

# Why Turkey Needs a Post-Kemalist Order

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## ABSTRACT

The process of making a new constitution has prompted a debate about the place of Kemalism in the supreme normative order of the Turkish state. Whether Kemalism will be part of the new constitution is important because it will determine the democratic characteristics of the regime to be established thereafter. Questioning the compatibility of Kemalism with democracy this commentary argues that unless Kemalism is abandoned as an ideology protected by the Constitution and the law, there can be no full-fledged liberal democracy in Turkey. An ideology protected and promoted by the constitution sets limits to freedom of thought and expression, and blurs the boundaries between the ideological and the legal. Linking the search for a new constitution with the crisis of Kemalism it is concluded that a post-Kemalist order is needed in order to consolidate democracy, establish civilian control over the military, redefine secularism, and resolve the long-standing Kurdish question.

Turkey is in the process of making a new constitution. A parliamentary commission, consisting of the four political parties represented in the parliament, has been conveyed to write a draft. According to public opinion polls, the idea of making a new constitution is supported by 70 per cent of the people.<sup>1</sup> Various civil societal organizations are actively engaged in proposing drafts to the parliamentary commission and in mobilizing the population through public meetings held nationwide.

Despite the enthusiastic calls for a new constitution there are controversial issues to tackle, and reaching a consensus will still be a challenge. One such issue is whether there should be references to the “principles of Atatürk” and “the Atatürk nationalism” as the ideological basis of the constitution.

Whether Kemalism will be an integral part of the new constitution is

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important because it will determine the democratic characteristics of the regime to be established thereafter. The concern is that a constitution with a built-in official ideology cannot meet the expectations for a supreme normative order to form a liberal democratic regime.

This concern is based on the democratic performance of the current constitution that is commonly described as authoritarian, state-centric, and ideological. It does not only protect but also promotes Kemalism as a supreme ideology of the state to be adhered to by all Turkish citizens. Made under a military junta and amended 17 times since 1982 the constitution still maintains in its preamble that “no protection shall be accorded to an activity [thought

Atatürk nationalism.” Article 58 gives the state the task to raise and educate a Kemalist youth. It reads; “the state shall take measures to ensure the training and development of the youth in line with the principles and reforms of Atatürk.”

These clearly amount to an “official ideology” that sets limits to freedom of thought and expression. So, it is a constitution that does not extend the state protection to non-Kemalist activities if it is taken literally and separately.

In reaction to this privileged status granted to Kemalism in the current constitution some now suggests that the new constitution should not include a reference to Kemalism. For instance, the TESEV Constitutional Report underlined the first principle of a democratic consti-

tution as the absence of “an official ideology”<sup>2</sup> implying Kemalism. Similarly the Institute for Strategic Thinking proposes a constitution without a state ideology. Its report suggests that “expressions and ideological

choices that contradict with the impartiality of the states such as Atatürkism, the principles and revolutions of Atatürk and the Atatürk nationalism should not be included in constitution.”<sup>3</sup>

### **Is Kemalism Compatible with Democracy?**

Such sensitivities about the Kemalist nature of the constitution arise because Kemalism as a built-in ideology in the current constitution has laid the ground

### **The presence of a state ideology like Kemalism is incompatible with a liberal democracy that does not only welcome plurality of views, programs, and ideologies but requires them**

and opinion] that contravenes to the Atatürk nationalism and the principles and reforms of Atatürk.” This clearly places Kemalism as a superior ideology to all other ideals and forms of political activities. If one does not adhere to Kemalism he/she cannot find protection in the constitution that binds all institutions of the state.

Furthermore, article 2, one of the three articles that cannot be amended or proposed to be amended, “characterizes” the Turkish republic as “loyal to

for a “tutelage democracy” supervised by the military and guarded by the judiciary, the Kemalists agencies within the state, not to a “liberal” one.

Keeping this concern in mind, a tough question has to be asked: is Kemalism compatible with democracy?

Kemalism envisages a homogenized nation, a disciplined society, a controlled economy and authoritarian politics. To materialize this vision it has used coercive means of the state apparatuses. Periods dominated by the Kemalists constituted the least democratic era in Turkish political life. Kemalism was the basis of the single party rule from 1925 to 1945 and has always been the basis on which to justify military coups since 1960. Modern history of Turkey demonstrates that these two, Kemalism and democracy, are mutually exclusive.

In order to create a homogeneous nation, as imagined by the Kemalist cadets, diverse ethnic entities like the Kurds were suppressed in the name of Turkish nationalism using the state apparatus. Similarly, Islamic religious groups were subjected to policies of oppression and exclusion to force them to comply with the secular imagination of the Kemalist regime. Non-Muslims, whose citizenship was only nominal in the eyes of the Kemalists, faced pogroms. This relationship of the Kemalist regime with the people of different ethnicity, religion, and life-style positioned the state with its loyal Kemalist elite as a

hegemonic power vis-à-vis the society.

The assumption that the state has the right and capability to “shape” the people in accordance with the ideological proposition of the state from top-down did not leave much room for the “people’s choice” and thus democracy. Viewing the society as subject to the interferences of the state elite in order to modernize, secularize and nationalize them built a “hierarchical relationship

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between the state and society.” As a result, democracy that places society over the state could not be established under such a hierarchical relationship.

From more of a theoretical perspective the presence of a state ideology like Kemalism is incompatible with a liberal democracy that does not only welcome plurality of views, programs, and ideologies but requires them. Contending “views” on society should be in a free competition to attract the support of the people. But if an ideology is protected and promoted by the constitution then it will certainly occupy a privilege position vis-à-vis the rest. Moreover, if the rest is declared to receive no protection from the constitution then it is impossible to talk of a free and fair competition among the contending ideologies.

As a set of ideas, Kemalism certainly deserves a place among other ideolo-

gies and is entitled to protection from the state and law, just like other views, ideas and ideologies. But it cannot ask for a monopoly or privilege, as is the

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case in Turkey's current constitutional order. Kemalism should be one among others that compete for adherence and acceptance by the people in the free market of ideas.

Any ideology may claim to be "good" and "right," but if an ideology claims to have monopoly over the "truth" and holds a constitutional superiority over other sets of ideas and ideologies, it cannot claim to be compatible with democracy, which essentially requires pluralism of views that compete with one another. If the founding principle of a state is reduced to a single ideology, neither democracy nor rule of law can flourish, simply because constitutional order would not protect the pluralities of ideas and ideologies, but the one on which it is based.

The best a Kemalist paradigm can offer is a "tutelage democracy" under the supervision of the military. Inclusion of references to the "Atatürk principles and revolutions" into the constitution blurs the boundaries between the "ideological" and the "legal," which makes establishing a rule of law regime extremely difficult.

## **A post-Kemalist constitution**

The new Turkey needs a post-Kemalist constitution characterized by plurality of identities, respect for individual life styles and supremacy of civilians over the military. Such a post-Kemalist order maintains the nation state model but recognizes ethnic plurality,

holds on to secularism but redefines it liberally in order not to impose a particular worldview on its citizens.

This does not necessarily denounce Kemalism as an "ideology," but leaves it to the people to choose among the set of ideologies available from the free market of ideas. People naturally may adopt ideologies if they chose, but the state has to be kept neutral as the basis of a wider consensus.

The age of ideological states has passed. What is in demand now is a state that provides people not with ideas, ideologies or lifestyles, but with services and protection.

Demand for such a new constitution reflects the crisis of Kemalism. First of all, it is the crisis of Kemalism as an authoritarian political model that does not give way to a liberal democratic regime. With its revolutionary ethos, Kemalism has never been inclined to leave the people to choose their own lifestyles, leaders and ideas, but instead, chose one for them. The Kemalists do not trust the people who are regarded uneducated, prone to be deceived by populist politicians with "counter-revolutionary"



Photo: AA, Evren Atalay

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ideologies: people need to be guided, enlightened, and ruled.

In the post-War era, with the exception of the 1950s, Kemalism continued to “regulate” political parties, processes, and outcomes. In 1960, the military toppled the elected government in the name of Kemalism and established a “tutelage regime” under the guardianship of the military through the philosophy and institutions of the 1961 Constitution. Since then Turkey has been ruled by constitutions made by the military that designed the order of things according to their views and interests. In this system, while the military maintained a position of autonomy vis-à-vis elected governments, it established itself as a “supervising” force over social and po-

litical life. Kemalism being backed by the armed forces created a ‘fatal power’ against democratic forces.

Such a system of coercion justified by an ideology (Kemalism) was not capable of evolving into a genuine democracy.

However, the Kemalist tutelage system backed by constitutional provisions can hardly survive in a flourishing open society, a deepening market economy, and penetrating globalization. Thus, a post-Kemalist state is needed in order to establish a fully functioning democracy in which the military is made subservient to the elected government.

Secondly, a new constitution has become urgent due to the crisis of secularism as established and practiced by the Kemalists. It is not a model in which

the state and religion are separated, with each commanding its own realm free of intervention from the other side. In the Turkish model of secularism, the state controls religion – the way in which it is organized, believed in, and taught. Thus, while the state, in the name of secularism, keeps religion at bay and even controls it, religion is not supposed to interfere in the affairs of the state. As a result, Turkish secularism has created its own institution of religion within the state apparatus so that it could rule over religious activities.

While regulating the relationship with religion in such a way, Turkish secularism has attempted paradoxically to erode public displays of the Islamic religion.

### **The Kurdish question cannot be resolved within the paradigm of Kemalism that imagines a homogeneous nation denouncing even the presence of the Kurdish people**

This has been conducted through an understanding of secularism as a “way of life.” So, on one hand the state run religious institutions, published religious books, employed religious staff and taught Islam, but on the other religion/ Islam was to be kept to one’s self not appearing in social or political life.

This paradoxical relationship does make sense once secularism is understood as a “device” to control religion and exclude conservative social forces from exercising political influence. Exclusion on the grounds of secularism served to delegitimize conserva-

tive social and political actors and their demands, while elevating the Kemalist elite as the vanguard to protect the system. Secularism was thus a shield behind which the Kemalists consolidated their power at the expense of the conservative periphery. Out of the mission of “secularizing the people” the Kemalist power elites claimed the right to rule over those “backward, ignorant, and non-secular people.” The mission to secularize, thus, set a power relationship in favor of the Kemalist elite.

It is, however, now impossible to dictate that secularism is a way of life, and that those who are not secular in their lifestyles are treated unequally and excluded from the center where power and

resources are distributed. Such a notion of secularism that excludes the conservatives and religious masses cannot be sustained, given the change of balance on the ground at the expense

of the Kemalists. The conservatives taking advantage of democratization and globalization have claimed greater political, economic, and social power than ever. Thus, a post-Kemalist constitution is needed to redefine secularism in a more liberal and democratic manner that would accommodate religiosity in the public sphere, to ensure neutrality of the state towards all different faiths and beliefs, and to stop the state from interfering in the religious realm.

Thirdly, a post-Kemalist constitution is needed because the Kemalist assumption of a homogenized nation, as



reflected in the definition of the citizenship in the current constitution, does not hold onto the sociological reality of the country. Article 66 presumes that “everyone bound to the Turkish state through the bond of citizenship is a Turk.” There is no point in pretending that there is only one ethnicity in Turkey called Turks. Despite a long history of denial and repression, Kurdish identity is alive and assertive. The Kurds are estimated to make up around 15 per cent of the population of Turkey, and the Kurdish political movement gets over 2.5 million votes.

Plurality of ethnicities needs to be acknowledged. But it is true that the presence of Kurds, with a distinct ethnicity and identity, goes against the Kemalist imaginary of a homogenized nation ruled by the vanguard Kemalist elite at the top. Kemalism from its inception imagined a homogenous nationhood. Those who did not subscribe to this were denied, suppressed and forced to assimilate.

As a result, the Kurdish question, used as an excuse to justify authoritarian political formations, has constituted an obstacle to democratization. The first historical example of this was set by the Kemalist regime over the Kurdish rebellion in 1925 by Sheikh Said, and later on was frequently revisited. To suppress the rebellion, the regime in Ankara did not limit its measures to the Kurdish areas and people. But the occasion was used to suppress all opposition in Ankara and Istanbul. The new oppo-

sition party, the Progressive Republican Party, was closed down and the dissenting Istanbul press was silenced as part

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of the crackdown following the Sheikh Said rebellion.

Since then, the pattern has not changed: “Kurdish demands” have been used by the authoritarian elements in the state to postpone democratization, suppress human rights, ignore the rule of law, and spread a militarist political culture. Therefore, the Kurdish question should be resolved for at least two reasons: first, to address the demands of the Kurdish people, and second, to deprive the state of an excuse to postpone meeting the requirements of full democracy. The problem is that the Kurdish question cannot be resolved within the paradigm of Kemalism that imagines a homogeneous nation denouncing even the presence of the Kurdish people. To overcome this anachronistic and unrealistic view of a homogenous Turkish society, a post-Kemalist order based on a post-Kemalist constitution needs to be constructed.

In short, a post-Kemalist republic is needed in order to consolidate democracy, establish civilian control over the military, redefine secularism, and resolve the long-standing Kurdish question.

## Conclusion

Pretention that Kemalism is the supreme ideology, the one to which everyone is obligated to show allegiance is no lon-

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ger possible. A democratic constitution cannot try to impose a particular ideology on its citizens. In our day and age, it is not the ideological state but the “performative” state that is in demand. The power and legitimacy of the state is not derived from its adherence to an ideology but from the services provided to its people.

Moreover, to build anew or maintain an ideological state is practically impossible in the contemporary complexities of the global economy, social networks, and political interactions. It is a struggle against the current that risks confronting not only global trends but also the demands of the people in Turkey. Demands for liberty, welfare, and security cannot be provided by an ideological state, as proven by the political history the 20th century.

The time of the ideological state has passed. If Turkey wants to bring itself to the level of contemporary civilization, a target pointed out by Atatürk himself, it should abandon the notion of Kemalism as the basis of the state enshrined in the Constitution. A constitution without Ke-

malism will be a prelude to a fully functioning democracy and the rule of law in Turkey.

“Modern Turkey” does not fit into the straightjacket of Kemalism, soft or hard-line, modernized or conventional. Turkey’s level of democratic politics, strength of market economy, scope of open society, and its integration

into the global economy should be taken into account in the making of the new constitution.

Democracy cannot be consolidated without questioning the very role Kemalism has played in the construction and maintenance of anti-democratic elements in Turkish politics. Unless Kemalism is abandoned as an ideology protected by the Constitution and the law, there can be no full-fledged liberal democracy in Turkey.

## Endnotes

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2. TESEV Anayasa Komisyonu Raporu, *Türkiye’nin Yeni Anayasasına Doğru*, at <http://yenianayasa.tbmm.gov.tr/docs/turkiyenin-yeni-anayasasına-dogru.pdf>. Among the members of the commission were Hasan Cemal, Mustafa Erdoğan, Cengiz Güleç, Etyen Mahçupyan, Ergun Özbudun, Can Paker, Tosun Terzioğlu, Serap Yazıcı and M. Salih Yıldırım.

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