

Democracy-laicism relations revisited

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We start a new year which many hope to be a year of rekindled democratization in Turkey. In recent years, the quarrels over secularism have caused much polarization and contributed to a slowdown in Turkish reforms.

Perhaps, therefore, the public discussion over secularism has subsided. But the question is alive, especially in terms of social relations. It is crucial for the future and quality of democracy here and, moreover, Turkey is a crucial example for the world.

What sort of a secularism should be upheld by people who seek to resolve problems like the headscarf ban through democratic means and reconciliation, who want to consolidate a democracy that meets EU standards, and who wish freedom and inclusion not only for their own but also for people different to themselves? During the 1990s, Turkish liberals and democrats challenged Turkey's secular system (laicism), by criticizing its anti-democratic practices but not by denying its importance for democracy. More recently, however, a different and less tenable view have been expressed by religious and secular-liberal writers. This view confines secularism to mere philosophical differences, unrelated to democracy and coexistence. It also claims that any restriction of religious practices is, by definition, a violation of religious freedoms. In my opinion, a more tenable view would seek to reinforce secularism by making it more democratic and inclusive. For more on this, readers may review my dialogue with Professor Mustafa Erdoğan (Taraf, Oct. 13 and 24, Dec. 16, 2008; Today's Zaman, Oct. 19, 2008).

It is true that a democratic state should not seek to emancipate people from religion. The choice to be religious is a fundamental human right. The state may help individuals to make an informed choice, but should not guide them in one way or another. But a democratic state may protect an individual's right to be able to criticize religion and to choose emancipation from religion or from a certain version of it. While doing so, it may take supportive or protective measures wherever this choice is in danger, rather than apply the same standard everywhere. This basically is the protection of freedom of thought. It can be upheld by both the pious and the non-religious. Any secular or religious belief system closed to criticism and diversity will become impoverished and authoritarian over time. But what sort of secularism will prevent this from happening?

Secularism in Turkey

In Turkey, secularism has been an instrument of state-led modernization. The Ottoman modernization relied on a model of secularization that was partial. It

introduced secular institutions (e.g., military and professional schools) without eliminating the traditional religious institutions (e.g., the madrasa), legal practices and symbols. The Ottoman state also used religion to politically and economically mobilize the "Muslim nation." During the creation of republican Turkey, some elites asked for the preservation of this model, for example, the continuation of the caliphate; however, the fundamental republican institutions were founded upon the Atatürkist revolution, which created a more radical and authoritarian model of secularism. Traditional religious institutions, laws and symbols were replaced by secular or pro-secular ones under the supervision of the state, which also made it necessary for the state to assume some functions previously fulfilled by traditional religious institutions. This way, Turkey adopted a more advanced secularism than any other majority-Muslim state, not in the sense of separating religion from state (even religious education is partially the state's responsibility) but in the sense of making the state autonomous from traditional religious institutions and secularizing the law.

This model is the product of particular historical conditions and choices. It affected different sections of society (e.g., rural and urban, religious tarikat members and others) differently. Therefore, one cannot glorify it as a complete success or criticize it as a complete failure. Is the glass half full or half empty? Some insight can be gained by drawing comparisons to countries such as Egypt and Pakistan, which did not, or could not, choose a similar model. Theirs is closer to the Ottoman model in the sense that, for example, the law has to comply with Islam to differing degrees. Clearly, among countries with a Muslim majority, Turkey is one of the most advanced (if not the most advanced) in terms of a combination of democracy, economic development and integration with the West, although it was founded in the relatively less-developed territories of the Ottoman Empire. Despite its top-down nature, the Turkish model also accomplished the transition to a multiparty democracy in the 1950s and to economic liberalism in the 1980s. Yet it excessively strengthened the state vis-à-vis society. It faced problems in consolidating democracy and development by integrating into the system new regional, economic, and religious-cultural groups that were partially of its own creation. It has major deficits in human rights and the rule of law, its reconciliation with the past and building ties with tradition.

Criticism of Turkish secular democracy

Two separate criticisms were advanced to this model vis-à-vis secularism. The first came from Islamic circles, which have become more confident, especially since the 1980s. They were products of the global rise of Islamism as well as of Turkish modernization itself. Their education, nationalism, worldview and even their perceived rivals all reflected this. In addition to joining center-right movements, they have produced Islamist movements strongly opposed to secularism. For the latter, democracy was all about the rule of the majority because they believed that the majority, which they called the "real owner of the country," was inherently Islamic. Individual and minority rights were of secondary importance, and they charged Turkish secularism with atheism.

In the 1990s, liberal-democratic intellectuals advanced a different criticism. Their focus was on rights, law and freedom for all, rather than on the rule of the

majority. Their opposition was against the repressive practices of the state, which they described as militant and ideological secularism. They sought to democratize Turkish secularism. Later, reformist Islamists -- which gave rise to the Justice and Development Party (AK Party) -- also adopted this rhetoric, and rightfully garnered the support of liberals and the democratic world.

However, a visible shift has occurred in the rhetoric more recently. While the old rhetoric demanded the democratization of secularism for full democracy, the new rhetoric claims that secularism is not necessary for democracy. For instance, Erdoğan asserts in an insightful article in 1990 that legal-political secularism and a minimum degree of sociological secularism are necessary for a functioning democracy. In his recent writing he argues that secularism is not necessary for democracy because secularism concerns freedom while democracy concerns popular sovereignty.

Reviewing cross-country evidence, some prominent political scientists like Stepan also argue that secularism is not among democracy's requirements. But international evidence also shows that there are almost no countries that are considered consolidated democracies and lack some kind of a secular system, in the sense of basic state autonomy from religion and general freedom of faith. Considering this, I argued that secularism and democratization may be interrelated processes reinforcing each other (Third World Quarterly, October 2007). Secularism may not be a precondition for democracy, but a secularism supported by democratic consensus seems to be crucial for the consolidation of pluralistic democracy.

Another claim of the new discourse is that any state interference with religious affairs is a violation of religious freedom; however, democratic regulation and supervision -- but not prohibitive measures - are inevitable in modern democracies. Global data show that more developed democracies actually have more regulation of religion. What could explain this? In the article mentioned above I suggested that modern states may be regulating religious practices during democratization and development in order to gain autonomy from religion and to reconcile with religious institutions. It is true that these regulations restrict religious freedoms to some extent. But whenever the state fails to protect the individual and the minority from the majority religion (or a certain interpretation of it) via such regulations, religious freedoms may be in even more danger.

One may only claim from an extreme libertarian perspective that every state intervention is a violation of freedom. From such an angle, one may also assert that smoking restrictions violate the right to travel and financial regulations and oversight breach economic freedoms. Democracies interfere with numerous activities with a view to set a balance between different freedoms and between freedom and public interest. Maybe part of the problem in Turkey is this: Because of its lack of democratic culture and accountability, the state often draws on prohibition rather than regulation. Because of a single video, it bans a whole Web site like YouTube. It implements secularism in the same authoritative way. But modern democracies should use regulations to expand the sphere of liberties, not to narrow it. They should protect the individual against religious oppression while

simultaneously making sure that people can exercise their religion.

Communitarian democracy?

Another claim is that popular sovereignty and government accountability to the people is sufficient for democracy. For instance, Erdoğan criticizes my concern that excessive influence of religious communities may produce an illiberal democracy with major democratic deficits. Certainly religious and secular "communities" (cemaats) are parts of human civilization and they should participate in the democratic system, but wherever they become too dominant vis-à-vis individuals and minorities, a democratic deficit will ensue. Popular sovereignty requires the ability of individual citizens to make free choices. If what we mean with democracy is a modern, pluralistic democracy, common definitions in political science (i.e., from Robert Dahl) emphasize popular sovereignty in addition to freedoms such as the freedom of information and expression. In other words, freedom and popular sovereignty are intertwined. Of course, secular groups may also generate a democratic deficit by acting like an oppressive community. In Turkey, for example, political parties often disallow sufficient intraparty pluralism and secularists often promote secularism dogmatically. But two wrongs do not make a right; the correct response to these problems should be to criticize them, too. Whenever secular groups and regulations create a "counter-repression" of religion, the state should take measures to maintain freedom of faith and expression. Both secular and religious groups are diverse in Turkey. There is research showing that both religiosity and secularism may create pressures on individuals depending on context. One should not expect the same problem to prevail everywhere or claim that one type of oppression is less serious than the other.

The distinction between positive, negative freedoms

The last point on which Erdoğan and I disagree concerns the distinction between positive and negative freedoms. Although this distinction is analytically problematic, it is useful to describe the different liberal approaches regarding the roles of the state. I argue that the state should be proactive in order to protect individuals wherever they are part of a minority. For instance, the state may resort to temporary affirmative action policies in order to ensure women's economic freedoms (while thereby restricting men's freedoms). It may promote education and thereby privilege the teaching of philosophy in order to help individuals critically evaluate their choices in life as humans and as citizens. It may temporarily support the Alevi minority so that it can achieve equality with Sunnis. Erdoğan holds that any state regulation to protect the individual against religious communities (or against a secular group) other than punishing physical coercion would be repressive. He adds that even the existence of physical coercion is very difficult to prove between individuals and communities; however, this observation actually supports my point. Their social environment may pressure individuals in many subtle ways. If it is very difficult to detect even physical pressures in individuals' relations with their communities, the only way the state can protect the individuals is by strengthening them economically and educationally and by actively supporting social and ideological pluralism. It is true that this may amount to privileging liberal ideas over alternative

philosophies. But the principles at the core of modern democracy are embodied in modern ideologies and liberal values, even though some of their roots might lie in religion. Democracies cannot be impartial vis-à-vis the values constituting their own core. Of course, as a philosophical choice, one can prefer absolute impartiality and may not even privilege democracy, and I would respect this choice. But if we choose democracy and want to strengthen it, I do not think we have the luxury to be impartial with respect to secularism and positive freedoms.

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