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## ARTICLE

# THE STUDY OF SECULARISM AND RELIGION IN THE CONSTITUTION AND CONTEMPORARY POLITICS OF TURKEY: THE RISE OF INTERDISCIPLINARITY AND THE DECLINE OF METHODOLOGY?

RUSSELL POWELL\*

### I. INTRODUCTION

Using the experience of Islamist parties in Turkey as a comparative example, this article explores whether political parties with deeply held religious ideologies can integrate themselves into liberal democracies, paying particular attention to the nature and role of legal secularism (the mechanism states use to insulate themselves from religious influence). This is an extension of the query whether the rise of illiberal political groups eventually leads to the end of liberal society. These queries engage the assumption that illiberal religious ideology is incapable of tolerating dissent or pluralism. I examine Turkish constitutional secularism as well as the “Islamist” Justice and Development Party (“AKP”) and its electoral victories in 2002 and 2007 in order to explain the AKP’s ability to shift away from dogmatic ideology to conservative, yet democratic, positions.

This examination evaluates the most recent scholarly production related to these questions and pays particular attention to methodology as a barometer for gauging possible directions for future exploration. Surprisingly, despite differing methodologies and disciplines, the main body of contemporary scholarship in the United States on Turkish secularism comes to overlapping conclusions regarding the trend toward a version of secularism more open to religious sentiment and expression. This phenomenon may have significant implications for legal and social sciences scholarship beyond the scope of exploring Turkish secularism.

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## II. THEORETICAL FRAMEWORK FOR EXAMINING SECULARISM

There is a disconnect between the formal understanding of the separation of religion from government in Turkey (as well as in the United States and several other industrial democracies) and the prolific use of religious language in political discourse, not to mention the web of complicated religious motivations that sit on or just below the surface of policy debates. Connecting faith and public discourse could lead to conflict, but increasing dialogue about faith and public reason may provide more opportunities for promoting social justice and the rule of law. Many modern states, such as Turkey, have created an impermeable barrier between religion and government, so that faith traditions become artificially muted or distorted even though they undoubtedly influence lawmakers and voters. Some scholars have identified the strict separation between faith and public discourse as a potential source of injustice.<sup>1</sup>

Steven Shiffrin proposes that public reason, in the sense described by John Rawls,<sup>2</sup> ought to be open to theological arguments, even if those arguments ultimately need to be contextualized in secular or universal terms at the level of government (in legal opinions or statutes).<sup>3</sup> The purpose of this opening is to include faith-based arguments, particularly those that support oppression, regardless of whether they are overtly theological or veiled in secular language.<sup>4</sup> Discussing faith-based public policy arguments both refutes poor theology and makes the actual role of religion in influencing policy more transparent. Conversely, it may also support faith-based arguments that survive public scrutiny. Similar to Shiffrin, Madhavi Sunder posits that the Enlightenment barrier between faith and law privileges oppressive patriarchal behavior behind the veil that separates religion from the secular state.<sup>5</sup> This balkanization has resulted in the energizing of conserva-

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1. See, e.g., Michael J. Perry, *Religious Arguments in Public Political Debate*, 29 LOY. L.A. L. REV. 1421, 1425 (1996) (arguing that the free exercise clause of the Constitution permits citizens to present religious arguments in public political debate).

2. John Rawls is a prominent American political philosopher from the late 20th century, whose theory of justice emphasizes fairness, social contract, and overlapping consensus. See, e.g., JOHN RAWLS, *A THEORY OF JUSTICE* (rev. ed. 1999).

3. See Steven Shiffrin, *Religion and Democracy*, 74 NOTRE DAME L. REV. 1631, 1656 (1999) (“Clearly, in a pluralistic society, the state should certainly be free from the influence of an established church . . . . But, in a pluralistic society, it is precisely my point that churches and believers should be able to weigh in on controversial public questions. To counsel against their input is to betray the principles of liberalism, not to support them.”); see also JOHN RAWLS, *POLITICAL LIBERALISM* 222–54 (2005) (arguing that “public reason,” as distinguished from “nonpublic reason,” is the reason of all citizens in a pluralist society).

4. Shiffrin, *supra* note 3, at 1656.

5. See Madhavi Sunder, *Piercing the Veil*, 112 YALE L.J. 1399, 1409–10 (2003) (“[I]n a modern world in which religious authority increasingly is buttressed by the law, and not internal norms, a legal veil, and not religion itself, will increasingly insulate religious community from modernity and change.”).

tive, traditionalist, and, in many cases, fundamentalist religious groups.<sup>6</sup> Both Shiffrin and Sunder suggest that the formal commitment to strict secularism is problematic. For Shiffrin, strict secularism protects bad theology, and the policies that may emerge from it, from honest evaluation on its own theological terms.<sup>7</sup> For Sunder, strict secularism privileges oppressive patriarchal behavior within the “religious” sphere.<sup>8</sup>

Perhaps the most important distinction in their work is methodological. Shiffrin takes a more traditional (though progressive) approach to religious liberty questions, which is consistent with broad liberal constitutional discourse. His approach is modern and tends not to emphasize or deconstruct covert power structures within legal texts. Sunder, in contrast, associates the Enlightenment, and liberalism generally, with the instrumentalities of imperialism. She explicitly identifies how Enlightenment secularism reinforces existing power structures, patriarchy in particular.<sup>9</sup> Both scholars make important insights. Understanding the underlying methodologies of Shiffrin and Sunder might contribute to a deeper understanding of their work and how it might be understood in the Turkish context. For example, despite using competing methodologies, Shiffrin and Sunder come to overlapping conclusions regarding the importance of including religion and religious ideas in public life that might challenge traditional understandings of secularism, particularly in Turkey.

Abdullahi Ahmed An-Na'im takes a similar postmodern and postcolonial approach to Sunder; he believes, however, that state secularism (as opposed to societal secularism) is a liberating and authentically Islamic approach to government.<sup>10</sup> He describes an essentialized and totalizing understanding of Islam as a colonial creation developed to create uniformity and assure control. Such an understanding is not consistent with the diverse and contextualized understandings of Islam that arose historically within Muslim cultures.<sup>11</sup> An-Na'im argues, instead, that Muslims would be better served by systems of state secularism that do not seek either to control religion or remove it from public life.<sup>12</sup> He proposes that this position is the one most likely to contribute to broader protections of human rights, which

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6. See *id.* at 1462 (stating that “legal norms such as cultural relativism and multiculturalism buttress the power of traditionalists over modernizers” and that “[b]ecause law conceives of religion in fundamentalist terms, religious communities are continually being remade to reflect fundamentalist views”).

7. Shiffrin, *supra* note 3, at 1645.

8. Sunder, *supra* note 5, at 1406.

9. *Id.*

10. See generally ABDULLAHI AHMED AN-NA'IM, ISLAM AND THE SECULAR STATE: NEGOTIATING THE FUTURE OF SHARI'A (2008).

11. See *id.* at 141–58 for a discussion of this dynamic in India.

12. See discussion of “passive secularism” *infra* Part VI.

may be consistent with Sunder's argument in favor of a "New Enlightenment"<sup>13</sup> to replace the old.

### III. SECULARISM IN THE TURKISH CONSTITUTION

The construction of secularism in Turkey has ebbed and flowed since the founding of the Turkish Republic in 1923, but the 2001 constitutional amendments increased the textual importance of strict secularism in several ways. Current AKP proposals to amend the Constitution could change this equation significantly, but such moves are highly contested politically.<sup>14</sup> Although secularism in Turkey is also a product of courts and bureaucracies, I will summarize the role of secularism in the current text of the Turkish Constitution.

Secularism (*laiklik* in Turkish) is a core principle of Kemalist ideology from the founding of the Turkish Republic in 1923<sup>15</sup> and appears throughout the Turkish Constitution. The Preamble broadly prohibits religious interference in state affairs and politics:

The recognition that no protection shall be accorded to an activity contrary to Turkish national interests, the principle of the indivisibility of the existence of Turkey with its state and territory, Turkish historical and moral values or the nationalism, principles, reforms and modernism of Atatürk and that, as required by the principle of secularism, there shall be no interference whatsoever by sacred religious feelings in state affairs and politics . . . .<sup>16</sup>

Article 2 further establishes that "[t]he Republic of Turkey is a democratic, secular and social state governed by the rule of law . . . ."<sup>17</sup> Articles 13 and 14 describe the boundaries between state protection of and limitations on individual rights:

These restrictions shall not be in conflict with the letter and spirit of the Constitution and the requirements of the democratic order

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13. See Sunder, *supra* note 5, at 1402–03 (“[C]ontrary to law’s centuries-old conception, religious communities are internally contested, heterogeneous, and constantly evolving over time through internal debate and interaction with outsiders. And this has never been so true as in the twenty-first century. Individuals in the modern world increasingly demand change within their religious communities in order to bring their faith in line with democratic norms and practices. Call this the New Enlightenment: Today, individuals seek reason, equality, and liberty not just in the public sphere, but also in the private spheres of religion, culture, and family.”).

14. Fazıl Sağlam, *Orhan Pamuk ve Referandum*, HAKİMİYET-İ MİLLİYE, Sept. 1, 2010, <http://www.hakimiyetimilliyeye.org/index.php/hm-yazarlari/1075821-orhan-pamuk-ve-referandum-fazil-saglam.html>.

15. Kemalist principles such as secularism refer to the views of Mustafa Kemal Atatürk, the “Father” of the Turkish Republic established in 1923. The so-called “Arrows of Kemalism” include republicanism, populism, secularism, revolutionism, nationalism, and statism. See, e.g., BERNARD LEWIS, *THE EMERGENCE OF MODERN TURKEY* (1961).

16. THE CONSTITUTION OF THE REPUBLIC OF TURKEY Nov. 7, 1982 pmbl. (amended Oct. 17, 2001).

17. *Id.* art. 2.

of the society and the secular Republic and the principle of proportionality.<sup>18</sup>

None of the rights and freedoms embodied in the Constitution shall be exercised with the aim of violating the indivisible integrity of the state with its territory and nation, and endangering the existence of the democratic and secular order of the Turkish Republic based upon human rights.<sup>19</sup>

Importantly, the Constitution portrays Turkey as primarily democratic and secular.

The statutes and programmes, as well as the activities of political parties shall not be in conflict with the independence of the state, its indivisible integrity with its territory and nation, human rights, the principles of equality and rule of law, sovereignty of the nation, the principles of the democratic and secular republic . . . .<sup>20</sup>

The Constitution also protects secularism in two oaths of office<sup>21</sup> and in a provision for legitimizing certain reform laws.<sup>22</sup> The language used in the Constitution indicates the importance of secularism to its drafters.

Although consistent with French secularism, the establishment of state organs to control religion is foreign to the U.S. tradition of separation of church and state. “The Department of Religious Affairs, which is within the general administration, shall exercise its duties prescribed in its particular law, in accordance with the principles of secularism, removed from all political views and ideas, and aiming at national solidarity and integrity.”<sup>23</sup> To American readers, this section of the Turkish Constitution is the most challenging, because it belies a completely different understanding of the relationship between religion and the state. This distinction will be discussed in greater detail below.

#### IV. THE POLITICS OF SECULARISM IN CONTEMPORARY TURKEY: HAKAN YAVUZ

Hakan Yavuz<sup>24</sup> examines the experience of Turkish religious parties with explicit commitments to Islamic religious values in his book *Secularism and Muslim Democracy in Turkey*.<sup>25</sup> He creates a narrative for the rise of the AKP and its electoral victories in 2002 and 2007 that explains the AKP’s ability to shift away from dogmatic ideology to conservative, yet democratic positions.

18. *Id.* art. 13.

19. *Id.* art. 14.

20. *Id.* art. 68.

21. *Id.* arts. 81, 103.

22. *Id.* art. 174.

23. *Id.* art. 136.

24. Professor Yavuz is an associate professor of political science at the University of Utah whose research focuses mainly on Turkish secularism and democracy.

25. M. HAKAN YAVUZ, *SECULARISM AND MUSLIM DEMOCRACY IN TURKEY* (2009).

Most importantly, Yavuz examines the AKP electoral victories in the 2002 and 2007 elections and the shift in Turkish political discourses from those emphasizing power-sharing between the military and elected politicians to new discourses stressing human rights (particularly cultural, religious, and property rights). He calls this transformation a “conservative revolution” because civil society led it and shaped it, and because political changes followed the social and economic changes—“a bottom-up and gradual revolution in society to control the political language and society; and eventually the state.”<sup>26</sup> He concludes by asserting that the newly emerging Turkey is based on three principles: removing secularism as a source of polarization by reimagining “the meaning and function of authoritarian secularism”; redefining political community on the basis of Ottoman cosmopolitanism rather than ethnic nationalism; and bolstering the democratic state by encouraging “a thickening of civil society” and reducing the role of the public sector.<sup>27</sup>

Yavuz concentrates on how economics, theology, sociology, and history (among other disciplines) affect the government, focusing especially on the relationship between state power and religion. The beginning chapters include a strong historical component that traces the origin and development of Islamist parties in Turkey, rhetorically making the religious turn intelligible. Although Yavuz analyzes empirical voting data and some economic statistics, his main methodological approach is theoretical, and emphasizes political structures, language, and institutions. Yavuz describes his work as structuralist, which implies that his method tends to favor modernism.<sup>28</sup> Yavuz’s approach to political language is extremely important, because words and even individual letters have had tremendous unifying and polarizing effects in Turkish politics.<sup>29</sup> Yavuz cites and analyzes the use of language in the Turkish media, creating an emerging political narrative in support of his thesis. Yavuz uses a structural and institutional approach to explain the rise and transformation of the AKP in the context of the party’s interactions and responses to discrete groups and institutions. In addition to arguing that religious parties can transform themselves so they can be compatible with liberal civil society, Yavuz provides a cogent analysis of the most significant issues facing the Turkish state.

Although Necmettin Erbakan founded a precursor to contemporary Turkish Islamic parties in 1970, Yavuz focuses on the importance of Turgut

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26. *Id.* at xiii.

27. *Id.* at 267.

28. *Id.* at 47–48.

29. *See, e.g.*, Umut Uzer, Book Review, 16 MIDDLE EAST POL’Y, Fall 2009, 170, 170 (“Rather than calling it the AK Party, the preferred usage of its sympathizers, [Yavuz] correctly adopts the more neutral AKP. The leader of the party, Prime Minister Recep Tayyıp Erdogan, recently labeled all those using the abbreviation AKP as shameless. He was adamant that everyone was obliged to refer to the party as the AK party, which means white—hence clean—in Turkish.”).

Özal (and to a lesser extent Süleyman Demirel) in the 1980s and 1990s for their roles in blending Islamic sentiment with market economics and conservative politics within center-right parties.<sup>30</sup> Ironically, these parties were not able to maintain the sort of broad base created by the AKP, which was more explicitly linked to Islamists.

Yavuz challenges the characterization of a dualistic tension between Islamist and secular parties, which is often portrayed by both Turkish and U.S. media. He deftly explores the rich mix of religious motivations, particularly within center-right parties like the Anavatan Partisi.<sup>31</sup> Survey data of AKP voters complicates matters further. Although a plurality (27%) of AKP voters self-identified as “Islamist,” the rest constituted a broad mix of seemingly unrelated ideological identifications.<sup>32</sup> Yavuz presents this as evidence that the AKP has been able to transcend the religious commitments of its leaders to appeal to a broad segment of Turkish society.<sup>33</sup>

Idealization of “Ottoman cosmopolitanism” raises fascinating questions. Popular and literary culture manifest the increasing Turkish fascination with the country’s Ottoman past, and may indicate a broader integration with Turkish cultural history.<sup>34</sup> Yavuz shows that the economic prosperity (though admittedly with greater stratification) that has paralleled increases in public religious expression is evidence that such an integration may provide new opportunities for civil society and human rights discourse.<sup>35</sup>

The contention that the AKP is no longer an Islamic party is supported by some of the most recent and rigorous social science research.<sup>36</sup> For example, the ethnographic work of Jennifer White, whose study of the reception of Islamist political parties in Istanbul neighborhoods is cited by Yavuz.<sup>37</sup> A post-structural reading of Yavuz might be supportive to the extent that he characterizes religious parties as pragmatic, concerned primarily with consolidating power and imposing order, with little concern for religion. Other scholars who have recently written on the role of Islam in Turkish politics, like Ahmet Kuru and Soner Çağaptay, would likely agree that the AKP has tempered its policies in order to garner broader social support. Kuru, however, might consider this shift an authentic endorsement of pas-

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30. YAVUZ, *supra* note 25, at 33.

31. The Anavatan Partisi (Turkish for Motherland Party) or ANAP was a center-right political party founded in 1983 by Turgut Özal, who served as Prime Minister and later as President. It was merged into the Demokrat Parti in 2009. *See id.* at 253.

32. *Id.* at 108.

33. *Id.*

34. *See, e.g.,* Robin Givhan, *Power Dressing the Ottoman Way*, WASH. POST, Nov. 18, 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/11/17/AR2005111701747.html> (discussing fascination with the Ottoman past in Turkey).

35. YAVUZ, *supra* note 25, at 281.

36. *See* discussions of White, Kuru, and Çağaptay *infra* Parts V–VII.

37. YAVUZ, *supra* note 25, at 97.



sive secularism, while Çağaptay might remain more skeptical of the motives and intentions of the party's leadership. While Yavuz's work is extremely helpful descriptively, some scholars do not find it particularly reliable in anticipating how historically religious parties will behave in the future.<sup>38</sup>

The methodology of Yavuz's work is somewhat problematic. His primary structural approach to political science is decidedly modern and (ironically) unlikely to reveal structures of oppression with the clarity that a postmodern or critical lens might provide. Although he makes efforts to be at least superficially critical of the AKP and the *Nurcu* movements, his conclusions tend to vindicate their call for a more passive secularism akin to that found in the United States. Such reforms might contribute to regional security (and U.S. interests) by cementing conservative economic and political power in Turkey and integrating it with neoliberal networks elsewhere.

Yavuz presents an optimistic view of religious parties' ability to reconcile ideology with democracy and for a new synthesis of the landscape of Turkish political discourses. His portrayal, however, will not be likely to convince those who remain suspicious of religiously motivated leaders who have expressed the desire to impose their views on others (whether in Turkey or the United States) and then obscure those positions with politically correct language. Some critics may argue that Yavuz underestimates the external power of the military and/or the judiciary to moderate religiously motivated political positions, which results in a political discourse that might not reflect the actual beliefs or commitments of religious citizens and political parties.

Given the transformation of religious and political discourse Yavuz describes, it is not entirely clear that leaders of religious parties or social movements have replaced deeply held religious convictions with parallel secular commitments—shifting, for example, to political conservatism, neoliberal economics, or libertarianism. Instead, these new commitments may simply provide an acceptable secular vocabulary for restating policy positions. Even so, Yavuz does demonstrate that something new is happening in Turkish political discourses, which has significant implications for our understanding of the interaction between religion and politics without relying on disputed assumptions of Turkish or Islamic exceptionalism.

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38. See, e.g., Uzer, *supra* note 29, at 172 (“It is true that center-right parties and the Nationalist Action Party accord a crucial role to Islam without assigning it the central role in politics. The Islamists, on the other hand, want to redesign the Turkish society and polity according to the dictates of Islam. Yavuz’s very definition of a religious party entails such a project. It follows that for [secularism as making Islam the major component of Turkish identity] to make conceptual sense, it should be confined to the center-right parties . . . and it should exclude the Islamists, who have no desire for secularism.”).

V. THE ANTHROPOLOGY OF EMERGENT POLITICAL ISLAM  
IN TURKEY: JENNY WHITE

Jenny B. White's book, *Islamist Mobilization in Turkey: A Study in Vernacular Politics*, is a rich ethnographic study of the role of political Islam in the urban Istanbul neighborhoods where she conducted fieldwork from 1986 to 1998, but her work focuses on the mid-1990s.<sup>39</sup> Her primary tools, observation and interviews, are qualitative and create a rich narrative to explain the intelligibility of the appeal of Islamist parties, particularly the Refah Partisi,<sup>40</sup> among poor and working-class city dwellers. She describes the Islamist strategy as "vernacular politics," which is "a value-centered political process rooted in local culture, interpersonal relations, and community networks, yet connected through civic organizations to national party politics."<sup>41</sup> Although secular political organizers were active in the neighborhoods she studied, they were sometimes perceived as elitist, and they did not contextualize their messages in the language of local community-values discourse.<sup>42</sup> White's methodology is decidedly postmodern in its exploration of power structures and exploitation, which is, perhaps not surprisingly, most effective in her analysis of political economy and gender.

White identifies patterns of marginalization on the basis of class, education, language, and origin, but she also deconstructs the traditional argument that identification with either Islam or secularism is exclusive or corresponds with neatly defined class boundaries. Interestingly, she identified support for Islamist political parties, whose rhetoric focused on social justice and integrity during the period of her fieldwork, among wealthier mercantile families.<sup>43</sup> Kemalist secularism, however, was identified with the intellectual and governing elite.<sup>44</sup> This identification tends to contradict the republican narrative of secularism as a means to liberation and helps explain the continuing electoral weakness of parties that do not appeal to local religious values. In the 1990s, Islamist parties gained popularity in Istanbul largely because of their opposition to local corruption and machine politics.<sup>45</sup> This role reversal cast Kemalism as the elitist structure of an

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39. JENNY B. WHITE, *ISLAMIST MOBILIZATION IN TURKEY: A STUDY IN VERNACULAR POLITICS* (2002).

40. The Refah Partisi (Turkish for Welfare Party) was an overtly Islamist party founded in 1983 by a group including, most notably, Necmettin Erbakan, who was a controversial figure. The party was initially successful in municipal elections and became the largest party in 1996, when Erbakan became Prime Minister. The coalition advanced a number of Islamist initiatives and was forced out of power by the military in 1997. The party was banned in 1998. *See* YAVUZ, *supra* note 25, at 59–64.

41. WHITE, *supra* note 39, at 27.

42. *Id.* at 242.

43. *See id.* at 137–48.

44. *Id.* at 76.

45. *See id.* at 137–48.

empire (particularly to the extent that secularism was identified with European culture) and Islam as the force of authentic reform and liberation.<sup>46</sup>

White also problematizes gender. Over the past eighty years, narratives of Turkish republicanism typically cast Islam as the primary structure of gender oppression, and secularism as its panacea. White's interviews with women tend to rebut this essentialist<sup>47</sup> characterization by revealing the tremendous diversity of backgrounds and motivations among the residents of the poor and working class neighborhoods that she studied. Especially interesting is her discussion of the tension between Islamic political identification and working-class aspirations among some women. Like secularism, Islamist politics promised greater social mobility for women, but may have only provided increased economic opportunity to those who already had class privilege. Islam, however, may still hold greater attraction for women to the extent that it does not require women to reject religious and cultural values. In either case, White remains concerned that women are consistently marginalized by both ideological structures.<sup>48</sup>

White remains skeptical of institutions, but she does identify successful vernacular politics, such as those which authentically address local values and concerns. The contrast between Islamist and secular activists seems to indicate that they use similar tactics and structures, except that secularists appeal to pre-set national narratives, while Islamists adapt to local narratives (but not to be conflated with traditional narratives).<sup>49</sup> Methodologically, the study tends to identify contemporary Turkish Islamist politics as local and authentic, and to associate Kemalist secular politics with foreigners, the elite, and imperialism, even though both approaches tend to reinforce class and gender oppression. White's identification of the connection between Turkish secularism and continued class and gender oppression seems to support Sunder's thesis that Enlightenment secularism is used to legitimize those positions. White's work also seems to support Yavuz's claim that secularism is being recontextualized in Turkey in ways that challenge traditional Kemalism without proposing a religious state or a radical departure from the Turkish Constitution.

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46. *Id.* at 30.

47. "Essentialist" here is meant in the sense that the term is used in third-wave feminism, which criticized critiques addressing gender alone rather than its interaction with factors such as race, ethnicity, and class. An essentialized view of religion, gender, or class might have predicted greater homogeneity of views than White discovered.

48. WHITE, *supra* note 39, at 230–33.

49. *Id.* at 257–58.

VI. COMPARATIVE, HISTORICAL, AND EMPIRICAL VIEWS OF  
TURKISH SECULARISM: AHMET KURU

Ahmet Kuru's<sup>50</sup> analysis of secularism in the United States, France, and Turkey is extremely helpful in identifying distinctions between approaches.<sup>51</sup> Most notably, he distinguishes between what he calls "passive secularism" in the United States and "aggressive secularism" in France and Turkey.<sup>52</sup> Passive secularism is characterized by free exercise and anti-establishment principles, while aggressive secularism is characterized by government control and the erasure of religion from public life.<sup>53</sup> Kuru's historical explanation for this distinction is the alliance between hegemonic religion and monarchy in both Turkey and France, which republican reformers opposed.<sup>54</sup> Neither the British monarchy nor the Church of England wielded such power in the United States.

One of the more interesting elements of Kuru's work is an empirical analysis of secularism, coding for "(1) student religious dress and symbols in public schools, (2) pledges recited in public schools, (3) private religious education, (4) religious instruction in public schools, (5) public funding of private religious schools, and (6) organized prayer in public schools."<sup>55</sup> He concludes that secular policies are more aggressive in Turkey than in France, and his explanation for this result is the distinction between multi-party politics in France versus an authoritarian single-party system in the first decades of the Turkish Republic.<sup>56</sup> There seems to be an implicit argument for greater inclusiveness in both France and Turkey in the form of passive secularism.

Kuru's fascinating blending of empirical and historical methodologies gives his arguments a sense of scientific detachment and tells a persuasive story for the origins of secularism. In his attempts to appear objective, it is possible that he underestimates human animus, whether in the form of Islamophobia in France or the enforcement of Islamic norms in Turkey. He may not be sensitive to oppressive structures, particularly those that exist within passive secular systems. In this sense, his approach to secularism is still rooted in the Enlightenment modernism and subject to Sunder's critique. To the extent that Yavuz also seems to advocate for a more passive secularism, there are similarities between his work and that of Kuru.

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50. Ahmet Kuru recently completed his studies at the University of Washington and teaches political science at San Diego State University.

51. AHMET T. KURU, *SECULARISM AND STATE POLICIES TOWARD RELIGION: THE UNITED STATES, FRANCE, AND TURKEY* (2009).

52. *Id.* at 10–14.

53. *Id.* at 11.

54. *Id.* at 32–34.

55. *Id.* at 8.

56. *Id.* at 32–33.

## VII. A HISTORY OF TURKISH IDENTITY AND SECULARISM: SONER ÇAĞAPTAY

Soner Çağaptay's<sup>57</sup> major contribution to the exploration of Turkish secularism is based on his doctoral dissertation.<sup>58</sup> It is an extensive study of the development of Turkishness in the early decades of the Turkish Republic, and it carefully considers primary sources from the period. Çağaptay posits in his thesis on identity that Turkishness has been defined as three concentric circles. The outer ring consists of non-Muslims, who are only marginally included.<sup>59</sup> The middle ring consists of non-ethnic Turkish Muslims (primarily Kurds).<sup>60</sup> The State was much more assertive in enforcing a veneer of conformity in constructing state-controlled national Islam as part of the Kemalist commitment to secularism in order to integrate this group.<sup>61</sup> The inner ring consists of ethnic Turks.<sup>62</sup> So, the core of Turkish identity is ethnic and linguistic, the middle layer is religious, and the periphery is territorial.<sup>63</sup>

According to Çağaptay, secularizing Islam (Kuru's aggressive secularism entailing state control of religion) was important as a way of defining Turkishness, citizenship, and power relations.<sup>64</sup> Rather than viewing secularism as neutral and objective, he identifies a clear telos with the goal of enforcing order and conformity.<sup>65</sup> This approach is methodologically postmodern, and bears more in common with Edward Said<sup>66</sup> or Jenny White than Hakan Yavuz or even Ahmet Kuru. As a result, he is particularly concerned with those outside the core identity (Kurds, Christians, Jews, etc.) who are marginalized by the creation of a unitary Turkish form of Islam under the auspices of state secularism.<sup>67</sup>

## VIII. CONCLUSION

Although the ideas reviewed in this paper represent a variety of methodological, theoretical, and disciplinary approaches, there is some potential overlap. This is perhaps most surprising to the extent that competing methodologies have come to similar conclusions. Modernist studies (Shiffrin,

57. A historian trained at Yale University, Soner Çağaptay is the Director of the Turkish Research Program at the Washington Institute for Near East Policy.

58. SONER ÇAĞAPTAY, *ISLAM, SECULARISM, AND NATIONALISM IN MODERN TURKEY: WHO IS A TURK?* (2006).

59. *Id.* at 160.

60. *Id.*

61. *See id.* at 159–60.

62. *Id.* at 160.

63. *Id.* at 156–62.

64. *See id.* at 102–23.

65. *See id.*

66. Edward Said levied the most significant early postmodern theoretical challenges against Orientalist modernism in the field of Near Eastern Studies. His landmark book, *Orientalism*, is still cited for its critical and postcolonial arguments. EDWARD SAID, *ORIENTALISM* (1979).

67. *See ÇAĞAPTAY, supra* note 58, at 161–62.

Yavuz, and Kuru) and postmodern studies (Sunder, An-Na'im, White, and Çağaptay) all identify significant problems with Kemalist secularism. The modernists tend to focus on limitations placed upon group rights and individual freedom of religion. For a variety of reasons, they hold that the religious inspirations and discourses of parties like the AKP actually contribute to more vibrant political exchange and richer public reason. The methodological postmodernists focus on structures of power and oppression with a sensitivity to the postcolonial experience. They tend to validate local values, including religious values, and find strict secularism an inauthentic expression of the sentiments of Turkish communities or a problematic and increasingly ineffective tool of state control. In all of these cases, there is either an implicit or explicit justification for the existence of parties like the AKP and a more inclusive vision of secularism. Of course, scholars do use competing methodologies to defend a strong vision of Kemalist secularism.<sup>68</sup> There appears to be an increasing trend, however, to integrate visions of the Turkish Republic with the cultural, historical, and religious contexts in which Turkish citizens live. The move toward a more passive secularism in Turkey and an increasing role for religion in public discourse may be descriptively accurate and predictively helpful. To the extent, however, that religiously inspired politicians intend to enforce their vision of the good upon those who disagree, those who defend traditional Turkish secularism are likely to have important normative arguments to critique this trend (in the same way that U.S. secularists criticize some of the religious rhetoric and policies of U.S. administrations).

The overlap of views across disciplines and methodologies may also signal a decline in influence and distinctiveness of methodological theories according to dualistic taxonomies, such as modern versus postmodern, in favor of a pragmatic blending of scholarly tools. So, today, it might be perfectly appropriate to blend legal analyses, empirical studies, historical studies, narrative analyses, economic critiques, feminist critiques, linguistic critiques, and other approaches into an intelligible (if not always comfortably coherent) interdisciplinary analysis. I anticipate that this trend will continue in the study of Turkish secularism and in legal and social science scholarship, generally.

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68. See, e.g., ESRA ÖZYÜREK, NOSTALGIA FOR THE MODERN: STATE SECULARISM AND EVERYDAY POLITICS IN TURKEY (2006) (defending traditional Kemalist ideals using a primarily modernist methodology).