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Dilemmas of Democratic Transformation in Turkey: Ergun Özbudun's contribution to political science

[Dylematy demokratycznych przemian w Turcji: wkład Erguna Özbuduna do nauk o polityce]

Abstract

Modern Turkey represents an interesting case of political transformation: from traditional monarchy to military regime, from military regime to parliamentary democracy and, more recently, from parliamentary democracy to a new authoritarianism. One of the most influential Turkish scholars who studied these processes was Ergun Özbudun (1937–2023), a political scientist and constitutional lawyer, honorary professor at the European University of Law and Administration in Warsaw; Özbudun's contribution to the understanding of these transition constitutes the most important part of his scholarly work.

Keywords: authoritarianism, constitutionalism, democracy, transition.

Modern Turkey belongs to the broader category of countries which in the twentieth century experienced the transformation from monarchical rule to one-party authoritarianism and later to parliamentary democracy, followed by the rise of a new type of authoritarianism, called 'delegative democracy' (O'Donnell 1994), 'illiberal democracy' (Zakaria 2001), 'electoral authoritarianism' (Turan 2019) or simply 'new authoritarianism' (Wiatr 2019:169–181).

During the life of one generation, Turkey experienced two fundamental regime changes. The first took place in the aftermath of the First World War, in which the Ottoman empire suffered a crushing defeat. In the first few years after the war, the Turkish state fought for its very existence, endangered by

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the Greek occupation of the Western part of Anatolia and by the rise of Kurdish separatism in the East. In consequence of the Kemalist revolution and of the victory of the new regime in the war for independence, was the creation of modern Turkey as an authoritarian one-party regime (1923). Less than thirty years later, after the passing away of the founder of the Republic (1938), Turkey started the process of gradual democratization from above, which culminated in the coming to power – following the first truly competitive election – of the Democratic Party of prime minister Adnan Menderes in 1950. The conservative rule of the Democratic Party, strongly influenced by the Islamic values, has been terminated by the military *coup d'état* in 1960, followed by twenty years of more or less normally functioning parliamentary democracy. In 1980, however, the armed forces under General Kenan Evren interrupted the functioning of the parliamentary government, notoriously plagued by growing domestic conflicts, politically motivated terrorism and ethnic separatism. Following the second military *coup*, a new Constitution was adopted and the military rule was replaced by the civilian government. Twenty years later, in 2002, the conservative Justice and Development party (AKP) won the election and since then it remains in power, creating one of the first versions of the new authoritarianism. The new authoritarian regime has been able to put down an abortive military *coup* of 2016 and is now more consolidated than any Turkish regime since the end of the Kemalist rule.

For the Turkish legal and political sciences these developments constituted both a challenge and an opportunity. The first Turkish scholar who undertook a broad, comparatively oriented, study of the democratic transition was Ergun Özbudun (1937–2023). His contribution to the understanding of the dilemmas of democratic transformation, while focused on Turkey, has a broader, comparative importance. Ergun and I were friends for many years and his studies of democracy greatly helped me to understand the dilemmas of countries, which – like his native Turkey – underwent both the process of democratization and the challenge of new authoritarianism.

Like many political scientists of his generation, Ergun Özbudun received his education and started his academic carrier as a constitutional lawyer. To the end of his life he continued writing on constitutional issues and on the problems of human rights. As a constitutional lawyer he belonged to the prestigious Venice Commission (1990–2014) and has been considered one of the most respected authorities, both in his native Turkey and abroad. In 2008, in recognition of his academic work the European University of Law and Administration in Warsaw bestowed upon him the title of honorary professor. He was also a prominent political scientist, president of the Turkish Political Science Association and member of the Executive Committee of the International Political Science Association (for two terms: 1979–1982 and 1982–1985). Such combination of two academic domains was quite common in his gen-

eration of European political scientists who entered academic life before the establishment of separate departments of political science, mostly from departments of law, sociology or history.

Ergun Özbudun's departure from purely legal problematic began quite early. In 1966, he published his first important contribution to the understanding of Turkish military politics, in which he approached the history of Turkish armed forces from a sociological perspective. His main thesis was that the Turkish military became an important channel of upward social mobility with consequences for the role of the military in politics. He suggested that "armies recruited essentially from lower and middle classes are more likely to produce reformist military regimes than armies of feudal or upper class origin" (Özbudun 1966:3). His analysis of the social composition and of the political role of Turkish military was highly appreciated by the father of military sociology Morris Janowitz (Janowitz 1971:301-333). Quite a success for a young scholar in his twenties.

In later years, Özbudun continued his analysis of the role of military in Turkish politics. In 1981, he was the co-editor (with Ali Kazancigil) of the internationally written volume on the role of Atatürk as the founder of modern state (Kazancigil and Özbudun 1981). His chapter on "the nature of the Kemalist political regime" is based on the thesis that the Kemalist regime "is one of the very few cases of a peaceful transition from an authoritarian to a democratic polity" (*ibid.*:79).

Ergun Özbudun was not a Kemalist, but he fully understood and appreciated the historical role of the Kemalist revolution in the transformation of the former Ottoman empire in the direction of secular democratic state, which he studied as "one of the very few cases of a peaceful transition from an authoritarian to a democratic polity" (*ibid.*). Part of his analysis concerned the nature of the one-party regime established after the Turkish victory in the war for independence (1923). He pointed to the emergence of limited political pluralism and the willingness of the leadership of the Republican People's Party to gradually transform the regime. Unlike most of the authoritarian regimes of the period between two world wars, the Turkish one-party system was legitimized by the commitment to the gradual democratization. Turkish transition from Kemalist authoritarianism to parliamentary democracy took place in the first years after Kemal's passing away (1938) and took the form of a controlled democratization from above. Such character of Turkish democratization was possible because the Kemalist elite was strongly affected by the Western values, considered by many as symbolic for modernity. An important characteristic of the Kemalist regime was its strong attachment to progressive reforms, including secularization of the state and adoption of Western models of governance. A prominent Turkish political scientist, and a devoted Kemalist, Suna Kili (1929-2015) emphasized this modernizing aspect of the

Turkish regime in her study of Kemalism (Kili 1969). Unlike her, Ergun Özbudun was far from uncritical acceptance of Kemalism, but he understood the progressive role played by the Kemalist revolution in the formation of modern Turkey. Pointing to the crucial role of the military in Turkish politics, Özbudun defined the post-revolutionary Turkey as the system which “combines elements of military-bureaucratic regimes with those of post-independence mobilizational regimes” (Kazancigil and Özbudun 1981:97). He stressed the importance of the constitutional guarantees of human rights and the lack of totalitarian ideology. Confronted with the troubled history of civil-military relations in Turkey, Özbudun – in a paper written jointly with Serap Yazıcı and published in Poland – stressed the importance of exit guarantees offered the departing generals as one of the conditions of smoothly transfer of power. The Authors pointed to the fact, that “a credible threat of *coup* fundamentally alters the expectations and calculations of civilian political actors, leading them to act in ways that detract from democratic consolidation, such as seeing alliances with the military or inviting them to intervene” (Özbudun and Yazıcı 1966:339). For most of the late twentieth century the main challenge confronting Turkish democracy was the uneasy relationship between civilian politicians and the military, which – in accordance with the Kemalist ideology – considered itself as the guardian of the secular state and exercised a critical political role as a veto power” (Turan 2019:60). Two successful military *coups* (1960 and 1980) demonstrated the special role of the Turkish armed forces as the guardian of the Kemalist tradition of a secular republic.

For Ergun Özbudun the chronic instability of the Turkish democracy was an intellectual challenge. His deep commitment to democracy made him concerned with those factors of the Turkish politics which made it highly unstable. In 1988, he edited an important book on perspectives of democracy in Turkey in which he presented his comprehensive analysis of the reasons for which the Turkish process of democracy-building was far from success. He saw the main obstacles to the smooth democratic transformation in the heritage of Ottoman political culture, one of its elements being the “predominance of status-based values rather than market-derived values” (Özbudun 1988:31). He pointed also to such remnants of history as “a low level of social and cultural integration” and “a predilection for organic theories of the state and society, and solidarist doctrines found easy acceptance among the Young Turks and Kemalist elites” (Özbudun 1988:32,33).

Addressing the issue of leadership, Özbudun accused Turkish political leaders of not being able to contain political conflict and to manage political crises. He blamed civilian political leaders for their unwillingness to compromise and saw “the historical legacy of an exceedingly centralized, over-powering state and the concomitant weakness of civil society” as the most serious obstacles to democratic development (Özbudun 1988:45). Nonetheless,

he remained rather optimistic about the future. In the concluding section of his chapter he wrote, that “Turkey is one of the few countries that are more democratic politically than they ought to have been according to their socio-economic development” and explained this “by the strong elite commitment to democracy” (Özbudun 1988:51). Consequently, he concluded his analysis by saying that “the most likely course of events in the next few years would be the consolidation of democracy, with the expansion of civil and union rights by relatively minor changes in the constitution” (*ibid.*). In late twentieth century – during the third wave of democratization worldwide – such optimism was quite common.

It does not mean that all political scientists were blind to the possibilities of less optimistic scenarios. In 1988, at the initiative of the then president of the IPSA Guillermo O’Donnell, Adam Przeworski and I formed the international study group devoted to democratic transformation (East-South Systems Transformations), composed of 21 scholars from Argentina, Brazil, Hungary, Korea, Poland, Russia, Spain, Turkey and USA. The declared objective of this initiative was to identify factors which could lead to the collapse of democratization. Ergun was the only member of the group from the Middle East and the convener of the first round table conference which took place in Antalya in April 1990. He also contributed an important working paper on the role of constitution-making in processes of democratic stabilization (Özbudun 1991), and co-authored the final report (Przeworski 1995). His main contribution to our interpretation of democratic stabilization was the emphasis he put on the timing and democratic or nondemocratic mechanisms of constitution-making.

In the final ESST report, the main dangers to democratization were identified as socio-economic, particularly the consequences of radical neo-liberal economic strategies, which – in our opinion – could lead to massive disappointment and even to the danger of collective violence. In the properly built democratic state we saw the institution capable of preserving the democratic change and to avoid a violent social and political crisis (Przeworski 1995:107–112).

The study of politics repeatedly informs us of the potential for unexpected developments. In the first decades of the present century it became obvious that democratic transformation and consolidation of new democratic regimes are not the dominant tendencies world-wide. In several states, nascent democracies have been replaced by a new type of authoritarianism, based not on naked military power but on the will of the voters. Turkey is one of the most interesting examples of such development and Ergun Özbudun was one of political scientists who fully comprehended the importance of such turn of events. He identified challenges to democratic consolidation in Turkey and pointed to their roots in the history of Turkey (Özbudun 2000). In the book

written with William Hale he drew attention to the consequences of the rise of militant Islamism (Hale and Özbudun 2009). He also pointed to the consequences of social change, particularly of the center-peripheries relationship, for political participation (Özbudun 2016).

In his view, the electoral victory of the Justice and Development Party (AKP) in 2002 has not changed the character of the Turkish system immediately. It was rather a process of gradual political change which eventually led to the formation of competitive authoritarianism, as Ergun Özbudun defined the present Turkish regime. "Turkish political system – he wrote in summary of his 2020 article – started to acquire the characteristics of such a regime in 2013–14. The process was intensified with the declaration of emergency rule following the failed *coup d'état* of 15 July 2016, during which many human rights violations were committed. The drift toward authoritarianism reached its peak with the constitutional amendment of 2017, which established a truly one-person government, devoid of all effective control mechanisms. The present system is still reasonably competitive, but increasingly authoritarian" (Özbudun 2020:37).

Political transformations are strongly affected by the heritage of history. Political changes in present-day Turkey can serve as example. "The Turkish ideological scene – wrote Hakan Yılmaz – has recently witnessed a strong comeback of Kemalism in the form of neo-nationalism. The Kemalist neo-nationalism of today basically represents a defensive line of thinking: firstly defending the nation-state in the face of the attacks of ethnic separatism, European integration, and globalization, and, secondly, defending the secular order against the growing tide of Islamic conservatism." (Yılmaz 2008:535). The paradoxical aspect of contemporary Turkish politics is the rivalry of two types of authoritarianism: the Kemalist neo-nationalism and the Islamic conservatism. The electoral victory of the Justice and Development Party (AKP) in 2002 resulted in gradual consolidation of power in the hands of the dominant party and the transition from pluralist democracy to electoral authoritarianism (Turan 2019:57–76). The consequence of this is that the main division in Turkey of today is not between liberal democracy and authoritarianism but between two types of authoritarianism: the conservative and Islamic-oriented electoral authoritarianism of the AKP and the nationalist Kemalist tradition.

In the last years of his life Ergun Özbudun continued his critical analysis of the present Turkish regime. He was uncompromising in his brilliant analysis and in his deep commitment to democratic values. His contribution to the study of democracy confirms the belief – expressed ninety years ago by the great Swedish scholar Gunnar Myrdal – that there is no inevitable conflict between ideological commitment and objectivity in social science research (Myrdal 1944:1027–1034).

My friendship with Ergun Özbudun had its roots in our membership in the Executive Committee of the International Political Science Association. We exchanged numerous visits to our respective universities, Ergun lecturing at University of Warsaw and me in Ankara, at Bikent University. Ergun was the only Turkish political scientist who published some of his studies in Poland. My knowledge of the Turkish political system owes a lot to our long discussions in which Ergun and I compared history and current developments of our nations (Wiatr 2022:164–166). In the current century, political development in Turkey and Poland offered interesting perspectives for comparative analysis. Both countries encountered crises of democracy and the rise of populist, authoritarian parties with strong attachment to religious values. There are, however, important differences. Poland's historical ties with the democratic West have deeper roots than the pro-Western orientation of the part of Turkish elite. Poland is also free from ethnic conflict, which in Turkey is one of the main reasons of the strength of authoritarianism. There is also a factor of time. From the historical comparisons I have learned that the longer is the duration of an authoritarian regime, the more likely is that it will be able to survive. In Turkey the AKP has been in power since 2002 – for more than twenty years – while in Poland the Law and Justice party (PiS) departed from power after barely two parliamentary terms lasting only eight years. A few weeks before Ergun's passing away, Polish parliamentary election had terminated the rule of the Law and Justice party, the closest analogy to the Turkish AKP. Future will tell if this means the end of cross-national analogy between Turkey and Poland.

Dylematy demokratycznych przemian w Turcji: wkład Erguna Özbuduna do nauk o polityce

Abstrakt

Współczesna Turcja stanowi interesujący przypadek politycznych transformacji: od tradycyjnej monarchii do reżimu wojskowego, od reżimu wojskowego do demokracji parlamentarnej oraz, ostatnimi czasy, od demokracji parlamentarnej do nowego autorytaryzmu. Jednym z najbardziej wpływowych tureckich uczonych, którzy badali te procesy, był Ergun Özbudun (1937–2023), politolog oraz prawnik konstytucjonalista, profesor honorowy Europejskiej Wyższej Szkoły Prawa i Administracji w Warszawie; wkład Özbuduna w zrozumienie tych przemian stanowi najważniejszą część jego pracy naukowej.

Słowa kluczowe: autorytaryzm, konstytucjonalizm, demokracja, transformacja.

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