

## **The Desire was There**

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Esteemed colleagues, Dear audience,

I wish I could have been there personally to address you, however alas conditions in Turkey does not allow me to do so. Actually this is part of the narration I want to present you today, socio-political developments especially in the last two years in my personal life and in Turkey go somewhat parallel, so initially let me talk about myself a little.

I am a professor of law and politics and have dedicated most of my academic career to analysing the relations between religion, state and society. I grew up in an almost areligious family; I guess this is the source of my fascination since I was a teenager with the impact of religion on people. Never religious myself, I have nevertheless always respected all variants of belief or disbelief. The Turkey in which I was born in the very last year of the 1950s has always been a fruitful laboratory for any social scientist to observe religion, and it has also given me several opportunities to serve as a human rights activist. In my academic work, I have criticized the policies of Turkey's single-party regime which lasted from 1923 to 1950, especially in terms of religious repression and the treatment of minorities. I have rejected the majoritarian understanding of democracy, rather perceiving it to be a regime where the rights of the minorities especially should be secured.

Enlightenment principles read through strictly positivist lenses meant that the period between the 1920s and the 1940s was one in which the "iron law of oligarchy" (in the sense of Robert Michels) reigned supreme. Unfortunately, the Democrat Party, which emerged in the late 1940s as a source of hope for democratization through the 1950s, produced little more than bitter disappointment. The post-1960 regime brought forth a decade of relative liberalization but its birth from a military coup doomed it to fail. Thus, the 1970s and 1980s witnessed the suffocation of democratic institutions as well as basic rights and freedoms through military interventions and ongoing tutelage. Turkey fared no better in the 1990s, which were marked by ongoing atrocities: the Kurdish war and state

of emergency in the southeast, widespread torture and breaches of basic civil liberties, and a “code of silence” about all these issues among an overwhelming portion of the population. A severe intervention of military tutelage via the military-led National Security Council took place on 28 February 1997. The ensuing “February 28 process” was not only a military ultimatum given to the government of Necmettin Erbakan, Turkey’s first overtly Islamist prime minister, but also the beginning of a dynamic that would lead to the banning of the Welfare Party (and its successors) and the trashing of freedoms and rights. 2001 witnessed an historic economic crisis but the crash was nevertheless emblematic of the political and economic problems that had been wearing on Turkey for years. Confidence in the government had been eroded by corruption and the inability to form stable governing coalitions.

The impressive electoral victory of the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) in the parliamentary elections of 2002 was a profound change in Turkish politics. Initially, the AKP government sought to reduce the influence of the Turkish military establishment in politics. To do so, it introduced a series of legal and institutional reforms, including the transformation of the National Security Council in 2003 into an advisory board on national security policy, which eventually brought the long period of military tutelage to an apparent close. Eliminating military tutelage and proposing significant initiatives to empower the citizenry and sustain civil liberties were important steps towards democratization. Additionally, there seemed to be a lot of achievements in the Turkish economy during the first decade of AKP rule. After Turkey’s economic crisis in 2001, the country experienced an average annual growth rate of six per cent, and inflation rates fell from triple-digit to single-digit figures between 2002 and 2012. Positive steps taken towards solving the Kurdish problem and the democratization efforts taken to further European Union membership were remarkable indicators as well.

However, from 2007 signs of yet another fundamental transition began to emerge, as the emphasis on democracy appeared to fall away, the AKP’s conservative Islamist discourse intensified, and attempts at constructing a hegemonic authoritarian regime appeared.

The Gezi protests of 2013 marked yet another milestone, the point at which Erdoğan finally took complete control of the AKP. A wave of demonstrations and civil unrest in Turkey began on 28 May, initially to contest the urban development plan for Istanbul's Gezi Park. On 1 June Erdoğan gave a televised speech condemning the protesters and vowing that “where they gather 20, I will get up and gather 200,000 people. Where they gather 100,000, I will bring together one million from my party.” On June the 2nd he used the inflammatory term *çapulcular* (marauders) to describe the protesters. The government claimed that a wide variety of shadowy forces were behind the protests. In a conspiratorial speech on 18 June, Erdoğan accused “internal traitors and external collaborators” of fomenting unrest, declaring that: “It [the movement] was prepared very professionally [...] Social media was prepared for this, made equipped. The strongest advertising companies of our country, certain capital groups, the interest rate lobby, organisations on the inside and outside, hubs, they were ready, equipped for this.” Overall, the violent response of the Turkish authorities to the Gezi Park protests exposed the beginning of a striking intolerance of opposing voices that seems to be an indication of Erdoğan’s belief that conspiratorial rhetoric is the best way to mobilize support. It might be argued that he was anxious to avoid the fate of Adnan Menderes over five decades before. For those who are not familiar with the name, Adnan Menderes was the Turkish Prime Minister from 1950 to 1960. He was one of the founders of the Democrat Party in 1946. He was hanged by the military junta after the 1960 coup d’état, along with two other cabinet members. Therefore probably Erdoğan undertook a radical lurch in the direction of authoritarianism as a self-preservation mechanism.

If the Gezi protests were a very significant milestone, the so-called “17–25 December process” was the penultimate stage of Turkey’s clear path in the direction of authoritarianism. On 17 December 2013, a wave of arrests targeting businessmen, bankers, and most notably the sons of four serving cabinet ministers in Erdoğan's government, were made during an anti-corruption operation. Following the operation, the government resorted again to its standard conspiratorial rhetoric, branding the investigation as a “planned psychological attack”, “an illegal group within the state” and “dirty games being played within and outside the Turkish state.” Most media and political commentators claimed that the government's accusations were clearly directed at either

the Gülen movement, or a segment within it. Thus a crusade involving accusations of “terrorism”, arrests, and imprisonments, and fatal attacks on media and financial institutions was initiated.

On the night of 30 March 2014, as the results of local elections held that day showed a clear win for the government, then Prime Minister Erdoğan appeared on the balcony of the central office of his party before a vast crowd of cheering supporters. Appearing with him were not only his family members but several of the accused in the corruption allegations. The message was clear: this was now a “one-man regime” and one that would not be cowed by any attempt to hold it to account via the judicial organs.

The putsch of 15 July 2016 was the most recent, the most dramatic and – arguably – the most consequential critical juncture of all. It has touched every Turkish citizen in myriad way and its effects will probably be felt in Turkey for generations to come. I personally experienced this process like no other time of my life. At the time, I had been the chair of the Sociology Department at Gediz University in Izmir for almost a year. This was a particularly rewarding period in my academic career. I remember fondly the intellectual enthusiasm of young colleagues – many of whom had returned to Turkey having completed PhDs at prestigious universities around the world – as well as the intellectual curiosity of the students. Such an environment is sadly all-too-rare in higher education. To my utmost surprise, I received an email on 21 July 2016 from human resources informing me that I had been suspended by the rector of the university because of allegedly anti-putsch tweets sent from my Twitter account. I had *retweeted* four or five tweets after 15 July; however, each was merely a call for rule of law and to stand strictly against violence, including restoration of capital punishment (a proposal that remerged for debate in the wake of the coup attempt). My past criticisms of governmental policies in the media were, I suppose, a pretext for the university to appear sympathetic to the government. In the event this was pointless; Gediz was one of the 16 universities closed by decree on 23 July 2016.

On 5 October 2016, I was headed to an EU project meeting in Sicily. At the airport, I was informed that my passport had been annulled. At 6.30 am on 20 December 2016, a buzz at the front door of my home in Istanbul marked my own critical juncture. I was taken into custody in Istanbul and later in the day transferred to Izmir. There, I was

detained at Yeşilyurt Police Station for eight days with only the clothes I had on and without a book or any other reading material whatsoever. The only thing I could focus my attention on was the box of medication I was immediately given to treat a circulation problem (I have to take this daily). Needless to say, I memorized every word of the pamphlet inside by heart. I was charged with being a member of an armed terrorist organization – the so-called FETÖ – however there was no evidence to back this allegation. During the first interrogation, the police googled my name and searched several TV programs on which I'd appeared in my professional capacity. One response I had given about the definition of a terrorist organization was the supposed “smoking gun” for the authorities. I had answered a query as follows: “A judicial decision is definitely needed to characterise a structure as a terror organization. It is still debateable, but certainly an administrative decision is not sufficient for an outfit to be named as such.”

This was considered by the Turkish authorities as me advocating for the so-called FETÖ. The women judge that I appeared before with seven others on 27 December 2016 obviously agreed with this opinion, so I was formally charged and placed in remand. In fact, during one particularly egregious moment I witnessed on the day, the judge stated: “I wish I could release all of you, but somebody has to pay for the 248 lives that were lost on 15 July”. I do agree that somebody should be liable for those deaths, but it has to be no other than the person who called those people to streets that night.

I was in jail for 92 days. My wardmates were mostly judges and prosecutors, teachers and academics who had been arrested almost immediately after the coup-attempt. My thirst for reading during my period in custody led me to commit to reading a book every day I was in jail. I really did – some of them one a day, some chapter by chapter. By the day my case was transferred to an Istanbul court and I was released pending trial – 31 March 2017 – I'd finished 92 books.

Like tens of thousands of others suspended or removed from their positions, I struggle with the fact that it is simply impossible – de facto if not de jure – to find employment in Turkey. My loss, however, is primarily intellectual. All my electronical equipment – including my laptop and backups – were taken by the police and they have not been returned yet. With no access to all I have produced intellectually since my 20s I

feel like I've been lobotomised. Worse still, I cannot travel internationally – a freedom I've enjoyed since I was seven months old. True enough, nothing lasts forever. On the other hand, the people of Turkey have been deeply wounded and the political, educational, democratic gains over generations virtually wiped out. I am very much afraid that as time goes by, it will not be possible to restore a lasting peace in Turkey.

Turkey is currently part of a broader trend towards authoritarianism observed in the weakening of political institutions and the erosion of rule of law by leaders across the globe who had initially come to power through the ballot box. A series of unconstitutional actions have made up the course of events. Curfews, for example, have been declared by governors in some east and south-east provinces of Turkey since the summer of 2015. Then there is the apparent *de facto* amendment in Turkey's basic system of government to a "quasi presidential" regime. Add to this the thousands of court cases opened for alleged defamation against Erdoğan; reactions against the academics' "Petition for Peace", crack downs on critical media and Twitter, several violations of judicial authority, violation of the principle of impartiality of the President, and the stripping immunity for some members of the parliament. Then came a state of emergency regime that has still been going on. These are just some, albeit extremely worrying, examples of the weakening of political institutions and the erosion of rule of law in Turkey. In sum, all four arenas of democratic contestation– the electoral arena, the legislature, the judiciary, and the media – have been seriously, even fatally, compromised in Turkey.

As I mentioned at the beginning, much of this is consistent with a long-standing majoritarian tendency in Turkish political culture: Whenever a ruling political actor (this may be a real person or a political party) reaches the realization that he has the support of the majority, that actor will start to act as if his approach exhibits the quality of "absolute truth" and the distribution of political power narrows dramatically. This malady is actually a legacy of the Ottoman period that reached its apogee between the 1920s and the 1960s. Yet, once again history is repeating itself and the AKP and Erdoğan claim to speak "absolute truth" in the name of the people in Turkey. I acknowledge that the long-standing posture of the secular establishment towards the religious-conservative periphery in Turkey until the early has allowed the AKP and Erdoğan manipulate this

constituency by mobilizing its fears and the experience of past trauma at the hands of the republican elite. I also realize that redistribution politics via neo-liberalization have created benefits to various groups that were long ignored and marginalized. Furthermore, I concede that economic progress helped by a favourable global liquidity environment in the early parts of the decade was a key contributor to the party's continued electoral success and the enlargement of its electoral coalition. However, the other side of all this “progress” is that we are left with a fundamentally corrupt regime that: 1) is based upon clientelistic policies sustained by mechanisms of economic and political dependency; 2) rules by repression and bribery, and; 3) has established hegemony through the control of a media sector that lacks either freedom or diversity and is concentrated in the absence of anti-trust legislation to prevent the formation of media conglomerates. Erdoğan consolidates his power *per se* through polarization and populism. In this regime, *rule of law* has been replaced by *rule by law* where the concept of terror is used recklessly through securitization policies.

The rule of law is simply unimaginable within absolutist and autocratic political systems. The rule of law is a creation of pluralist political institutions and of the broad coalitions that support such pluralism. It is only when many individuals and groups have a say in decisions, and the political power to have a seat at the table with fair treatment, that rule of law can reach its full potential. Sustainable democracy and welfare may only be achieved by exceeding the minimal requirements of democracy with proper checks and balances in the political system: secure property rights and freedom to contract and exchange. Erdoğan and the AKP’s use of the law for repression of any opposition heralds a truly patrimonial regime in which formal democratic institutions exist on paper but are reduced to a façade in practice. It may still be a little early to use the word “fascist” for such a structure, but with everything discussed above, and with perverse institutions like *Osmanlı Ocakları* and the like on the move, the desire is there. *Osmanlı Ocakları* is an organization established after 2009. Publicly this organization became more visible by their alleged involvement in attacks to some NGO’s and opposition parties including the CHP and HDP in 2015. On their official website, the slogan “Recep Tayyip Erdoğan is our ‘namus’” appears. This word does not have a direct translation in English; it is best understood as a combination of the ideas of honour, chastity and virtue. This slogan

recalls the Protective Squadron/SS of the Nazi Party. Actually (but still alarmingly), Turkey's politics since the 1930s have had more in common with the Italian form of "soft" fascism under Mussolini than the "hard" fascism of Nazi Germany. Corporatist ideology was an essential component in early republican policies, and it seems history repeats itself in this sense in Erdoğan's era as well. Recent proposals to purge the judiciary and the fact that Turkey seems to be moving steadily in the direction of a command economy controlled by the president (where business can only be successfully done through the party in accordance with trustee legislation) are both indicators of a fascist state.

The totalitarian, if not fascist, tendencies of Erdoğan were evident to some observers from the very first days of his presidency onwards. He consistently chose to address the nation not through intermediaries like its elected representatives, the political parties, professional organisations, chambers of commerce or business, or even local governments, but as directly as possible through passionate speeches delivered in carefully orchestrated and choreographed mass demonstrations. He was the first political leader to make a habit of convening the "*muhtars*", the elected heads of rural villages and urban neighbourhoods, who are not allowed to represent any political party but are elected purely on their personal merits. Even before the 15 July coup attempt, the opposition parties, in a dramatic gesture of "national unity", voted in favour of suspending parliamentary immunities – a move that blatantly targeted the Kurdish opposition in the parliament. Since the putsch, all institutions ranging from the universities to the legal profession have been divested of whatever vestigial autonomy that had remained.

On the night of the putsch, Erdoğan personally asked people to take the streets and for about a month or so, he repeated his demand for all-male crowds to stay on the streets, responding to the emergency calls for action being broadcast throughout the night through all the minarets of the country. In a sense, before the proclamation of the official "state of emergency", a virtual state of emergency was in effect through a massive popular mobilization. The coup attempt seems to have given Erdoğan the ideal opportunity to achieve what he has been yearning for all along – allegiance not based on self-interest, conviction, or even admiration, but a purely passionate, instinctive devotion.

Erdoğan has already accumulated a trove of achievements; yet, on the other hand, there is much that he fears, so one can hardly call him a satisfied man. Much passion to refashion the minds and bodies of the nation according to his own ideals remains. Even at this (admittedly transitional) stage, we can probably say this much in relation to how things stand: something has permanently changed in Turkey, which will be extraordinarily difficult to reverse. Erdoğan's way of dealing with things and the style he has imposed – polarisation, divisiveness, creation of new real or imaginary enemies at each significant juncture, the adoption of a personality cult to suppress a climate of negotiation – have been adopted to such an extent at all levels (from institutional down to an almost interpersonal level) that they are likely to outlive him. Sadly, were he be toppled by an unforeseeable confluence of events, there remains little ground for hope that his replacement would embody a more democratic and peaceful understanding of governance, policy, or even of life.