their analysis only on the drawing rather than using it as a tool to analyze the subject's personality in general when under a state of pressure. Rather than ascertaining broad information about a subject's personality or intelligence, the Turkish military uses the HTP as a way to prove one's sexuality. The notion that the drawing of a house, a tree, and a person can be used to definitively separate homosexual men from heterosexual men represents another distortion of psychological science to fit the needs of the military's exemption process.

### **Mandatory Family Meetings: “New Psychological Torture for Gays.”**

As recently as 2012, some military hospitals such as I-GATA have introduced a new requirement for exemption.<sup>229</sup> Many gay men have reportedly been forced to produce a family member that can testify about their sexuality. KAOS GL identifies this so-called meet-the-family method as new form of psychological torture.<sup>230</sup> In Turkish society, many gay men are unable to be open about their sexual orientation with their family. In such cases, attaining exemption can be exceedingly difficult. Yasemin Öz said

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<sup>228</sup> Burak Acil, Interview.

<sup>229</sup> Erkan Altay, “New Psychological Torture for Gays from GATA: ‘Facing the Family,’” *Kaos GL*, March 14, 2012, <http://www.kaosgl.com/page.php?id=10824>, accessed December 1, 2014.

<sup>230</sup> *Ibid.*

that those men who cannot produce a family member willing to testify on their behalf will not receive a Pink Certificate.<sup>231</sup> In 2012, Burak Acil originally resisted this meet-the-family requirement and offered to bring his boyfriend instead who had known him for six years. The doctors were insistent however that Acil bring a family member who knew him during his childhood. Luckily, his sister was willing to come with him and answer questions on his behalf. She was asked about Acil's experiences as a child. As the doctors wanted, she painted him as a "weak" and "girlish" child who painted his lips and mostly had female friends.<sup>232</sup> In some cases, the military doctors have been known to make some exceptions. Acil knew of a man who was allowed to bring a fellow gay friend from high school. In some instances, gay men have reportedly even hired other people to play the part of a family member.<sup>233</sup>

Erman Paçalı was also asked to bring a family member before military doctors at I-GATA. However, his mother was too sick to travel to Istanbul and his brother was fulfilling his military service in the eastern part of the country. Even still, Paçalı tried to work with the doctors and requested that the appointment be moved to a location where his brother or mother could attend. When this request was refused, he grew angry and claimed that they had no right to demand an interview with anyone from his family anyways. He then refused to take any psychological tests. An argument quickly ensued in which the doctor threatened to force Paçalı into the military and Paçalı countered by threatening to sue the doctor as well as the hospital. Other doctors who witnessed the argument tried to defuse the situation by suggesting that Paçalı could bring another

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<sup>231</sup> Yasemin Öz, Interview.

<sup>232</sup> Burak Acil, Interview.

<sup>233</sup> Ibid.

family member. At this point, he refused to cooperate. He was then sent to the aforementioned “friendly doctor.” This doctor admitted that the meet-the-family method was not strictly required, and he allowed Paçalı to bypass this step. In defense of the meet-the-family method, the doctor said that so many people try to cheat the process that there must be some system to identify those who truly need exemption.<sup>234</sup>

### **The Modern-Day Exemption Process: A Prolonged Bureaucratic Nightmare**

The story of IZ reveals the exemption process in its most recent form. He was still actively pursuing exemption at the time of the interview, and he had met with military doctors just days before the interview took place in May 2015. Along with his previously cited descriptions of the efforts that gay men undertake to over-feminize themselves, the testimony of IZ reveals the reasons why many gay men choose exemption and the bureaucratic obstacles that many men face as a result. IZ said that he always knew that he wanted exemption from the armed services. When asked why, he simply stated, “Being gay in [the] army is not good.” He believed that if other soldiers found out about his sexual orientation, he could become a victim of physical attacks and emotional abuse meant to humiliate him.<sup>235</sup>

He first sought exemption in 2014, and, after appearing before a panel of doctors, he received a one-year exemption.<sup>236</sup> While this result is more favorable than having his exemption completely denied, the looming threat of military service and an ongoing exemption process intensifies the feeling of stress and uncertainty in the lives of gay men.

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<sup>234</sup> Erman Paçalı, Interview.

<sup>235</sup> IZ Interview.

<sup>236</sup> Ibid.

When he returned in 2015, IZ described the doctors as “rude;” they pressured him to conceal his sexual orientation and questioned whether he was actively undergoing hormone therapy to become a woman. He then discussed the use of a sentence completion test in which he was asked to finish shorts sentences such as “My Mom is—,” “In my childhood—,” and “In the future, I desire—.” To the best of his ability, he answered the questions how he believed they wanted. He tried to make himself appear unstable, pushed away from society, and without future expectations. In 2015, IZ received another one-year exemption, and he will have to repeat the process again in 2016. He did discuss one interesting change from 2014 to 2015. His one-year exemption received in 2014 classifies IZ as having *cinsel kimlik bozukluğu* and *psikoseksüel cinsel bozukluk*, which translates as sexual identity disorder and psychosexual disorder, respectively. In 2015, his one-year exemption classified him instead as *uyum bozukluğu*, which translates to adjustment disorder or misfit.<sup>237</sup>

Burak Acil also discussed the rationale given on his pink certificate for exemption, which he attained in 2012. They emphasized that he had “painted his lips” in the past. They stated that he is not a normal man even though he sometimes wears normal clothing. They also placed great emphasis on the fact that he has a tendency to serve in the passive role during sex.<sup>238</sup> As discussed at length throughout this work, the adoption of this “female” role is a factor that the Turkish military considers to be very important when determining whether a man is homosexual. As stated by EO, as long as you are a

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<sup>237</sup> Ibid.

<sup>238</sup> Burak Acil, Interview.

“top” and maintain an active status, you are still a man. If you are the “bottom” and adopt a passive status, you are a woman.<sup>239</sup>

Throughout the exemption process both past and present, gay men are subject to humiliating and tortuous treatment at the hands of the Turkish military. However, their nightmare does not end with the attainment of a “Pink Certificate.” Instead, a lack of discretion and lack of respect for privacy can result in detrimental repercussions.

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<sup>239</sup> EO, Interview.

## CHAPTER 7

### DISCRETION, PRIVACY, AND REPERCUSSIONS

Each of the aforementioned methods meant to prove one's homosexuality violates the right to privacy. Perhaps the HTP test is the sole exception; although, this test was undoubtedly utilized to make often incorrect assumptions about the intimate parts of one's private life. Beyond the privacy violated through the application of these methods, the exemption procedure itself is full of prying and embarrassing personal questions. The 2007 story of EO exemplifies this use of intrusive questions by military doctors. When he revealed to his commander that he was gay, one of the first questions he was asked was, "How big can you take?" He was then asked questions about his sexual preferences, such as whether he preferred to be a "top" or "bottom." He was also asked when he last had sex, as if such information was relevant to his sexuality. Later on in his exemption process, he was forced to reveal this information to a panel of approximately fifteen doctors. When asked about these intrusive questions as part of the exemption process, EO said, "For the Turkish military, you have to be a woman to get this document."<sup>240</sup> Burak Acil was asked other types of questions in 2012, such as if he shaved and, if so, which parts of his body he shaved. He was asked whether he wanted to be a woman as well as questions about his childhood. Acil believes that the military doctors hoped to find

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<sup>240</sup> EO, Interview.

evidence of developmental trauma upon which they could blame his homosexuality.<sup>241</sup> These questions demonstrate the arbitrary nature inherent in the military exemption process. In turn, Turkish military doctors violate the right to privacy of Turkish citizens by asking prying questions that ultimately yield no benefit in the futile attempt to prove sexuality.

As with the exemption methods themselves, these questions are devoid of any legitimate use in the process to determine one's sexual orientation. While the military may believe it has legitimate reasons to ask questions concerning one's sexual experiences, the detailed nature of the questions serves no practical purpose. It has already been established that the military only considers passive sexual actors to be gay. Similarly, with questions such as "How big can you take?" does the Turkish military have a size requirement for exemption? Perhaps these questions are meant to determine how sexually active the man in question is or to assure that he has participated in anal sex as the passive partner. Either way, these questions harass and degrade the subject. However, as with the use of anal examinations, such questions are useless because it is not medically possible to determine past anal penetration. An important factor to be cognizant of when considering these prying questions is the discreet history of many of the men that pass through the exemption process. Revealing one's intimate sexual history to a panel of strangers would be challenging for anyone. This difficulty is exacerbated by the fact that many gay men in Turkey are not used to openly discussing their sexuality or sexual history due to cultural norms.

In many cases, the military does not deal with the exemption process discreetly.

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<sup>241</sup> Burak Acil, Interview.

Facing outcry, and a lack of accurate results from previous exemption methods, the Turkish military devised the aforementioned meet-the-family method. Under this new method, military doctors contact the subject's family in order to ascertain personal information about the subject's background.<sup>242</sup> For instance, parents may be questioned about their son's past behavior in order to help determine his sexuality.<sup>243</sup> This practice is problematic for gay men who have not yet openly discussed their sexuality with their parents for fear of rejection, discrimination, or even violence. Gay men who try to explain their delicate situation with their family are placated by hollow promises that questions will only deal with the subject's development during childhood.<sup>244</sup> However, astute Turkish parents may become suspicious when doctors from I-GATA, known for its mistreatment of gay men, come to ask probing questions about their child's development.<sup>245</sup> In this way, the Turkish military forcefully outs gay men who may not be ready to discuss their sexuality with their parents. This forced outing, even if not met with rejection, violates the right to privacy and the right that a man should have to reveal his sexuality to his loved ones on his own terms. Even if military exemption is granted based on sexuality, the exemption forms are sent back to the requesting man's local authorities.<sup>246</sup> This action can prove to be problematic in cases where local officials know the man or his family; this issue is further exacerbated if the man is from a rural area.

As demonstrated throughout this work, LGBTQ people are disadvantaged in Turkish society. Many gay men are therefore hesitant to reveal their sexuality to anyone

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<sup>242</sup> "Review of the Human Rights Situation," Report for ILGA, 220.

<sup>243</sup> "Not an Illness," 18.

<sup>244</sup> Altay, "Psychological Torture."

<sup>245</sup> *Ibid.*

<sup>246</sup> "Not an Illness," 18.



but their closest friends. Therefore, the answering of prying questions about sexuality or sexual conduct is a source of great discomfort for many of the men passing through this exemption process. In turn, the fear that one's sexuality will be inadvertently disclosed to one's friends or family can be a source of constant anxiety. These concerns are often not recognized by the military doctors enforcing the exemption policy. Burak Acil stated that it is common for a gay man to hear the council laughing as they read aloud parts from his report that they find amusing.<sup>247</sup> IZ described the woman on the council as gossiping and friendly, asking about certain outfits or makeup.<sup>248</sup> These stories further highlight the military's reliance on stereotypes and demonstrate a lack of professional courtesy during the stressful exemption process.

The possession of a Pink Certificate can create a ripple effect of negative consequences that may plague gay men for the rest of their lives. As a result of this nondiscretionary process, men are often forcibly outed to their families and to authorities, resulting in discrimination in employment and housing, abuse, and even death. Ultimately, the Turkish military's lack of discretion is often to blame for violations of one's privacy rights, which can have a life-long impact.

The societal importance placed upon the proper completion of military service should not be underestimated. For many, military service is a necessary rite of passage without which a boy can never become a man.<sup>249</sup> Oftentimes, a man's military enrollment is a time for celebration as he approaches adulthood.<sup>250</sup> When a child dies in service to

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<sup>247</sup> Burak Acil, Interview.

<sup>248</sup> IZ, Interview.

<sup>249</sup> Firat Söyle, Interview.

<sup>250</sup> Ibid.

his country, even if that service was forced, it is considered an honor. Militarism runs so deep in certain parts of the country that some parents view Turkish nationalism as more important than the life of their son.<sup>251</sup> This pressure to complete one's service can be felt in many facets of Turkish society. For instance, many Turkish companies prefer to hire employees who have already fulfilled their obligations to the military.<sup>252</sup> Some Turkish parents will refuse to honor their daughter's engagement if the fiancé did not adequately complete his military service.<sup>253</sup>

This pressure to complete one's military service can be clearly seen in the story of RÇ, a gay man who concealed his sexual orientation during the five months he completed his military service in 2006. When asked why he did not attain an exemption on account of his sexual orientation, RÇ replied that it was "100 percent out of the question." RÇ's family has a military background and, as a result, he was raised at a military compound. From the time he was young, he was prepared by his father to fulfill his nationalistic duty. He recalled one memory of crying as a child and being told that he was a soldier and soldiers do not cry.<sup>254</sup> Undoubtedly, these examples of strict adherence to military conscription can be traced back to the military's historical and cultural role in the politics and economics of Turkish society.

Beyond the associated shame, the possession of a pink certificate can have negative consequences on the job opportunities available to gay men. For instance, the classification of the man in question as "psychologically disordered" can hinder the

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<sup>251</sup> Ibid.

<sup>252</sup> "Turkish Military Service," 12.

<sup>253</sup> Ibid.

<sup>254</sup> RÇ, Interview.

possibility of future state employment.<sup>255</sup> This military exemption may also limit the access that gay men have to jobs in the private sector. It is common practice in Turkey to request information regarding the completion of one's military service when interviewing for a job.<sup>256</sup> In these circumstances, gay men may state that they were found "unfit for military service."<sup>257</sup> The employer may relate this statement with homosexuality, but even when this is not the case, the presence of some form of mental illness is assumed.<sup>258</sup> For employers seeking more information, they can pressure the interviewee to explain the grounds for their exemption, or the employer may choose instead to receive this information directly from the army.<sup>259</sup> As a result, some gay men find themselves at an inherent disadvantage in the job search process. Furthermore, employers have the right to explicitly refuse to hire anyone on the grounds of their sexual orientation because of the lack of protection in Turkish employment law on the basis of sexual orientation.<sup>260</sup>

That said, Fırat Söyle stated that gay men rarely have a problem with repercussions from attaining a pink certificate.<sup>261</sup> However, the myth surrounding such repercussions is a large part of the problem. For instance, Yasemin Öz agreed that workplaces have difficulty finding out about one's pink certificate, but she still discussed a fear of being classified as a gay man and the resultant hate crimes that could occur.<sup>262</sup> Furthermore, while RÇ did not know whether the aforementioned psychosexual label

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<sup>255</sup> Nieto, "Law for Liberation," 80.

<sup>256</sup> "Not an Illness," 22.

<sup>257</sup> Nieto, "Law for Liberation," 81.

<sup>258</sup> Ibid.

<sup>259</sup> Azizlerli, "Proving You're Gay."

<sup>260</sup> "Not an Illness," 22.

<sup>261</sup> Fırat Söyle, Interview.

<sup>262</sup> Yasemin Öz, Interview.

became a part of one's permanent record, he described an inherent "fear of being labeled for life" that was attached to the exemption process. Rather than face such a risk, RÇ suggested that many gay men choose the same path that he did, concealing their orientation and completing their military service.<sup>263</sup> In this way, the perceived risk of exposure and the repercussions that could result create a very real sense of danger that underscores the military exemption process. The fear of future repercussions can be as immobilizing as actual consequences.

Such fear were proven real and highlighted in the salient case of Halil Ibrahim Dinçdağ. In an interview, ES revealed that Dinçdağ was removed from his positions as football referee and radio host because of his attainment of a pink certificate in 2009.<sup>264</sup> Furthermore, Dinçdağ, who was not out to many of his friends or family, was forcibly and publicly outed by the press.<sup>265</sup> The Turkish Football Federation chose to fire Dinçdağ solely because of his sexual orientation even though he was entering his fourteenth year of service.<sup>266</sup> After dismissing him, someone from the Federation then leaked his pink certificate to the press, resulting in a May 13, 2009 *Fanatik* newspaper article titled "The Gay Referee Wants his Whistle Back." The subsequent media storm forced Dinçdağ to move to Istanbul.<sup>267</sup> In short, the attainment of a pink certificate altered Dinçdağ's entire life, causing severe financial strain and untold mental anguish. Following this publicized outing and brutal firing, it is easy to understand why many gay men are reluctant to attain

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<sup>263</sup> RÇ, Interview.

<sup>264</sup> In Turkey as throughout Europe, soccer is called football.

<sup>265</sup> ES, Interview.

<sup>266</sup> Evren Özen, "The Case of Halil Ibrahim Dinçdağ: Discrimination in Employment," *LGBTI News Turkey*, <http://lgbtinewsturkey.com/2013/11/29/case-of-halil-ibrahim-dincdag-discrimination-in-employment/>, accessed September 22, 2015.

<sup>267</sup> Ibid.

a pink certificate.

## CHAPTER 8

### COUNTERARGUMENTS

Foremost amongst the complaints levied against the exclusion of gay men is the belief that the fulfillment of one's constitutional duty should never require one to be dishonest about one's true self. Those who would counter that a discussion of one's sexuality is never relevant in a professional or military setting can hardly be taken seriously. The notion that one's sexual orientation is not constantly questioned via allusions to past romantic history or questions relating to future life plans demonstrates a clear lack of understanding concerning how much emphasis society places on each individual's respective sexual experience. This idea is especially true when one considers the age of the men in question—18 to 40—and the length of mandatory military service—up to 15 months. For instance, RÇ revealed that it was common for men from his unit to visit a local brothel.<sup>268</sup> When RÇ's curiosity got the better of him and he too visited the brothel, he was “the talk of the unit” for those men whom “did not think he was the kind.”<sup>269</sup> Considering these types of statements, the belief that a gay man could successfully complete his time in the military without being forced to directly lie about his sexual orientation is simply not realistic. However, as seen in America's now-repealed

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<sup>268</sup> RÇ, Interview.

<sup>269</sup> Ibid.

Don't Ask Don't Tell policy, some would deny that such an outcome is harmful and that it can even be a reasonable way to deal with the presence of gay men in the military.

However, studies have suggested that limits on self-expression can damage the immune system.<sup>270</sup> Specifically, studies performed on self-disclosed and non-disclosed homosexual men found evidence to support the claim that hiding one's sexual orientation can result in immunosuppression.<sup>271</sup> This immunosuppression can result in minor issues such as headaches, heart palpitations, or sleep loss, but it can also lead to more serious health issues such as an increased risk of developing cancer or infectious diseases.<sup>272</sup> Furthermore, LGBTQ people who are open about their sexuality have better mental health on average than their non-disclosed counterparts.<sup>273</sup> Self-disclosed individuals have lower levels of the stress hormone cortisol and fewer signs of anxiety and depression.<sup>274</sup>

Beyond concerns about the forced suppression of one's sexual orientation, not all men are capable of successfully concealing their orientation. Some men, even straight men, may have assumptions made about their sexuality even before they self-identify. As demonstrated throughout this work, those who are suspected of having a non-normative sexual identity may be at risk of mistreatment at the hands of Turkish military officials. In turn, the Turkish military does not provide a safe environment that actively opposes

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<sup>270</sup> John Lanou, "Restricted Expression and Immunosuppression: How 'Don't Ask, Don't Tell' May Harm Military Readiness by Increasing the Risk of Cancer and Infectious Disease in Homosexuals," *George Mason Law Review*, 10 (2001-2002): 1.

<sup>271</sup> Laou, "Restricted Expression," 13.

<sup>272</sup> *Ibid.*

<sup>273</sup> University of Montreal, "Health Benefits of Coming Out of the Closet Demonstrated," *Science Daily*, January 29, 2013, <http://www.sciencedaily.com/releases/2013/01/130129074427.htm>, accessed October 23, 2015.

<sup>274</sup> *Ibid.*

harassment against those who are perceived to be gay. IZ acknowledged this lack of safety when discussing his reasons for attaining exemption. He did not believe he would be able to successfully conceal his orientation, and he resultantly feared backlash in the form of physical attacks and emotional humiliation.<sup>275</sup>

Those men who are unable to conceal their orientation may be the target of violence, discrimination, verbal abuse, or even rape.<sup>276</sup> Their commanding officers in turn may force them to do the more difficult, distasteful military jobs.<sup>277</sup> Arguably, the Turkish military is not a safe environment for any man. As stated by ES, many men change during their military service.<sup>278</sup> As a result of mistreatment, there are many suicides in the military each year. Official reports indicate that 2,221 soldiers committed suicide or died in “accidental deaths” in the years between 1992 and 2012.<sup>279</sup> This figure indicates that approximately every third day, a conscript dies outside of combat operations in the Turkish military. Many accuse the military of not investigating these deaths sufficiently.<sup>280</sup> Evidence suggests that some deaths officially ruled a suicide or an accident might have actually been murder.<sup>281</sup> This practice of inadequate military investigations is exemplified by investigation into the case of Aydin Dere whose death was originally declared a suicide. One year later, however, a report released by a forensic center stated that he was shot in the back.<sup>282</sup> As seen in the discrimination against gay

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<sup>275</sup> IZ, Interview.

<sup>276</sup> Fırat Söyle, Interview.

<sup>277</sup> Ibid.

<sup>278</sup> ES, Interview.

<sup>279</sup> Uzay Bulut, “Suspicious Deaths Continue in Turkish Army,” Soldier Rights Initiative, November 11, 2013, <http://www.askerhaklari.com/basinda-biz/suspicious-deaths-continue-in-turkish-army>, accessed August 24, 2014.

<sup>280</sup> Ibid.

<sup>281</sup> Ibid.

<sup>282</sup> Ibid.



men, society does not raise sufficient outcry against the mistreatment of Turkish conscripts. As previously noted, the military is one of the dominant structures in Turkish society and it is therefore exceedingly difficult to criticize. Therefore, the only reasonable option that remains for gay men is the military exemption process and the many ramifications that process entails.

## CHAPTER 9

### CONCLUSION

*In an Istanbul Starbucks on February 13, 2015, three men ordered coffee and cheesecake, choosing a secluded table where they could speak without being overheard. The first man, EO, shared his story of military exemption as a young man of only 21. The second man translated while the third man, a foreigner, feverishly scribbled down notes. He felt both appalled and excited while EO recounted his evocative tale of psychological torture and abuse. This foreigner was shocked by the inhumane treatment that EO received, but he was increasingly intrigued by this unreported account of military abuse. He experienced a moment of clarity as he witnessed months of preliminary research come to life before his eyes. This interview was his first, but he knew then that it would not be his last attempt to document human rights abuses in Turkey or throughout the world.*

From its very genesis, the human rights record of the Republic of Turkey has been marred by the persistence of antiquated gender roles, misogyny, and homophobia. These outdated ideals were fostered by the masculine, heteronormative Turkish military, which has historically been the strongest structure in Turkish society. As a result, women were not expected to serve in the military. This exclusion of women is in violation of Article 72 of the 1982 Constitution that explicitly stipulates universal conscription. Many

officials feared that a woman's "feminine nature" would spread disorder and that the inclusion of women under the scope of Article 72 was not even a question warranting discussion. This lower status of women in Turkish society is notoriously exemplified in the horrific practice of "honor killings," which have long been utilized to target women for perceived deviations from their expected behavior. The connection between these two discriminatory ideals targeting women and gay men dates back to 1927 when the Turkish military first explicitly excluded gay men from universal male conscription. As with women, military officials feared the disorder that feminine, gay men might bring. This outdated fear was reaffirmed once again in the law excluding gay men from service in 1986 and the re-codification and slight revision of the law in 2013.

In the last few decades, the ultimate questions concerning this policy remain the same. How can the military accurately prove that which is not provable? How can military doctors make concrete a concept that is clearly much more fluid? How can the military determine who exactly is gay enough to spread disorder? Ultimately, the underlying question is which man is still a man and which man is a woman. The military has repeatedly revealed its inability to accurately or humanely answer any of the aforementioned questions. In trying to do so, however, the Turkish military has demonstrated its willingness to violate the basic human rights of its own people and its complete ignorance concerning topics of gender and sexuality. To justify these abuses, the military has for decades utilized outdated, Victorian pseudoscience dating back centuries. The rationale for the exclusionary policy dates back to an edition of DSM published in 1968. The DSM was revised in 1973 to no longer support the military's classification of gay men as psychologically ill. In turn, the exemption process itself is

based on pseudoscience and gender roles that rely on a narrow understanding of sexuality.

One of the earliest methods—anal examinations—was torture based on discredited work from the mid-1800s. Furthermore, this method relied on untrue assumptions concerning the sexual conduct of gay men and targeted men who took on the passive sexual role. Only these men were “truly” women. The subsequent use of photographic evidence of sexual conduct was equally ineffective in its ability to prove one's sexual orientation—any man whether gay or straight can take a photo of himself in a passive sexual role. As with anal examinations, the photography method violates human rights and targets gay men who take on the "woman's" role. The similar method of requesting photos of a man dressed as a woman was quite ineffective—any man can dress up as a woman and such a desire is not linked to one's sexuality. This method reveals a more serious glimpse into just how little the military understands about homosexuality and the negative way in which they view women. In turn, the deliberate over-feminization that men undergo before seeking exemption builds upon the ignorance, stereotypes, and fears inherent in the misogynistic and homophobic exemption process. The long-term, supplemental use of the MMPI and HTP test to determine sexuality breaks from the original purpose and design of these psychological tests and therefore yielded inaccurate results. Furthermore, these tests are easily fooled with minimal research or consultancy with an LGBTQ activist. Finally, the later demand for a family meeting once again reveals a violation of the right to privacy and an inherent misunderstanding of the daily struggles that gay men face in Turkish society. Many men are unable to be honest about their sexual orientation with their families for fear of

violence and abuse. Even when a family member is able to attend such a meeting, superficial questions concerning one's development and childhood friends do not provide substantial evidence upon which to determine one's sexual orientation.

Ultimately, the military's exclusion of gay men from constitutionally mandated universal conscription constructs a culture of homophobia. This exclusion then leads to an arduous and often arbitrary exemption process that violates international human rights law. This process adversely affects nearly all gay men in the country, resulting in both physical and psychological harm. The final consequence is a culture of fear that normalizes homophobic policies and limits the opportunities of gay men. In this way, the exclusion of gay men from military service and the exemption process that follows negatively impacts the lived experience of nearly every gay man in the Republic of Turkey.

As demonstrated throughout this thesis, the Turkish military's institutionalized homophobia has resulted in decades of abuse that has direct consequences for every gay man in Turkey. Throughout this work, the perpetrators of the aforementioned human rights abuses are referred to collectively as the "Turkish military." However, it is of the utmost importance to realize that individuals acting of their own volition created and continue to perpetuate these homophobic policies.

While gay men are still facing a dire situation in Turkey, it is important to make some cautiously optimistic closing notes. For instance, there are individuals operating within the military system who disagree with the military's exclusionary policy. It would be easy to portray the Turkish military—and even Turkish society—as an unhinged homophobic beast. Instead, in the course of this research, numerous stories were told that

demonstrated the ways in which regular soldiers and doctors tried to reconcile their humanity with inhumane laws. EO, along with numerous mistreatments, emphasized several times the kind treatment that he received from his guards, emphasizing that some guards even called him “brother.” Even misguided and psychologically harmful statements—such as from a military officer who told EO, “Don’t worry, you can change some day”—seemingly arose from a source of tenderness and caring.<sup>283</sup>

Finally, every story of military oppression can be paired with the story of a brave LGBTQ person who persevered over such discrimination. In turn, acts of cruelty were often countered by very human acts of kindness. Dr. Rahul Rao concludes his article *The Locations of Homophobia* by invoking Aimé Césaire to remind readers that no race has a monopoly of beauty, intelligence, and strength nor does any race have a monopoly on ugliness, stupidity, and weakness.<sup>284</sup> In the Turkish society’s struggle with homophobia, there is both beauty and ugliness, intelligence and stupidity, strength and weakness.

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<sup>283</sup> EO, Interview.

<sup>284</sup> Rahul Rao, “The Locations of Homophobia,” *London Review of International Law* 2, no. 2 (2014).

## LIST OF FIGURES

Figure 1:


T.C.  
GENELKURMAY BAŞKANLIĞI  
GÜLHANE ASKERİ TIP AKADEMİSİ KOMUTANLIĞI  
ANKARA

SAĞ.KRL. :  
KONU : Sağlık Kurulu Raporu Hk. 2007

RAPOR ÖN BİLDİRİM BELGESİ

İLGİ

Aşağıda kimliği yazılı P.ERİ  
G.A.T.A. Sağlık Kurulundan almış olduğu karar ile rapor tarih ve numarası aşağıya çıkartılmıştır.  
Düzenlenmekte olan Sağlık Kurulu Raporu onaylandıktan sonra gönderilecektir.  
Arz/Rica ederim.



Rapor Tarihi : 2007 Rapor No

Teşhis : İLERİ DERECEDE PSIKOSEKSÜEL BOZUKLUK

Karar : D/17 F-4 ASKERLİĞE ELVERİŞLİ DEĞİLDİR

KİMLİĞİ :

Adı Soyadı :  
Baba Adı :  
Doğum Yeri ve Yılı :  
Yerli Askerlik Şubesi :

NOT :

- 1- Bu vesika ile kesin işlem yapılmaz. Kesin işlem ancak rapor aslı üzerinde yapılır. Fakat istirahat ve hava değişimlerine gidilebilir.
- 2- Türk Silahlı Kuvvetleri Mensuplarının Sağlık Muayene Yönergesi (M.S.B. 160-1)'nin 30. maddesi gereğince sonunda muayene kaydı ile hava değişimi veya istirahat raporu alanlar hava değişimi veya istirahat bitim tarihinden 7 gün evvel bulunduğu yerdeki birliğine, Garnizon Komutanlığına veya Askerlik Şubesine müracaatla muayenesini istemesi lazımdır.
- 3- Askere alındıktan sonra asker hastaneleri sağlık kurullarından (askerliğe elverişli değildir) kararı alan erler raporlarının onaylanmasını beklemek üzere bu hastaneler tarafından yerli kayıtlı bulunduğu askerlik şubesi emrine gönderirler. Ayrıca durum ilgililerin birliğine duyurulur. Terhis işlemleri, raporları ilgili makamlarca onaylanıp askerlik şubesine geldikten sonra yapılır (T.S.K. Sağlık Yeteneği Yönetmeliğinin 15 nci maddesi).

Figure 2:

HİZMETE ÖZEL

R-7

T.C.  
MILLÎ SAVUNMA BAKANLIĞI  
ASKERLİK ŞUBESİ BAŞKANLIĞI  
21870 ÇÜNGÜŞ/DIYARBAKIR

AS.Ş. 2008

KONU : Terhis Belgesi Ve Askerliğe Elverişli Değildir Kararı  
Raporun Gönderildiği.

ILGI : (a) ANKARA-GATA K.İğinin 2007 tarihli ve D/17 F-4 Askerliğe Elverişli  
Değildir rapor.  
(b) MY 33/2 (A) T.S.K.Per.Sağ.Mua.Yönergesi.

1. Askerlik hizmetinizi yapmakta iken ilgi(a) rapor ile Askerliğe Elverişli Değildir kararı verildiğinden  
birliğinizce terhis edildiğiniz dosyanızın tetkikinden anlaşılmıştır.

2. Askerlik hizmetiniz sırasında ilgi(a) kararlı rapor aldığınızdan dolayı, ilgi(b) yönerge gereğince terhis  
belgesi şubemizce tanzim edilmiştir. Terhis Belgesi ve Askerliğe Elverişli Değildir kararlı rapor ekte  
sunulmuştur.

Rica ederim.

E K I  
E K - A ( 1 Adet Terhis Belgesi )  
E K - B ( 1 Adet As. Elv. Değ. Raporu )



Figure 3:

HİZMETE ÖZEL

TERHİS BELGESİ

T.C.KİMLİK NO		BABA ADI	
SOYADI		ANA ADI	
ADI		İLİ	
DİĞER ADI		İLÇESİ	
KAYIT/SİCİL NO VEYA DOĞ./KUTUK NO		KOY / MAHALLE	
STATUSU VE TABİ OL. HİZMET SÜRESİ	15 AY ER	KULLANDIĞI İZİN TARİH VE SÜRELERİ	----
TERTİP/DÖNEM VEYA DUHULÜ		GEÇ İLTİHAK, HAVA DEĞİŞİMİ, FIRAR, HAPİS TARİH VE SÜRELERİ	----
AS.Ş.DEN SEVK TARİHİ		AS.HİZ.SAYILMAYA N SÜRELER	----
EĞT.BRL./SINIF OK. KATILIŞ TARİHİ		SON RÜTBESİ NASIP TARİHİ	----
SON KİTASINA/KURUM KATILIŞ TARİHİ		İHTİSAS SIRA KOD NO İLE BRANŞI	----
TERHİS SEBEBİ	ASKERLİĞE ELVERİŞLİ DEĞİLDİR		
TERHİS TARİHİ	2007		
SINIF VE RÜTBESİ	PIYADE ER		
TERHİS EDİLDİĞİ BRL.KURUM VE YERİ			
TERHİS EMRİNİN TARİH VE SAYISI	ANKARA-GATA K.LİĞİNİN 12 ARALIK 2007 TARİHLİ VE 4913 SAYILI İLERİ DERECEDE PSİKOSEKSÜEL BOZUKLUK D/17 F-4 AS.ELV.DEĞ.KAR.RAPOR		
DEVAMLİ OTURMA ADRESİ		TELEFON NO :	EV : --- İŞ : --- CEP : ---
AÇIKLAMA (Yukarıdaki bilgiler dışında açıklanması zorunlu görülen hususlar bu haneye yazılacaktır.)	YÜKÜMLÜNÜN TERHİS BELGESİ MY 33/2 (A) T.S.K.PER.SAĞ.MUA.YÖNERGE- Sİ 3'NCÜ BÖLÜM 1'NCİ MADDE (g) FIKRASI GEREĞİNCE ŞUBEMİZCE TANZİM EDİLMİŞTİR.		

TANZİM TARİHİ : 2008

DÜZENLEYEN

ONAYLAYAN

İmza :  
Adı ve Soyadı :  
Rütbesi :  
Görevi :

İmza-Mühür :  
Adı ve Soyadı :  
Rütbesi :  
Görevi :

HİZMETE ÖZEL

Figure 4:

**7 ARK SİLAHLI KUVVETLERİ SAĞLIK RAPORU**

Muayeneyi yapan Sağlık Kurulu		TC. KİMLİK NO: ÜN Y16298951392	
Rapor Numarası		Birlik	
Rapor Tarihi		Adı, soyadı	
Karantina No.		Baba adı	
Hastaneye giriş	/ /	Sınıf rütbe	
Hastaneden çıkış	/ /	Sicil No.	
Hastanede tedavide iken sağlık kuruluna sevk eden servis	RUH HASTALIKLARI	D. Tarihi ve Doğum Yeri	
Muayeneve eönderen makamı		Devamlı adres	
Emir tarihi		Bağı Bulunduğı As.Şb. Bşk. hçe	
Emir Şube ve No	9125-07	<b>Ne Maksatla Muayene Edildiği</b>	
Boy		HST.	PSIKİYATRİK YÖNDEM
Ağırlık			1
Nefes Alma			
Nefes Verme			
<b>Muayene ve tetkik yapan servis ve laboratuvarlar</b>		<b>BULGULAR</b>	
PSIKİYATRİ RAPORU ( 253 / 2007 )			
Yakınması; Hemcinslerine ilgi duyma.			
<p><b>RUHSAL MUAYENE:</b> Ayakta, yaşında, çevresine ilgisi normal, giyiniş ve tuvaletine özeni iyi, mizacı efemine, sosyabilitesi samimi, konuşması efemine, ses tonu normal, mimik ve jestleri efemine, hareketleri efemine, uyku ve iştah normal, bilinç açık, yönelim tam, algı tabii, düşünce akışı normal amacına varıyor, düşünce içeriği cinsel kimlik ve uyum sorunlarını üzerine yoğunlaşmış, dikkat, bellek, nesnel yargı ve öznel yargı normal, zeka normal, duygulanım efemine, davranışlarında efemine hareketler dikkati çekmektedir. Öyküsünden çocukluktan itibaren hemcinslerine karşı cinsel ilgi duyduğu, eşcinsel ilişkilerinin bulunduğu, yaşamının önemli kararlarında cinsel tercihinin rol oynadığı anlaşılmaktadır. Kıta anketinde erkeklere karşı cinsel ilgisi olduğu için askerlik ortamında huzursuz olduğu şeklinde kanaat bildirilmiştir. Hasta poliklinik konseyinde görüldü ve askerlik yapamayacağı kanaatine varıldı ( / 2007 )</p>			
<p><b>TANI: İLERİ DERECEDE PSIKOSEKSÜEL BOZUKLUK</b>  <b>KARAR TEKLİFİ: D/17 F-4 ASKERLİĞE ELVERİŞLİ DEĞİLDİR</b></p>			

Figure 5:

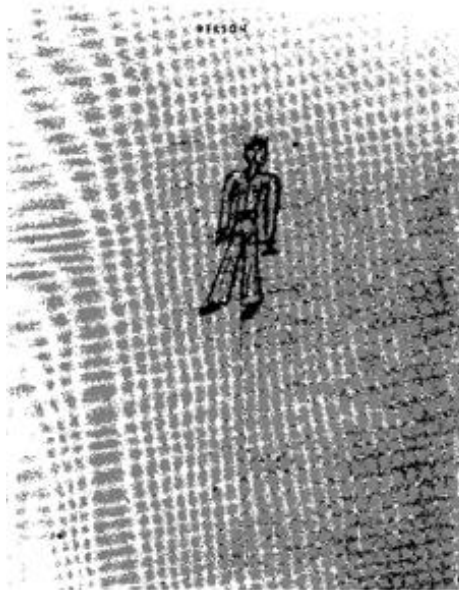
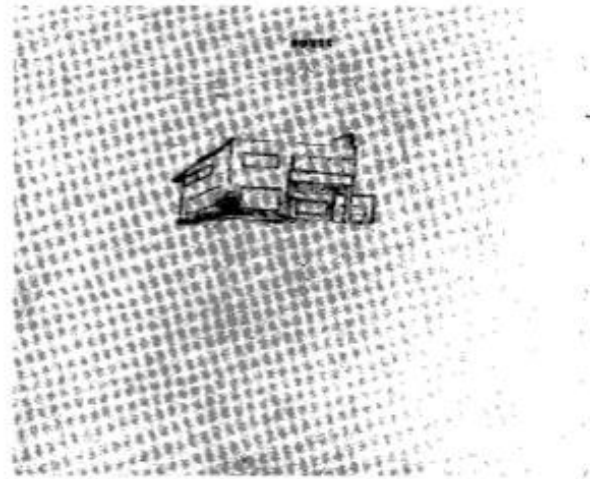
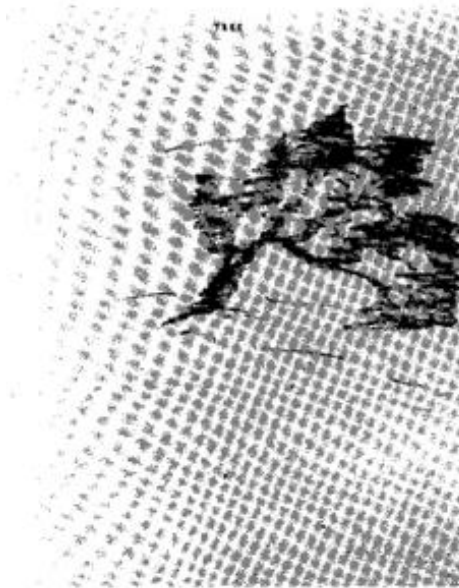


PLATE XI. CASE 8. C.D.

Name: C. D. Date: 1946 Examiner: S. L.  
 Sex: Male Age: 23 Occupation: Teacher Marital Status: Married

<u>HOUSE</u> <u>Details</u>	<u>Perspective</u>	Row: D-9 A-23 S-5	Score 1.3
100(5) — A3	215(3) — A3		\$Raw G: ————— 76 — 93
104(3) — A3	216 V(n) — D1		Not Weighted: ————— 62 — 99
107(2) — A2			Weighted: Good: 71 — 98
111(2) — S2			Flaw: 9 — 103
113(2) — A2			
115 — S2			
	<u>PERSON</u> <u>Details</u>		
<u>Proportion</u>	300 II(a) — A1		
119 II(b) — A2	301(a) — A1		<u>Details:</u> 18 Av. to Ab. Av.
	306(3) — A1		3 Av. to Ab. Av.
	307(a) — A1		
	308(2) — A1		<u>Proportion:</u> 6 Mor.
<u>Perspective</u>	310(2) — D1		2 D. Av.
127(2) — S1	311(3) — D1		
151 II — D1	315(3) — D1		<u>Perspective:</u> 8 Mor.
	316(4) — A3		8 Av.
<u>TREE</u> <u>Details</u>	<u>Proportion</u>		<u>House:</u> 8 Av. to Ab. Av.
201 — S1	318(1) — D1		1 Sup.
202 — S1	319(2) — A1		
203(4) — A3	323 II(a) — D1		<u>Tree:</u> 9 Sup.
204(5) — A3	323 III(c) — A2		1 Sup.
205(5) — A3	323 IV(d) — A3		
206(5) — A3			<u>Person:</u> 11 Mor. to Bord.
			7 D. Av.
	<u>Perspective</u>		

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