



Turkey Law Review: Turkish Constitution

Turkey Law Review Legal Dictionary: A Comprehensive Guide (A-Z)

Introduction

This dictionary is designed to serve legal professionals, scholars, and students interested in Turkish law and its relationship to global legal systems. It provides concise yet informative definitions of key legal terms rooted in Turkish constitutional, civil, criminal, and administrative laws while offering comparative notes where relevant. The aim is to enhance understanding and promote informed dialogue among Turkey Law Review users.

A

- **Adalet (Justice):** A fundamental principle ensuring fairness and equality before the law, enshrined in the Turkish Constitution.
- **Anayasa (Constitution):** The supreme legal document of Turkey, establishing the state's structure, fundamental rights, and duties.
- **Arbuluculuk (Mediation):** A dispute resolution method recognized under Turkish law to resolve conflicts without litigation.
- **Araştırma Komisyonu (Inquiry Commission):** Committees established by the Turkish Grand National Assembly to investigate significant issues.

- **Avukat (Lawyer):** A professional authorized to practice law, provide legal advice, and represent clients in court.
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B

- **Bağımsızlık (Independence):** A principle emphasizing judicial independence, protected under the Turkish Constitution.
 - **Baro (Bar Association):** Organizations regulating legal practice, providing professional support, and overseeing the ethical conduct of lawyers.
 - **Bilirkişi (Expert Witness):** An individual appointed by the court to provide specialized knowledge relevant to a case.
 - **Borçlar Kanunu (Obligations Code):** The set of laws governing contracts, debts, and obligations in Turkey.
 - **Basın Özgürlüğü (Freedom of the Press):** A constitutional right guaranteeing freedom of expression within legal limits.
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C

- **Ceza Kanunu (Penal Code):** The comprehensive code governing criminal offenses and penalties in Turkey.
 - **Cumhuriyet (Republic):** The political system established in 1923, emphasizing democracy and secularism.
 - **Cezai Ehliyet (Criminal Liability):** The capacity of an individual to be held legally responsible for their actions.
 - **Cinsel Taciz (Sexual Harassment):** A criminal offense under Turkish law, addressing unwanted sexual advances or conduct.
 - **Cinsiyet Eşitliği (Gender Equality):** A constitutional principle ensuring equal rights for men and women.
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D

- **Danıştay (Council of State):** Turkey's highest administrative court, reviewing decisions of lower administrative courts.
 - **Defterdar (Treasurer):** A legal term referring to the official responsible for managing provincial finances.
 - **Denetim (Audit):** The process of examining and verifying compliance with laws and regulations.
 - **Devlet Suçları (Crimes Against the State):** Offenses such as treason or espionage, addressed under Turkish Penal Code.
 - **Döviz Mevzuatı (Foreign Exchange Legislation):** Laws regulating currency exchange and foreign trade activities.,
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E

- **Emanet (Custody):** Legal responsibility for safeguarding property or individuals.
 - **Esas (Merit):** A term referring to the substantive aspects of a legal case.
 - **Eğitim Hakkı (Right to Education):** A fundamental right guaranteed under Article 42 of the Turkish Constitution.
 - **Evrak (Documents):** Official paperwork or evidence used in legal proceedings.
 - **Eğitim ve Öğretim Kanunu (Education Law):** Laws regulating education systems in Turkey.
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F

- **Faiz (Interest):** The additional sum payable on loans, governed under Turkish financial laws.
- **Fiil Ehliyeti (Legal Capacity):** The ability to exercise legal rights and obligations independently.
- **Fikri Mülkiyet (Intellectual Property):** Rights protecting creations of the mind, such as copyrights and patents.
- **Fıkra (Clause):** A subsection of a legal article or provision.

- **Fesih (Termination):** The act of legally ending a contract or agreement.
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G

- **Gayrimenkul (Real Estate):** Property consisting of land or buildings, regulated under property laws.
 - **Genel Af (General Amnesty):** A legislative act forgiving certain crimes and removing penalties.
 - **Genel Kurul (General Assembly):** The main decision-making body in legislative or organizational settings.
 - **Geçici Madde (Provisional Article):** Temporary legal provisions included in statutes or regulations.
 - **Güvenlik Tedbiri (Security Measure):** Precautionary actions taken to ensure public safety.
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H

- **Hakim (Judge):** An official responsible for presiding over court proceedings.
 - **Hakkında (Concerning):** A term used in legal documents to specify the subject matter.
 - **Hapis Cezası (Imprisonment):** A criminal penalty involving confinement in a penal institution.
 - **Hukuk Fakültesi (Law Faculty):** An academic institution training future legal professionals.
 - **Hukuki Durum (Legal Status):** The state of an individual or entity under the law.
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I

- **Idare (Administration):** The organizational body responsible for managing public affairs.
- **Islah (Reformation):** The legal process of correcting procedural errors in a case.

- **İsim Tescili (Trademark Registration):** Legal protection for brand names and logos.
- **İtiraz (Objection):** A formal challenge to a decision or action in a legal proceeding.
- **İzale-i Şüyu (Partition of Property):** Legal proceedings to divide jointly owned property among co-owners.

J

- **Jandarma (Gendarmerie):** A law enforcement body responsible for maintaining public order in rural areas.
 - **Jurisprudans (Jurisprudence):** The theory or philosophy of law, including interpretations and principles derived from judicial decisions.
 - **Jüri (Jury):** Not a standard feature in Turkish legal practice, but often referenced in comparative law studies.
 - **Jurnal (Report):** An old term used for confidential reports, now largely historical in usage.
 - **Jus Cogens (Peremptory Norms):** Fundamental principles of international law recognized as binding, applicable to Turkish treaties.
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K

- **Kanun (Statute):** A law formally enacted by the Turkish Grand National Assembly.
 - **Kanun Hükmünde Kararname (Decree-Law):** Legal regulations issued by the executive branch under specific constitutional provisions.
 - **Kamu Hizmeti (Public Service):** Activities carried out by the state or other authorized entities to serve public needs.
 - **Kefalet (Surety):** A contractual arrangement where one party guarantees another's obligations.
 - **Kesin Hüküm (Final Judgment):** A court decision that cannot be appealed further.
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L

- **Laiklik (Secularism):** The constitutional principle of separation between religion and state.

- **Lehe Kanun (Favorable Law):** A legal doctrine ensuring the retroactive application of laws that benefit the accused in criminal cases.
 - **Lisans (License):** Official authorization to engage in certain activities, such as practicing law.
 - **Lojman (Government Housing):** Residences allocated for state officials.
 - **Lése-majesté (Offense Against Sovereign):** Historical offenses involving disrespect toward state sovereignty, with modern parallels in insult laws.
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M

- **Mahkeme (Court):** Institutions authorized to adjudicate legal disputes and enforce laws.
 - **Medeni Kanun (Civil Code):** The comprehensive body of private law governing family, property, and obligations.
 - **Meclis (Parliament):** Refers to the Turkish Grand National Assembly, the legislative body of Turkey.
 - **Mülkiyet Hakkı (Right to Property):** A constitutional right ensuring ownership of movable and immovable property.
 - **Muvafakat (Consent):** Agreement or permission, critical in contracts and administrative procedures.
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N

- **Nafaka (Alimony):** Financial support provided to a spouse or children post-divorce, regulated under family law.
 - **Nitelikli Suç (Qualified Crime):** Offenses that involve aggravating factors, leading to harsher penalties.
 - **Noter (Notary):** A legal professional authorized to certify documents and transactions.
 - **Nüfus Kayıt (Civil Registry):** Records maintained to document vital statistics like birth, marriage, and death.
 - **Nihai Karar (Final Decision):** A definitive ruling issued by a court.
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O

- **Olağanüstü Hâl (State of Emergency):** A temporary measure allowing the government to adopt extraordinary legal powers.
 - **Ortaklık (Partnership):** A business arrangement governed by the Turkish Commercial Code.
 - **Oturum İzni (Residence Permit):** Legal authorization for foreign nationals to reside in Turkey.
 - **Onama (Approval):** Endorsement of a decision or agreement, often by a higher court or authority.
 - **Olağan Yargılama (Ordinary Proceedings):** Standard judicial processes for resolving disputes.
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P

- **Parlamento (Parliament):** The legislative body responsible for enacting laws in Turkey.
 - **Patent:** Legal protection for inventions, governed by Turkish intellectual property laws.
 - **Protesto (Protest):** A formal declaration of objection, often in financial or legal disputes.
 - **Parasal Ceza (Pecuniary Penalty):** Monetary fines imposed for legal violations.
 - **Polis Vazife Kanunu (Police Duty Law):** Legislation outlining the powers and responsibilities of Turkish police.
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R

- **Re'sen (Ex Officio):** Actions taken by an authority without a formal request.
 - **Rüiznamçe (Docket):** A record of cases scheduled for hearing.
 - **Reddi Hakim (Judge Recusal):** The process of removing a judge due to potential bias.
 - **Rehin (Pledge):** A security interest in property to guarantee the fulfillment of an obligation.
 - **Resmi Gazete (Official Gazette):** The publication for disseminating Turkish laws and regulations.
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S

- **Savcı (Prosecutor):** A legal officer responsible for bringing charges in criminal cases.

- **Sözleşme (Contract):** A binding agreement enforceable by law.
 - **Suç (Crime):** An act punishable under the Turkish Penal Code.
 - **Sosyal Haklar (Social Rights):** Constitutional guarantees of education, health, and employment.
 - **Serbest Bölge (Free Zone):** Designated areas for economic activities with special tax and trade regulations.
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T

- **Tazminat (Compensation):** Monetary remedies awarded for damages or injuries.
 - **Tebliğat (Notification):** Official delivery of legal documents.
 - **Ticaret Kanunu (Commercial Code):** Comprehensive legislation regulating trade and business.
 - **Tapu (Title Deed):** A legal document proving ownership of real property.
 - **Tahkim (Arbitration):** A dispute resolution method widely used in commercial cases.
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U

- **Uluslararası Hukuk (International Law):** Rules and norms governing relations between states and international entities.
 - **Usul Hukuku (Procedural Law):** Legal rules guiding the conduct of judicial proceedings.
 - **Uyuşmazlık (Dispute):** Conflicts requiring legal resolution.
 - **Uzlaşma (Reconciliation):** A process aimed at amicable dispute settlement.
 - **Uygunluk (Compliance):** Adherence to laws, standards, and regulations.
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V

- **Vergi Hukuku (Tax Law):** Regulations governing taxation in Turkey.
- **Vasi (Guardian):** A court-appointed individual responsible for protecting the interests of a minor or incapacitated person.
- **Vekâlet (Power of Attorney):** Authorization granted to represent another person legally.

- **Vazgeçme (Waiver):** Voluntary relinquishment of a legal right or claim.
 - **Vesayet (Custodianship):** Legal responsibility for managing the affairs of a person unable to do so independently.
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Y

- **Yargı (Judiciary):** The system of courts and judges administering justice in Turkey.
 - **Yasal Mirasçı (Legal Heir):** Individuals entitled to inherit under Turkish inheritance laws.
 - **Yetki (Authority):** Legal power granted to individuals or institutions.
 - **Yürütlme (Enforcement):** Execution of court orders or legal obligations.
 - **Yüzdelik Dilim (Quota):** Proportional representation or distribution, often used in administrative law.
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Z

- **Zamanaşımı (Statute of Limitations):** The time limit for initiating legal action.
 - **Zilyetlik (Possession):** Physical control or occupancy of property with intent to own.
 - **Zorunlu İcra (Compulsory Execution):** Enforcement of court judgments or obligations.
 - **Zarar (Damage):** Harm or loss that may warrant legal compensation.
 - **Zaptetme (Seizure):** Confiscation of property by legal authority.
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