

The Structural Causes of Political Crisis in Turkey

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ABSTRACT *The December 17th process was started allegedly by a political move by the Gülen movement, which, until recently, had been seen as a religious organization. As the government and the parliament – institutions of democratic representation – countered this move through the use of their constitutional powers, the debate has turned into a totalistic and ontological struggle. However, very few people argue that the problems are actually not independent of the constitutional system of the Turkish Republic, but rather unavoidable consequences of the existing system. If we consider the political steps and strategies pursued by the Gülen movement, we see that we are faced with the most familiar game in Turkish political history, namely the shaping of politics through the use of state institutions.*

A contemporary observer of the French Revolution in 1789, Selim III, attempted to modernize the Ottoman army and administration by initiating the *Nizam-ı Cedid* (the New Order) program in the early nineteenth century. He could not have realized that he was creating a motivation for those who wanted to capture state power. Nor could he have imagined that this would determine the dynamics of Turkey's politics for more than two centuries.

Curiously, Selim III did not choose to examine and follow the British model for his “renewal” project. Great Britain had already created participatory economic and political institutions

and subsequently started the Industrial Revolution. Instead, he received political, strategic and technical support from France (homeland of Jacobinism, nationalism and rigid centralization) and Prussia (homeland of bureaucratic tutelage). It is likely that he did not know that this was probably the worst combination for the multi-national Ottoman realm, in a way “lighting a match near gunpowder.” These two models led to the creation of a rigidly centralized and ideological political structure under the tutelage of the bureaucracy. Struggle for power created a vital incentive to “control” politics and create a new individual and society by capturing the seat of power. The December 17th

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crisis and similar struggles for power should be considered within this framework.

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– institutions of democratic representation – countered this move through the use of their constitutional powers, the debate has turned into a totalistic and ontological struggle.

In this process, many have tried to take a political position by debating who is right and who is wrong. However, very few people argue that the problems are actually not independent of the constitutional system of the Turkish Republic, but rather unavoidable consequences of the existing system. If we consider the political steps and strategies pursued by the Gülen movement, we see that we are faced with the most familiar game in Turkish political history, namely the *shaping of politics through the use*

of state institutions. Then, we need to ask this question: why would a religious movement feel the need for such a political strategy? How does a religious movement get transformed into a political opposition attempting to control politics and be in power? In order to understand this, we need to look at the state structure along with its judicial system.

A book published in Germany, entitled *Judiciary and National Socialism*, opens with the sentence, “Kaiser is gone, his judges remain.” When Germany transitioned to democracy in 1918, the state system and its judiciary inherited from Prussia remained untouched. Only a parliament that had legislative power was added to the system. During the 1920-33 period, the Prussian political institutions tried to squeeze the parliament by using the judiciary. In fact, when the Nazis took power in 1933, they did not feel the need to touch the judicial system. The only missing item to be accomplished in the system was to centralize the state. They completed that item through “*Gleichschaltung der Länder*.” States were synchronized with the imperial center and turned into cities. All of the political, administrative, judicial and economic decisions of the state were tied to the central authority. Through the establishment of new centralized institutions, individuals and society were redesigned according to the Nazi ideology.

The Turkish experience is not very different. As the December 17th move was started through the judiciary like

similar attempts in the past, we need to discuss the general constitutional structure of Turkey and the judicial system.

The Choice of Rigid Centralization

The Turkish Republic's political organization is based on an assumption produced by Ottoman modernization: in order to save the collapsing empire, you need to redesign not only the political system but also the society at large. This notion was defined, in the absence of a bourgeoisie class, by an educated and enlightened bureaucracy that eventually transformed itself into the political elite. Reform movements that emerged in the nineteenth century were determined by the same understanding. In transforming society, proposals about the reformation of long-standing institutions and sources varied and serious political and religious debates took place. However, the main actors who would undertake these changes were the bureaucratic class that held political power in the center. The modernization of society, in turn, took its place in history as merely the subject matter of this transformation.

The idea of saving the country by transforming the individual and society meant that dominant structures commanded sources of power. Therefore, all political decisions, policies, strategies and even the economy were determined and controlled by the center. Local dynamics that could serve as a check on politics had to be destroyed. An effective political struc-

ture suited for this was only possible with the establishment of a rigidly centralizing system.

Ottoman elites did not give up this idea even though it was clear that nationalist and individualistic movements inspired by the French revolution were going to deeply impact the multinational Ottoman Empire. It was evident that the already deteriorating economic infrastructure would speed up the political collapse of the empire. Perhaps, the Ottoman political elites were simply dazed by the "divine" power offered by the French Jacobinism and rigid centralization.

As local dynamics revolted against centralization, the elites applied more intense violence and focused on securing public order. This further fueled nationalistic sentiments and led to the interference of outside powers. Following outside intervention, different nations separated from the empire step by step. In response, political elites felt the need to centralize further to design society to render it uniform. This need became the legal foundation of the first Ottoman constitution in 1876. After this date, the Ottomans rapidly came under the influence of German ideology. When the German-admiring Committee of Union and Progress (CUP) usurped power through a coup in 1913, radicalization in the political elites' choice of centralization reached its zenith. However, the multinational empire could not become uniform because of its demographic, cultural, and ideological structure and its collapse in World War I could not be prevented.



The Journalists and Writers Foundation, which has known as a supporter of the Gülen movement, have responded to the criticism at the conference.

AA / Kerim Gülbetekin

The CUP cadres – the next generation of centralist and Jacobin political elites – suffered a legitimacy crisis because they led the empire to its collapse. This helped strengthen the liberal and decentralist currents for a brief period. Thanks to this development, there emerged a strong resistance against centralization in the 1920 parliament during the War of Independence. In the end, the 1921 Constitution – the most democratic, liberal and decentralist constitution Turkey has ever seen – was accepted and started to be implemented. The constitution gave local authorities the administrative and political institutions and decisions in the areas of ed-

ucation, economy, universities, agriculture, social services, foundations, and even some policing. It prescribed a fully participatory organizational structure from the localities to the center. However, this constitution was repealed soon afterwards when the bureaucratic and political elites gained power through the army and the parliament was dissolved.

In the Ottoman times, power and sovereignty was centered in Istanbul. However, in the republican period, Ankara became the new center. The constitution that was drafted in the immediate aftermath of the promulgation of the republic retained the Ot-

toman centralist system. This choice resulted in the Kurdish and Alevi revolts. Every possibility of change in the political structure was prevented by military coups undertaken by the same elites. Each time, the constitution was rewritten. There were differences between various constitutions in many issues but the rigid centralization and ideological choices remained untouched. In this regard, there is no difference between the 1924, 1961 and 1982 constitutions.

In the Turkish parliament's constitution drafting efforts after 2011, we see that the three parties agreed first and foremost on the rigid centralized administrative structure. This indicates that the will to devise a decentralized and liberal structure has not yet emerged. The fact that Turkey continues to be governed by a rigidly centralized structure, with the exception of the 1921 constitution, is clearly related to the political ideology of the ruling elites who have dominated Turkish politics for a long time.

Starting with the modernization and transformation of society in Ottoman times, all constitutional institutions, with the exception of the 1920 parliament, pursued the goal of creating a new individual and new society. This required rigid centralization. In order to redesign the individual and society, the methods and content of education also had to be centralized. Because the country's economy hinged on sovereignty, it also had to be managed by forces in control of the center. A centralized economy provided an extraordinary opportunity to hold

How does a religious movement get transformed into a political opposition attempting to control politics and be in power?

power. Through subsidies and protectionist measures, political elites were able to create capitalist groups that could sustain their power.

Thanks to centralization, all decisions could be made in the capital and the society as a whole was molded in Ankara's image. This turned Ankara into the main actor in all opportunities and benefits while rendering local administrations meaningless to the extent that neighborhood residents could not decide the color of the pavement or have a say over parks and gardens. Let us not forget that the Taksim Park and Pedestrianization Project that sparked the Gezi events had also been decided by the central government.

Bureaucratic forces in Ankara ensured that control was always in the hands of the bureaucratic elites even when the parliament and civilian government was supposed to govern. For instance, it was no coincidence that one of the army's active combat bases was situated in Ankara. The separation of powers principle in reality meant centralization of all powers under the control of the political elites and a dysfunctional parliament. There was a check and balance mech-

anism but it was not democratic. Although there was a balance between the power of the center and the democratic actors that obtained legitimacy through elections and represented society, final decisions were always up to the forces holding the center.

The principle of checks was applied by the bureaucratic political elites in the center and the judiciary was their most important weapon. Consequently, absolute power in the center rendered the local authority meaningless, as it controlled the country and allowed the ideological transformation of society. At the same time, it became an open target for all opposition and threats. The political system created an incentive to revolt against it and this motivation remains strong even today.

After 1950, the opposition in Turkey thought that it could change this destiny through democratic elections. However, the 1960 coup, which was engineered by the political elites and the constitution they forced upon society, destroyed the attractiveness of democratic elections and democratic motivation. For, even if the political opposition came to power through elections, thanks to the constitution, such a government could not make any major political decisions. The government's jurisdiction was limited to the management of the economy and ensuring public order. This situation led to the search for different kinds of opposition after 1960. While a considerable majority of society tried to express its opposition through elections, political move-

ments that we can consider more radical emerged. Culturally different groups in society such as Kurdish people and Alevites never had a chance to become the majority. Therefore, their opposition came to legitimize the use of violence in the face of the center's exclusionary policies.

Positioning themselves against the center's Jacobin ideology, movements that represent the conservative majority of society developed a strategy to acquire power through democratic elections in order to protect themselves. This kind of opposition was embraced by the National Outlook movement in Turkey. This movement has been represented politically by the National Order Party (MNP), the National Salvation Party (MSP), the Welfare Party (Refah), the Virtue Party (FP) and the Felicity Party (SP). As a more moderate opposition force closer to center-right, the AK Party also embraced the strategy of reaching power through democratic elections.

Another Islamic political opposition force pursued a more refined strategy of infiltrating the institutions at the center of the system and adopted a roadmap to seize them from within. This strategy was more refined because the main actors of this opposition realized that power lay with the center and its institutions rather than parliamentary elections. They recognized that a movement that can control the center could control all of Turkey. Above all else, these were the institutions that had a monopoly over the state's legitimate right to use force.

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Distancing themselves from party politics and leaving an impression of being “above politics,” this movement strengthened over time and now controls the center of the state’s power.

The main reason for the emergence of the Gülen movement is this centralist and Jacobin political mechanism. Recent developments show that when the Gülen movement says, “it is time,” they are able to mobilize their members within the institutions and consequently shake Turkish politics to a serious extent. However, this created another problem for the movement: while the other political opposition currents were more active in the democratic arena as part of their political strategy, the Gülen movement was rightly opposed to change in the very centralist political structure that it owed its existence. Thus, it became unavoidable for the movement to find itself on the same side as the old political elites. As a result, those movements that pursue their political struggle by entering democratic elections and those who try to take over the institutions in the center are sim-

ilar to one another. Their similarities give way to political alliances. When we look at the political spectrum in the wake of the December 17th events, we can clearly identify the motivation for the clash.

The existing anti-democratic constitutional system, with its rigidly centralist, exclusionary, and economically and institutionally unaccountable structure, has allowed for control of society and led to the degeneration of politics as a whole. Since the system has no true democratic legitimacy, ideological political parties have been unable to transform themselves into democratic actors. These movements could not gather votes in excess of 30 percent. Positioned against the center, political movements representing the parliamentary majority and the government itself could not meet societal demands because they lacked the constitutional and institutional instruments to control the center. Thus, people’s trust in democratic institutions was lost. As a result, political opposition against the center has been degenerated. Democratically representative actors were only partially allowed to have a say in economy and were not at all influential in determining critical decisions, which became a serious factor in this degeneration.

The 2010 constitutional amendments allowed for a limited independence of the judiciary from the old elites and removed the old balance-over-sight system. Although the system talked about a separation of powers, it was not designed according to that

principle. With the constitutional changes, there emerged a new and complicated political picture. The political party that came to power democratically acquired power it could not have in any truly democratic system. This situation served as an effect that strengthened the motivation to control the center. As the country grew economically, the center that controlled the economy became more attractive, and as a result, the government-opposition struggle was sharpened. It can be said that this could create a serious pressure of legitimacy on democratic elections. Without changing the fundamental structure of the constitutional

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system, the destructive effect of this motivation will continue. It is clear that the reforms implemented in the past decade have been insufficient in changing the fundamental choices of the political elites.

The Gülen movement, which conducts its opposition via the institutions, replaced its initial impulse to “protect itself against the state” with a drive to take over the center. It has modified its goals. This led to politi-

cal moves that surprised many people. Today, what is clear is that an Islamic opposition from within the institutions can turn into an Islamic enlightened and elite junta. Institutional politics cannot bring about democratic culture. Nor can it worry about social legitimacy.

The Judiciary’s Contribution

The December 17th operation’s motivation has been clear. Now, we need to take a look at the judicial system that made such an operation effective. Turkey’s judicial system was designed by the racist Justice Minister Mahmut Esat Bozkurt after 1924. Bozkurt was also the same person who drafted the 1924 constitution and legal system. His following statement has been etched in everyone’s memory: “Those that do not belong to the Turkish race in Turkey have a right to become slaves only.” According to him, the only thing the judiciary could be proud of was to *realize the totalitarian ideology of the time in real life*.

This judicial system was strengthened with the 1960 and 1980 coups. The state became independent of democratic political institutions, i.e., the parliament. The judiciary – as an institution that could speak in the name of “law” and “justice” – became the most effective tool of the state structure, which did not take its legitimacy from society but nevertheless aimed to design society. As such, it has been used for the last ninety years as a means to dispel any societal democratic opposition. In particular,

terrorizing the Kurds has been one of its most successful achievements. Courts have closed down opposition parties and the AK Party barely escaped being shut down in 2008 despite winning close to 50 percent of the votes.

In 2010, the Supreme Board of Judges and Prosecutors (HSYK) and the Constitutional Court were restructured with the support of the EU. A pluralistic structure was supposed to emerge. However, in July 2010, the Constitutional Court repealed the articles that would have made pluralism possible in these bodies. The judicial network of the Gülen movement, which has been organizing itself in the army and the judiciary since the 1980s in order to take over state institutions, seized the moment and organized quickly in the wake of the Court's decision. In the HSYK elections, this network was able to influence the votes of the groups against the old elites by propagating that "*Kemalists might come.*" It achieved its goal by acquiring the majority in the HSYK and started to control the Supreme Court, the Council of State, and consequently the entire judiciary.

In the end, a movement that probably has 2-3 percent support at most came to control nearly the entire judiciary and became an asymmetrical power center. In other words, "*while the Kaiser is gone, its judiciary remained by changing its costume.*" Now it has the power to design and destroy democratic politics through its armors of "law" and "judiciary." As described

above, the highly centralized political system has degenerated the Gülen movement (just as it has done to all other political currents that accepted the system as given) and unavoidably positioned it in opposition to democratic political culture. Because of this, just as it has terrorized the Kurdish political movement for the past three years, it is now trying to weaken and destroy a democratic political movement – acknowledged by all segments to be the most successful government in democratizing Turkey – by using the power it has accumulated in the state institutions.

To conclude, it is clear that the rigidly centralizing constitutional system, with its exclusionary economic and political institutions, gave birth to oppositional movements that drew their legitimacy from broad segments of society. The motivation to acquire the power located in the center has actually destroyed the legitimacy of the forces holding that very center. The center also has the power to degenerate its opponents. Minority groups have developed destructive and separatist opposition methods precisely because of this constitutional system. Those – such as the Gülen movement – who stand against democratic transformation, as well as those who embrace the democratic system, are motivated by this non-participatory and non-inclusionary constitutional system. Without establishing a constitutional system that is liberal, participatory and decentralized, a change in the relationship between power and opposition does not appear possible. ■



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