

Turkey Today: A “Leviathan” or a “Law-seeker”?

Written by Begum Burak

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Turkey has been undergoing tremendous changes in recent years. Since the early 2000s, Ankara has instituted democratic and rule of law reforms that have paved the way for greater stability. Although Turkey's bid to join the European Union helped drive these changes, external factors alone cannot explain them. Equally important has been the single-party rule of the Justice and Development Party (AKP), led by Prime Minister Recep Tayyip Erdogan. Despite its Islamist background[1], the AKP has taken undisputedly important steps for Turkish political and economic life since coming to power in 2002.

My main concern in this piece is not to shed light upon the past successes of Turkish political actors (mainly the AKP), however. Instead, I intend to discuss the latest political and legal developments in Turkey. First of all, it is widely accepted that some primary defects in Turkish political culture— such as the military's intervention in political affairs and the state policies that hinder civil society— significantly inhibit Turkey's ability to consolidate its democracy under the rule of law.

For instance, many of Turkey's elites see state institutions like the military and judiciary as the primary channels by which to advance democracy. Consequentially, the role of Turkey's vibrant civil society is underemphasized in this process. In other words, it can be said that Turkey's social transformation has generally been a top-down process, which some academics refer to as a sort of “social engineering” that undermines the demands of the masses.

On the other hand, the modern Turkish state has always had an authoritarian character in that it views different identities, ethnicities and ideologies as a threat to its existence. Although slightly less prominent under AKP, Ankara still has a lot of work to do to eliminate this long-standing fear of pluralism. The policies of the early Republican years (up until the multi-party rule) demonstrated just how ruthlessly the state could act to enforce homogeneity.[2]

Since the passing of Mustafa Kemal Atatürk, the founder of modern Turkey, the military has been the self-appointed guardian of the Kemalist legacy. This has often led them to intervene in politics whenever they viewed civilian governments as inadequate of preserving this legacy. [3] Moreover, Turkey's ultra-secularist Kemalist state has a long history of undermining individual liberties, and its pathological understanding of secularism continues to carry weight even if it has become less prevalent under the AKP.

It's worth noting that many people view secularism as a prerequisite for a functioning democracy. However, that view does not imply that all secular countries are completely democratic. In the Turkish case, the state's radical secularist predisposition has been used to justify excluding certain societal groups from the public sphere, which is antithesis to democracy. According to Binnaz Toprak, secularism in Turkey served not to separate religion and politics, as in the ‘Western’ model of the separation of church and state, but rather as an ideology that justified the state's control over religion.[4] In the last decade, however, things have begun to improve. For instance, in 2008 the Parliament passed two constitutional amendments that repealed the headscarf ban, which had prohibited women from donning Islamic headscarves on college campuses.

Apart from that, the state rhetoric of Turkey[5] has played a major role in impeding the consolidation of democracy. For instance, whenever an idea that is opposed to Kemalism (the official state ideology) has emerged, this idea has been seen as a threat and demonized. Even today, despite some improvement in terms of freedom of speech, many

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legal avenues exist for authorities to suppress criticisms of Ataturk, the founder of modern Turkey.

All of this shows that further changes are needed to bring about full democratization in Turkey. This is certain to be a long and difficult process, however, recent years have seen a considerable amount of progress. This is especially true in terms of civil-military relations[6], where the trial of military officers involved in the 1980 coup and 1997 post-modern coup, is finally being witnessed. This fact gives Ankara great hope for the future.

In this context, some people contend that the legal process is not being carried out in a fair way. These people argue that too many people are being arrested. They point to the fact that not only those directly involved in the coups are being tried, but so too are members of terrorist organizations such as Ergenekon, an umbrella organization that Turkish prosecutors have accused of planning the military coups. This legal process has witnessed the arrests of some top generals and journalists as well.

Others have doubted that radical democratic changes are possible. These people argue that a Leviathan always exists in Turkey; it's only the masters that change. However, I disagree with this argument. Today, the Turkish state is not the Leviathan it used to be. Turkey is now what I call a “law-seeking” country. Although it may not be a full-fledged democracy under the rule of law, Turkey is no longer the country that outlawed Kurdish language media broadcasts and Islamic headscarves. The ancient regime has already been eroded to a significant degree, and is becoming more obsolete with every passing day. Although attaining democratization and the rule of law may not be easy, and road bumps are likely along the way, the country is irreversibly on the path to reaching both. So viva the new law-seeking Turkey!

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[1] The AKP leaders used to be members of an Islamist political party, namely the Welfare Party which has been closed down in 1998 for her so-called non-secular policies and rhetoric. Before a coup in 1997, the WP used to be a coalition member that ruled Turkey.

[2] In the early Republican times, the traumas that came into being as a result of the Kemalist state-building process show how tough measures were taken in an attempt to make the society a monolithic entity. The Independence Tribunals paved the way for the deaths of lots of people who just refused to wear hats or refused other dress codes that the state dictated.

[3] This practice today is being questioned. The autonomous role of the Army so far had eroded democracy in Turkey.

[4] B. Toprak, ‘The State, Politics, and Religion in Turkey’, In Metin Heper & Ahmet Evin, eds., *State, Democracy and the Military: Turkey in the 1980s*. Berlin: Walter de Gruyter, 1988, pp.119–136.

[5] State elites (military, judiciary and some academics) and even some media organizations label refer to those possessing different worldviews or identities (like Kurdish identity) as “internal enemies”. The Internal Service Law of the Army has defined the concept of “internal enemy” in an ambiguous way.

[6] The 1980 military intervention brought a three-year-long military regime. This coup paved the way for the strengthening of the political role of the Army. The first and foremost motivating factor for the Army to intervene had been political violence and political deadlock. The post-modern coup that took place in 1997 was an indirect intervention. The military elites cooperated with some “civil” society associations and the mainstream media to overthrow the elected Islamist party-led coalition government. The religious citizens in this process got victimized. For example some academics who wore headscarves lost their jobs. (For more information about the military

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interventions in Turkey, Begum Burak, “The Role of the Military in Turkish Politics: To Guard Whom and From What?” *EJEPS*, (Reached on 2012-04-23) <http://ejeps.fatih.edu.tr/docs/articles/120.pdf>.

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