The Impact of Accommodating Informal Institutions in Turkish Politics: The Case of Proxy Leadership

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Abstract: This article examines a well-used informal institution in Turkish politics, the emanetçilik, which translates as ‘proxy leadership’. The emanetçi/proxy is the person who represents a political actor banished from public life and deprived of political rights. In so doing, the article presents several findings to observe how certain informal dynamics affect actors’ behavior in Turkish politics. To analyze the case in more detail, the article also studies how several significant facts such as the bureaucratic-authoritarian system affect the rise of such informal institutions. Once the actors’ purposes and the general political structure are identified, the emanetçilik emerges as the best-fit category of accommodating informal institutions. After presenting the operational logic of proxy leadership, the article concludes with explaining how such an informal mechanism is binding in politics.

Key words: Turkey, informal institutions, proxy leadership, authoritarianism, democratization, leadership, party politics

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Introduction

The study of informal institutions is now common in political analyses. Informal institutions assume importance upon appreciation of the holistic nature of political behaviour, which cannot be fully understood without attention both to the formal and informal components of political systems. However, Turkish political literature takes little account of informal institutions. This is due in large part to the Kemalist nature of this state’s ideological stance. The philosophical roots of Kemalism are perspicuously said to derive from what Howard Wiarda called ‘the Rousseauian tradition.’ Accordingly, the dominant Turkish political ideology has a strong positivist bent, advocating the scientific organization and rationalization of society to achieve certain ideal aims. Kemalism promotes a scientifically orderly political model sealed against pollution by the a-scientific precepts of religious and traditional tenets. Kemalism, a modernist ideology, is very chary of informal institutions that emerge from religious or traditional contexts, and quick to declare them anti-modern phenomena that hinder modernization. Kemalist Turkey did not refrain from outlawing several major informal institutions, including religious orders, in the 1930s. Nonetheless, the prohibition of such historical informal institutions did not bring their end, but instead, transformed them into more resilient organizations. Contemporary Kemalist influence continues to conceptualize informal institutions pejoratively. Indeed, Kemalism is successful in creating an élite urban class hidebound in Rousseauian ethos. Prominent members of this class still meet any sort of informalism, no matter what its source is, with virulent criticism.

This article examines a well-used informal institution in Turkish politics, the emanetçilik, which translates as ‘proxy leadership.’ The emanetçi/proxy is the person who represents a political actor banished from public life and deprived of political rights. The banned leader continues his political career through his proxy/emanetçi. All aspects of this informal institution are entirely informal. The ubiquitous emanetçilik is the product of Turkey’s authoritarian political system that has jailed many political figures, including prime ministers and presidents, or banished them, whether by military regimes or through the courts. The emanetçilik has been the major strategy of survival for those politicians. Unlike many other informal institutions, the emanetçilik is an élite one, standing invisibly erected in the highest echelons of formal political life. Actors of all political hues: left, right and Islamist, use it. Unlike the various religious or ethnic informal institutions that draw the openly committed, the emanetçilik serves a covert purpose. Ironically, the informal emanetçilik institution is the creature of the interventionism of the Kemalist army and judiciary, the very institutions that routinely heap derision on all manner of informalism.

This study of the emanetçilik will shed light on the covert cogs of the Turkish political dynamic, particularly on how the political élite struggle with the anti-democratic settings those formal rules construct. The analysis of this institution offered in this article may also help researchers to identify other informal institutions that operate under cover in political systems.

Informal Institutions and Bias

An institution is normative in that it can direct the behaviours of individuals. An institution can exert constraint, but the form of the constraint itself is less important than its capacity to shape human interaction. Analysis of institutions is essential in a study of human behaviour, for it yields paradigms that assist the researcher concerned with social analysis. Beyond their methodological benefit, these paradigms elucidate the manner of institutions’ contribution to the reduction of uncertainty in everyday life. Formal institutions are recognized as the main fora of orthodox perspectives strongly influenced by modernist philosophy. Official documents codify formal institutions. Codification is in itself testimony to authoritative status. Thus codified institutions are plausible for two reasons: they enjoy official endorsement, and they provide
benefit. Sometimes, however, it is official compulsion more than social benefit that keeps people bound by the formal rules of institutions.

The forms that shape human behaviour are not limited to the formal ones. A complex web of informal institutions also exists. The demarcation line that distinguishes formal and informal institutions is blatant: Informal institutions are not formally codified in official documents. The distinction is not dependent on any performance contingency, nor on origin or nature, but on the simple but decisive fact of the codification of one but not the other. The informal is binding only insofar as it confers benefits upon the actors who subscribe to it. It is without the binding authority of the legally enforceable. Its ontology is the binding necessity that created it.

Curiously, confusion appears to be lurking in the linguistic distinctions between ‘formal institution’ and ‘informal institution.’ ‘Informal’ does not mean ‘formless’, for although a formless institution is conceivable, the paradigmatic informal institution is well formed. In the mainstream literature, ‘informal institution’ has long been associated with secondary, even unproductive, institutions. The roots of this intellectual conservativeness are fixed in the historical developments that exalted the formal and denigrated the informal. This paper proposes four major explanations of the intellectual bias in favour of the formal.

The Weberian-modernist Bias

The Weberian-modernist tradition argues that informalism is a threat to the impersonal order of rational rules. This stance envisages a rationally ordered formal model that best accommodates modern values. Accordingly, impersonality, calculability, formalism, rationality, and the separation of the market and the state are all hallmarks of modern society. On this model, informality connotes backwardness. Thus it is imperative in modern social life that informal rules and institutions be replaced with formal ones. This model dissipates into a reductionist logic that proceeds thus: Informal institutions either become formalized, or they put at risk the success of formal ones. This binary of the Weberian-modernist thesis came to dominate mainstream literature. Many influential theories about modern-state formation and economic development have given pride-of-place to the development of formal rule-governed mechanisms.

The Lernerian Bias

In the late 1950s, Lerner claimed that all modernizing societies are copying the developed Western models and their processes. The Lernerian paradigm was to a large extent the product of the colonial experience of the Western world. This paradigm misled Western (and Eastern) scholars into the belief that there is a teleology that entails the necessity that Third World states become Western states. Espousing this teleology, some theorists are quick to label Third World states as failed states because they have never become the replica of the typical Western state. Michael Bratton (2007, 97) accounts for the Lernerian legacy in the African case thus: ‘Success was defined as becoming like formal Western states.’ As part of this legacy, the accepted key criterion of a state’s success is the extent of the similarity/dissimilarity between the Western model and that state’s extant model. Of course, this approach ignores the strong state and society traditions of the non-Western world. The evident complexity of their informal mechanisms was ignored. Furthermore cultural explanation was presumed to lie in the pursuit of answers to why and how non-Western societies cannot overcome their informality problem.
The Transition Bias

The collapse of the Soviet system left uneasy political conditions in most post-Soviet states. The major units of analysis deployed in the effort to understand these conditions were clientalism, patronage, and coercion by mafia-style organisations. Informal structures that lend themselves to analysis in terms of these units did indeed arise in the post-state-socialist societies, to the point that made the conducting of business, economic or other, near-impossible. Obviously, in these conditions, formal state institutions cease to be operational, and negative informal institutions thrive. The rate of the rise of such informal institutions in the transitioning post-Soviet countries was even taken as the measure of state weakness. The pre-dominance in the literature of infamous samples of the kind of informalism that manifested in the early post-Soviet states contributed to the consolidation of the view that informal institutions are negative institutions.

The Reservations of Modern Economy

For valid reasons, informality in the inherently formal structures of a modern economy carries highly negative connotations – such as irregularity, absence of official sanction, secondary, hidden, shadowy, parallel, subterranean, black market, unmeasured, unrecorded, untaxed – and alerts both state and individual actors to the risk of losing money. Capitalist economy has a natural tendency to make official every detail of a transaction, to protect the interests of the parties. The ultra-detailed insurance contract symbolizes the essential link between formalism and capitalism. The major players in an economy – governments, banks, corporations, etc. – never accept informal mechanisms as valid transaction methods. Governments are extremely alert to informal economic mechanism, since they threaten reduction of the size of the tax base. Naturally, the reservations of modern economy contributed to the formation of the negative perception of informal institutions.

The ‘Omnipresent’ Informal

Despite the radical modernist demand, informalism is still an important aspect of human societies, even of the modern ones. In Böröcz’s terms, a life conceptualized as cleaned of informalism is a ‘negative utopia, for ‘informality is omnipresent’ in the real world. This view, which treats the informal as a normal and indelible aspect of human social behaviour, sets itself against the traditional modernist view. It conceptualizes informal institutions as functional or problem-solving, recognizing their positive role in providing solutions to the various problems of social interaction. It argues that there is no fixed relationship between the formal and informal, and that therefore the important issue that demands attention is how each society finds its own mixture of rule-bound formality and rule-independent informality. Accordingly, informality of conduct and formality of rules are existential appositives that resolve their tension in the different ways of the different societies. Their relation is never fixed for all time, and their dynamism results in the evolution of styles of interaction. Thus it is more perspicuous to regard formal and informal institutions as interdependent than it is to regard them as mutually exclusive. It is this obligation of perspicuity that necessitates the inclusion of informal institutions in political analysis.

The Banning Logic of Turkish Politics

Emanetçilik was defined above as the representation, through informal mechanisms, of a banned political leader by another political figure. Nearly all major political leaders in Turkish politics
have appointed proxies, for most have been banned, at one time or another, from participation in politics. (See Table 1) The most recent, and probably the most striking, ban took effect in 2002, when the present Prime Minister, Tayyip Erdogan, leader of the JDP, was first jailed then banned. A short while into the period of this ban, the JDP won the general elections. Since Erdogan was not permitted, for reason of his having been banned, to seek to become a parliamentarian, Abdullah Gül became the Turkish Prime Minister as his emanetçi/proxy. Turkey was ruled by an emanetçi between 18 November 2002 and 14 March 2003. The occupation of such high public office through an informal mechanism is in itself an attention-grabbing case. But its deep significance is that it serves as an illustration of how an informal institution can imprint itself on an important political process. So, since banning is a major mechanism of formal political structures, and at the same time the very mechanism that creates the mechanisms of informal political structures, the emanetçilik, the banning logic of formal Turkish politics demands further attention.

Table 1: A sample of major banned politicians in Turkey

<table>
<thead>
<tr>
<th>Name</th>
<th>The Highest Public Position before the Ban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Celal Bayar</td>
<td>President</td>
</tr>
<tr>
<td>Süleyman Demirel</td>
<td>Prime Minister, Party Leader</td>
</tr>
<tr>
<td>Bülent Ecevit</td>
<td>Prime Minister, Party Leader</td>
</tr>
<tr>
<td>Alpaslan Türkeş</td>
<td>Party Leader, Former Deputy Prime Minister</td>
</tr>
<tr>
<td>Recep Tayyip Erdoğan</td>
<td>Party Leader, Mayor of Istanbul</td>
</tr>
<tr>
<td>Necmettin Erbakan</td>
<td>Prime Minister, Party Leader</td>
</tr>
</tbody>
</table>

Banning is an en masse action in politics. Therefore the act of banning is itself the structural multiplier of the number of banned people. No matter who decides on a banning, be it a military junta or a court, many political figures are banned in one action. The juntas ban as many people as they can. For example, in the 1960 coup, the junta banned all members of the Democratic Party, which had ruled Turkey in 1950-60. All the 418 members of this Party were sentenced to various penalties by a military court order that required their comprehensive banning. Similarly, the military junta of 1980 banned almost all the active political figures of the time. Predictably, the juntas aimed to purge the existing political cadre and to create a new one. Mass banning by the juntas was the result of the naïve military ideology of purging.

Another form of banning is executed by the courts. This form also bans many people in one action. The courts, including the Turkish Constitutional Court, have banned many parties and political leaders in the past. So far, 26 political parties have been closed down in Turkey since 1923. Party-closure is still an important mechanism despite several structural developments, such as Turkey’s negotiation process with the EU. Since as recently as 1990, eighteen parties have been closed down. The relevant legal codes necessitate the banning of the leadership cadre on the closing down of a party. The Chief Prosecutor may demand the banning of other people at the same time. For example, the Chief Prosecutor demanded the ban from politics of 71 important names in JDP, including ministers and the Prime Minister, during the closure case that took place in 2008. Additionally, if sentenced for various crimes, politicians are automatically banned pursuant to the relevant regulations of the penal code.
Table 2: Political Parties Closed by the Constitutional Court since 1990

<table>
<thead>
<tr>
<th>Party</th>
<th>Date of Closure</th>
<th>Ideology</th>
</tr>
</thead>
<tbody>
<tr>
<td>TBKP/ Türkiye Birleşik Komünist Partisi</td>
<td>1991</td>
<td>Communist</td>
</tr>
<tr>
<td>HP/ Halk Partisi</td>
<td>1991</td>
<td>Left</td>
</tr>
<tr>
<td>SP/ Sosyalist Parti</td>
<td>1992</td>
<td>Socialist</td>
</tr>
<tr>
<td>BAP/ Büyük Anadolu Partisi</td>
<td>1992</td>
<td>Right</td>
</tr>
<tr>
<td>ÖDP/ Özgürlük Demokrasi Partisi</td>
<td>1993</td>
<td>Left</td>
</tr>
<tr>
<td>HEP/ Halkın Emek Partisi</td>
<td>1993</td>
<td>Kurdish</td>
</tr>
<tr>
<td>STP/ Sosyalist Türkiye Partisi</td>
<td>1993</td>
<td>Socialist</td>
</tr>
<tr>
<td>YP/ Yeşiller Partisi</td>
<td>1994</td>
<td>Socialist</td>
</tr>
<tr>
<td>SBP/ Sosyalist Birlik Partisi</td>
<td>1994</td>
<td>Socialist</td>
</tr>
<tr>
<td>DP/ Demokrasi Partisi</td>
<td>1994</td>
<td>Kurdish</td>
</tr>
<tr>
<td>DP/ Demokrat Parti</td>
<td>1994</td>
<td>Centre Right</td>
</tr>
<tr>
<td>DDP/ Demokrasi ve Değişim Partisi</td>
<td>1996</td>
<td>Left</td>
</tr>
<tr>
<td>EMEP/ Emek Partisi</td>
<td>1997</td>
<td>Socialist</td>
</tr>
<tr>
<td>DP/ Diriliş Partisi</td>
<td>1997</td>
<td>Islamist</td>
</tr>
<tr>
<td>RP/ Refah Partisi</td>
<td>1998</td>
<td>Islamist</td>
</tr>
<tr>
<td>DKP/ Demokratik Kitle Partisi</td>
<td>1999</td>
<td>Kurdish, Conservative</td>
</tr>
<tr>
<td>FP/ Fazilet Partisi</td>
<td>2001</td>
<td>Islamist</td>
</tr>
<tr>
<td>HADEP/ Halkın Demokrasi Partisi</td>
<td>2003</td>
<td>Kurdish</td>
</tr>
</tbody>
</table>

The authoritarian nature of Turkish politics is the major reason for the regular banning of political leaders. Banning, either by the junta or the court, is a strategy to arrest the activities of challenging oppositional parties, and to purge them. In this light, it becomes obvious that democracy has not been consolidated in Turkey; political actors continue to face the serious constraints and anti-democratic interventions of the military and bureaucratic élite.

A major prerequisite of democratic consolidation is that elected authorities cease to be subjected to the severe constraints, vetoes, and exclusions of un-elected actors; especially the armed forces. To formulate this more precisely: elected authorities should have real authority to
govern. In consolidated democracies, the authority to generate new policies is the de jure authority of the government. On this criterion, Turkey has serious deficits indeed. Even as elected actors, the political élite have only limited authority, and they can generate new policies only within the set parameters of the political game. If the political élite breach a parameter, the bureaucratic élite automatically intervene to discipline the breach. In this sense, democracy has yet to be consolidated in Turkey.

For clarification of this situation, one should revisit Metin Heper’s modelling of Turkish politics. On that picture, there is a mixed system in which sovereignty is shared by the state élite and the political élite. This pluralism is institutional rather than social, and it gives all state élite, including the military, the legal right of intervention in political affairs. The state élite have been able to declare themselves the keepers of the long-term interest. Their authority does not derive from the political élite’s. The Turkish intellectual-bureaucratic élite, schooled in the Atatürk-İnönü tradition and located in the universities and the upper reaches of the civil service, including the army, simply style themselves the steadfast guardians of the Kemalist regime.

The state élite have been able to declare themselves the keepers of the long-term interest. Their authority does not derive from the political élite’s. The Turkish intellectual-bureaucratic élite, schooled in the Atatürk-İnönü tradition and located in the universities and the upper reaches of the civil service, including the army, simply style themselves the steadfast guardians of the Kemalist regime. They control the political game through the autonomous bodies of the civil and military bureaucracies, through legal codes, and by manipulating the public. On Heper’s model, the political élite represent only particular interests, yet they take their instructions about how to play the political game from the state élite. The primary motivation of the state élite is to preserve the Kemalist nature of the political game. Intervention by coups and judicial decisions is the instrument of their preservation efforts.

A striking example of a preservation effort occurred in 1960, when the army toppled the government, and in the subsequent trial, the Prime Minister was given the death sentence, then duly executed. Interventions of similar intensity recurred in 1971, 1980, 1997 and 2007. The purpose and the nature of interventions changes according to the political setting; however the motivation remains the same: to protect the Kemalist regime from challenge. In its last intervention of 2007, the army publicly declared that the Turkish parliament should elect a ‘correct’ person to the Presidency, insinuating that the candidature of the ruling JDP was not the correct one. Running in tandem, the Constitutional Court annulled the Presidential Election, the legal framework of which had been in force since 1982, and through which three previous presidents had been elected. Thus the courts, co-operating with other bureaucratic units, are equally important in the political game of preserving the Kemalist nature of the state.

Attention to the ideological nature of the closed-down parties readily reveals the logic of the practice of closing down. For example, the Islamist Welfare Party, which had been Turkey’s incumbent government in various coalitions, was closed down in 1998 for violating the principle of secularism. Anti-status quo parties with agendas on the Kurdish issue had been closed down earlier. (See Table 2) Today, the biggest Kurdish party, the DTP (Democratic Society Party), which happens also to be the fourth biggest party in Parliament, is the subject of an ongoing closure trial. Most recently, the Public Prosecutor demanded the closure of the JDP for its Islamic agenda, despite the fact that this Party had won the last elections with almost 50 percent of the total vote. A similar banning logic is easily identified in most other party closures. The judicial élite are in tandem with the other bureaucratic élite in the mission to preserve the Kemalist character of the political game. Thus, banning is a typical élitist-Kemalist reflex to purge the political élite who appear able to challenge the status quo. As Table 2 shows, most closed-down parties had an Islamist, Kurdish or socialist identity.

Emanetçilik as an Accommodating Informal Institution

This article examines the emanetçilik to observe how certain informal dynamics affect actors’ behaviour in Turkish politics. Appointing an emanetçi is an effective way of survival for those who are banned from politics. The other very important advantage of this strategy is that it bypasses the law. In other words, despite being officially banned, the leader can survive through the
proxy without violating the law. In fact, the emanetçilik strategy is the transfer of leadership into the realm of the informal, making it officially invisible but keeping its potency. The banned politician stays out of politics, and thus ostensibly obeys the law, but also keeps control of his followers through the informal mechanism of proxy leadership. Paradoxically, the emanetçilik strategy does not clash with any official regulation.

As noted earlier, there is a line of thought that conceives of informal institutions as functional or problem solving structures. On that conception, the relationship between the formal and informal is played out in various ways. However, more difficult than to conceptualise thus is to illustrate how actors’ behaviours are accommodated in the tension between the formal and informal in non-conflicting ways. Unlike an analysis of conflicting models, a study of the various cases of non-conflicting relationship between the formal and the informal is complicated, because almost every non-conflicting informal institution stands as a unique case.

Facing the constraints of formal institutions, actors are forced to create informal institutions to maximize their interests or to limit the depredations of the formal mechanisms. The intentions of actors and their strategies are as important as the structural conditions that create informalism. Actors’ intentions create a plethora of types of informalism. Once the actors’ purposes and the general political structure are identified, the emanetçilik emerges as the best-fit category of accommodating informal institutions. Accommodating informal institutions, following Helmke and Levitsky, ‘are often created by actors who dislike outcomes generated by the formal rules but are unable to change or openly violate those rules.’ 27 Two other authors interpret Helmke and Levitsky’s category as follows: “The informal institutions may accommodate the formal ones when they diverge and formal institutions are effective by not violating the letter of the law but violating its spirit. In other words, it coexists with the formal institution and drives the outcome that is not entirely intended by the formal rules.” 28

With the accommodating informal rules of their informal institutions, actors aim to invalidate the possible undesirable outcomes of the formal rules. They do not wish to violate the formal rules directly. To avoid violation, they seek a solution that amounts to paradox: they abide by the formal rules, and they frustrate those rules’ objectives. Accommodating informal institutions of this kind are purpose-created mechanisms. 29 In Siavelis’s words, ‘most informal institutions emerge when the cost of changing formal institutions exceeds the cost of creating informal ones.’ 30

The bureaucratic authoritarian structure was identified above as the major reason for the existence of the informal proxy-leadership institution in Turkey. Expedient informal institutions emerge in other contexts, too, for instance in Chile, where political actors constrained by the rules laid out by the military junta seek out ways of by-passing them. It is classic experience that democratic actors in Chile have no power to change the formal rules of the establishment, and that the only affordable solution to pursuing their intentions is to operate through informal institutions erected for ‘generating outcomes that diverge substantially from those one would expect the formal institutional framework to produce.’ 31

Naturally, the erection of an informal mechanism that can become operative on the upper political level is a very delicate task. Most accommodating informal institutions are therefore managed by the few elite individuals motivated to overcome the constraints of formal regulations. Very like the Turkish, the Chilean model of informalism is an elite-fuelled project. The active elite are ‘the highest-level party leaders, presidents, presidential candidates, and legislators.’ 32

Models of informalism are, however, necessarily differentiated, for its practising actors make instances of it in their own image. For instance, Kellee S. Tsai (2006), observing the several informal institutions in the Chinese economy, construes them as adaptive. They are also non-conflicting, but they are less concerned with frustrating the intended outcomes of formal rules than with infusing them with pragmatic strategies. 33 The chief differentiating characteristic of this model of adaptive informalism is that a large number of people engage in its institutions. It is this characteristic that sharply distinguishes the Chinese adaptive model of informalism from the elitist Turkish and Chilean accommodating model. Tsai illustrates this difference with the ‘red
hat’ example (dai hongmaozhi) – that is, with the widespread private enterprise in the centralised Chinese economy. Unlike the élitist Turkish and Chilean samples, the adaptive informal ways of private enterprise so pervade the formal structures of the centralised economy that in some regions ‘between 90 and 95 percent of registered collective enterprises wore red hats.’ Another difference between accommodating and adaptive informal institutions draws itself in terms of time. Accommodating informal institutions intend to replace the existing formal rules in the fullness of time, accommodating them only because subverting them is presently too costly. Adaptive informal institutions plan to coexist with the formal ones, content to fill the gaps left vacant by constraining rules with opportunistic practices. Tsai, comparing them with deep-rooted primordial informal institutions, finds those adaptive informal institutions is less resistant to change.  

**The Logic of Survival**

Ironically, all banned leaders survived in Turkish politics. Süleyman Demirel, who was banned for years after the 1980 coup, became the 9th President of Turkey in 1992. Bülent Ecevit, also banned in 1980, became the Turkish Prime Minister in 1999. Tayyip Erdoğan, who was banned by a court and imprisoned in 1998, became the Turkish Prime Minister in 2003. All these leaders appointed emanetçi to carry on their work while they were banned. This proved that using the proxy-leadership institution is a successful survival strategy.

So what gives Turkish leaders the capacity to survive? Examination of this question is important for an understanding of how the political élite can so quickly activate the informal emanetçilik mechanism. The several aspects of Turkish politics that create strong leaders also explain how and why the banning mechanisms have failed to terminate those leaders. One of two very important aspects is that, almost as a rule, leadership is Janus-faced in Turkish politics. Typically, a political leader in Turkey leads a party and a movement at the same time. In fact, the parties are the official extensions of the various social movements. For example, Necmettin Erbakan is the leader of the Milli Görüş, the Turkish Islamist movement. Simultaneously, Erbakan has served as the leader of the various political parties of this movement, such as the National Salvation Party, the Welfare Party, and the Felicity Party. Alpaslan Türkeş served as the leader of the various political parties of this movement, such as the National Salvation Party, the Welfare Party, and the Felicity Party. Alpaslan Türkeş served as the leader of the Nationalist Action Party. Türkeş was also the leader of the Turkish nationalist movement, the Ülkücü Hareket. Thus, most leaders, in Edinger’s terminology, command both positional and behavioural leaderships. On this model, it is insufficient to challenge the leader personally, for he is also the leader of a movement. As the charismatic leader of a movement, the leader per se is a-historical. In other words, the leader’s legitimacy survives not because of the checks-and-balances of the established party system, but because a social movement sustains him. Historically, this Janus-faced system is a key factor in explaining the success of the emanetçilik. Banning failed to contend with the behaviourist features of this Janus face. The ban remained such that it could hit only the leader, not the movement that was primed to survive him.

The second important aspect of Turkish politics that accounts for the survival power of the leader is itself the paradoxical outcome of the frequent military or judicial interventions. Those interventions prevented the emergence of an established-political-party culture. Turkish politics is veritably a graveyard of dead political parties. The Republican period (1923-2009) saw the birth of 258 political parties. To illustrate the pace of party creation: 60 parties have arisen since 2000. But, lacking a strong party tradition to legitimise them, their fortunes were haphazard. For example, the left-leaning Democratic Left Party (DSP) won the 1999 elections with a 22 percent majority; however, it managed to secure only 1 percent of the total vote in the 2002 elections, for the JDP won that elections with a 35 percent majority, despite the mere 14 months of its existence. Similarly, the Motherland Party, which ruled Turkey during 1983-91, could not even muster enough support to contest the general elections of 2007. In Turkey, practically every political generation founds a new set of parties.
Table 3 presents a clearer picture on how political instability and intervention cause new-party booms in Turkish politics. The first boom of the late 40s was the result of the recognition of multi-party system. But nearly all other booms occurred after military or judicial interventions, such as those of 1960, 1971, 1980, 1998 and 2007. The only exception, as Table 3 shows, is the party boom of the late 90s. This party boom was the outcome of deep instability in Turkish politics in these years. Eight governments were formed between 1991 and 1999.

Lacking a party-political culture, the Turkish political system is a leader-based model. Political continuity is sustained by leadership, not by the fragile party mechanism. The leader has become a kind of living institution. Everything, from voting in parliament to the selection of new candidates in local elections, is decided by the leader of a typical Turkish party, no matter whether its identity is Right or Left. The leader transcends the party. Paradoxically, the transcendent leader model deludes the secular élite into believing that banning the leader forestalls serious threat to the status quo.

The **Emanetçilik**: The Practice

The major purpose of this part is to illuminate emanetçilik practices, such as the choosing of the emanetçi, the communication mechanism between the banned leader and the proxy, and its other substantive processes.

Once banned, the leader naturally loses his overt party position. He remains the leader nonetheless, as a behavioural analysis of leadership on the emanetçilik model will explain. Important in that analysis is the relationship between the leader and the followers, not the hierarchical structure of the political party, nor of the state. Through the appointed emanetçi, the banned leader remains the leader, and communication and decision-making quickly change to informal-model among his followers.
Banning is a highly sophisticated process of punishment. It means to put an end to the public influence of a leader. It is planned meticulously to cover all his political and personal affairs, to deprive him of all scope for activity. For example, the 1980 junta issued a Declaration (No 52 document) that imposed a long list of prohibitions on banned leaders. Accordingly, all their parties’ activities, meetings and other affairs were forbidden. The Declaration even prohibited the writing of an article on any issue that regards the ongoing developments in the country. A junta dispatch specifically underlined that those leaders have no right even to express their views on any issue. Their appearance on TV and radio programmes was prohibited, as was all contact with foreign visitors.

To destroy his leader status, the leader’s public image must be erased. Thus, beyond the complex regulations of the ban there is its longevity. For example, Süleyman Demirel, as a former Prime Minister, could appear on TV only four years after his banning. More recently, Necmettin Erbakan, the former Prime Minister, was banned by the court for five years in 1998. In that interim, a new generation of young people had risen to participate in political life. Demirel captured the lethal purpose of banning concisely: ‘To be banned in politics is like being politically dead.’ Naturally, the most important strategy of a banned leader is to survive until his ‘resurrection’ becomes possible. To this end, the banned leader uses all opportunities, big or small, to signal his liveliness. Süleyman Demirel even gave an interview to a high school student for a school gazette. And he estimated the poster for an ordinary stage play that ran his name as a ‘significant step.’ Writing personal letters to villagers is another strategy for signaling liveliness, as is participation in wedding parties.

Communication between the banned leader and the proxy is a very sensitive issue. That a particular person is his emanetçi is publicly known. But the fact is disseminated carefully, to avoid that person’s legal arraignment. The proxy mechanism is known to be in place, but no hint that may trigger its investigation may occur. The banned leader appoints his emanetçi as soon as possible, to provide against chaos among his followers. Actors confirm publicly but discreetly that there is a working contact between the banned leader and the emanetçi. For example, Hüsamettin Cindoruk, Süleyman Demirel’s proxy, publicly implied his status by underlying that leadership is a matter of moral and ethical concern. His reference to ‘moral and ethical concern’ pointed to the banned leadership of Demirel. Publicizing the proxy/emanetçi is a critical task.

Since parties that are the re-incarnations of the closed-down parties are also illegal, the mission of the proxy and the re-incarnated party is to hide its link with the banned leader. Since re-incarnated parties are illegal, the size of dosage the proxy leader administers is of great importance. A mistake in quantity may end in serious disaster. For example, The Great Turkey Party, the first party created by Demirel after he was banned, was closed down on suspicion of being the reincarnation of the Justice Party, which had been closed down by the junta of 1980. Thus, although all actors know that the banned leader remains in control, it is essential to ‘hide’ from the law whom he is controlling. As expected, prosecutors are always primed to come down hard on any link to a banned leader. The interrogation of journalist Yavuz Donat by a public prosecutor is interesting in this vein. The prosecutor said to him: ‘We all know Demirel is the real leader; but we need your confirmation.’ Actually, the prosecutor’s words achieve a good summary of the accommodating informal institution’s behaviour: It is a working mechanism, but its existence eludes proof.

Naturally, communication between the leader and the proxy changes according to the political environment. If conditions are tight, they speak through an elçi/ambassador. The ‘ambassador’ is a very reliable person who has proved his mettle in the relevant political group. The elçi acts as the communication mechanism between the banned leader and his proxy. Demirel communicated with Yıldırım Avcı, his first emanetçi, through İsmet Sezgin. Sezgin was a well-known and reliable person in Demirel’s entourage. He had worked with Demirel since 1960, serving in parliament with him continuously between 1960 and 1980. When political conditions improve, the banned leader and the proxy meet directly. In these meetings, the banned leader briefs the emanetçi on all issues, including how to address public.
Selection of the right emanetçi is not an easy task. The most important criterion is indeed loyalty. A major element of this is the capacity of self-abnegation. An emanetçi should have no independent agenda. To represent faithfully, a person cancels his ego. It is a philosophical truism that one cannot represent oneself. Thus, he who represents another divests his own identity. Demirel designated the two essential qualities of the emanetçi as belief and loyalty. The only task of the proxy is to pursue the agenda of the banned leader. If the proxy betrays signs of having his own agenda, he will be dismissed immediately. By appointing an emanetçi, the banned leader takes a huge risk. He gives the proxy great authority among his followers; the proxy quickly gains iconic popularity, and becomes able to influence the masses. A mistake can create division among them. To reduce the risk of costly mistakes, the banned leader refrains from appointing a popular individual as his emanetçi. Mehmet Yazar, a very popular politician of the early 80s, was suggested as a proxy to Demirel. Yazar had social support, but he appeared to demand the proxy role. Demirel rejected his appointment for this reason, and because Yazar had a personal agenda, given his contact with certain groups, of which Demirel was aware. And Yazar was not ready to self-abnegate. Instead, he tried to bargain with Demirel, arguing that he could not be a ‘remotely controlled leader.’ But the proxy-leader is per se a remotely controlled leader. Therefore, in most cases, the emanetçi is a close friend. More prudent leaders even prefer family members. For example, Bülent Ecevit appointed his wife, Rahşan Ecevit, as his proxy.

Another very critical issue is to keep the political cadre disciplined. The banned leader should not allow the disintegrations of his followers. People desert their leader for three major reasons: (i) the belief that the leader’s recovery is unlikely, accompanied by loss of confidence and the formation of new alliances; (ii) fear of punishment by the military regime, such as dismissal from posts or demotion; (iii) the cost of loyalty in terms of exclusion from public projects and government funded activities.

To stop the disintegration of his followers, the leader keeps tabs on the key persons among them. Demirel, exiled to an island by the military regime, regularly checked by phone how some of his colleagues were behaving. This is serious work, for inattention to in-group discipline may let rifts to develop in the ranks of the followers. For instance, in the early years of the ban, only five or six people were turning out to meet Demirel at airports. Similarly, only a few people attended the military court where Bülent Ecevit was being tried by the junta. Ironically, the junta had set up hundreds of security guards, expecting thousands of his followers to disrupt the court proceedings. Such scenarios are alarming for banned leaders.

Naturally, all erstwhile banned leaders believe that the political process that allows banning is illegitimate, and that attempts to create order by banning is an illegitimate political process. For them, politics is in the grip of anti-democratic actors. Those actors’ illegitimate politics should be rejected. If a total break with them is not possible, co-operation with anti-democratic agents should be minimal. Erstwhile banned-leaders evaluate all other actors’ behaviours on this sensitive moral ground. They adamantly deny the possibility of the neutral existence of actors in a junta regime. Politicians—who did not share this view do not gain their trust. For Demirel, any sort of cooperation with a junta amounts to the legalization of anti-democratic decisions, including banning. To avoid any impression that he recognizes the junta’s legitimacy, Demirel at first declined even to receive visitors on Zincirbozan Island, where he was jailed. Similarly, Bülent Ecevit, the banned Leftist leader, criticized some people in his party for ‘maintaining the silence’, and thereby legitimizing the junta regime. Nothing short of condemnation of the junta regime was adequate. Thus, a potential emanetçi could not be a neutral person; he must be uncompromisingly on side with the banned leader, which in turn means that he must be a risk-taker. Both Demirel and Ecevit rejected several candidates’ proxy leadership for their indecisive position on the junta vis-à-vis themselves.

The banned leaders’ extreme sensitivity about keeping their followers far from the junta is understandable: The juntas’ failure to establish their own legitimacy is the best political capital of those political leaders who suffered under the juntas. Indeed, junta regimes have no capacity to claim legitimacy. Ontologically, a military junta is an illegitimate formation. That is why most juntas attempted to gain legitimacy by employing tactics such as the appointment of a
Naturally, the ontological limitation of a military junta’s ability to achieve legitimacy is also the corridor that gives the banned leader space to manoeuvre. In some cases, military juntas actually indicated their de facto recognition of the legitimate authority of the political leaders they had toppled. For instance, the military junta of 1971, wishing to purge the army of five generals, one admiral and thirty-five colonels, demanded the signature of Süleyman Demirel, the Prime Minister whose resignation the same junta had forced. A similar set of conditions came to the fore when Demirel was toppled by the army for a second time, in 1980. During their island exiles, both Ecevit and Demirel were asked to publicly praise the military intervention of the army commanders. Turgut Özal, who was appointed deputy-Prime Minister by the 1980 junta, consulted indirectly with Demirel before accepting the office. Moreover, the Prime Minister of the same junta regime, retired admiral Bülent Ulusu, attempted several times to convince Demirel to declare him his proxy.

The Enforcement of an Informal Institution: How is the Emanetçilik Binding?

On 14 May 1985, Hüsamettin Cindoruk was elected leader of the DYP, as the proxy of Süleyman Demirel. When the latter’s political ban was removed in 1987, Cindoruk immediately resigned from the post to leave the floor to Demirel. Rahsan Ecevit founded and led the DSP as Bülent Ecevit’s proxy in 1985. When the ban against him was removed in 1987 she, too, immediately resigned. Other major parties yield similar samples. But the most striking of resignations took place on 11 March 2003, when the Turkish Prime Minister Abdullah Gül resigned his post in favour of Tayyip Erdogan, whose ban was removed shortly before that day.

Although the emanetçilik operates entirely as an informal mechanism, actors behave as if they are bound by legal rules. So, the efficiency of an informal institution, which is by nature without a legal framework, requires close attention, particularly since it operates in the political arena, which is reputedly a merciless context. Two major explanations can be advanced of how the emanetçilik is a binding process despite its having no legal status. Summarily, those explanations are: actors’ interests, and the power of culture.

Actors’ Interests

Actors’ expectations and calculations of their own interests are naturally important in an explanation of how proxy leadership is binding. Briefly, rational-choice theory argues that actors’ choices are guided by self-interest, so their political behaviour is outcome-oriented. On this model, actors are self-interested maximizers who engage in a highly sophisticated strategic calculus, and institutions are the products of their rational conclusions. This model provides part of the explanation, for actors in the emanetçilik context are rewarded or punished according to how they behaved in the emanetçilik process. They have to calculate the cost of breaching the expected behavioural patterns of informal institutions. Those who stay loyal to the banned leader are rewarded with appointments to important posts, such as ministries. Those who disappont the leader are punished by being purged from politics. It would be irrational to exclude actors’ interest-based calculations in the context of an elitist political game that will in the long run determine the distribution of power. For example, a local businessman who supported Demirel during his ban was appointed a minister on Demirel’s return to politics. A lieutenant colonel who kept contact with the banned Demirel was appointed to an important public-service position. But those who ruined the leader, or left him, were never appointed to any important post.

Obviously, an emanetçi is bound also by the general calculus of the rationalist framework. Like all other actors, the emanetçi will be rewarded or punished according to how he behaves in this process. For example, Hüsamettin Cindoruk, Demirel’s proxy, was afterwards elected as the
speaker of the Turkish Parliament. Abdullah Gül, Erdogan’s proxy, was nominated as a candidate to the Turkish Presidency, and elected to the office. Those who did not satisfy the leader were punished. A recent case in point has emerged in the political career of the Turkish Prime Minister, Tayyip Erdogan. Before being banned by the court, Erdogan was the mayor of Istanbul. When he was imprisoned, he left his position to Müfit Gürtuna in 1998, who served until 2004. However, Gürtuna made a wrong estimate of Erdogan’s political future, calculating that he had no chance of ‘resurrection.’ On this assumption, he purged several names, Erdogan’s appointments, from the municipality. Furthermore, he attempted to form various coalitions to initiate a new political party. He rejected the requisite proxy behaviour by pursuing his own agenda. Gürtuna’s ‘negative record’ put paid to his political career. Erdogan first ended his career as Istanbul mayor by appointing another candidate, then closed all channels of dialogue with him. Once Erdogan became the leading figure of Turkish politics, Gürtuna was effectively isolated.

The Cultural Argument

The emanetçilik institution is not just the game between a banned leader and his proxy. It is played out before public, among whom millions have a special attachment to the mechanism. Informal institutions are part of culture, and they operate through socially transmitted information. Cultural motifs shape informal institutions. In a sense, culture and informal institutions overlap. Thus, albeit informal, a complex social norm is the bed-rock of informal institutions. Informal institutions are in fact based on socially-shared rules, and all its relevant procedures are directed by the social codes. Thus, culture and informal institutions share a common border. Informal institutions are rooted in the beliefs of individuals, which is the ontological explanation of the deep commitment between the individual and the informal institution. The informal institution acquires legitimacy through the commitment to it of a collective of individuals.

The emanetçilik is formulated and practised by the wider Turkish political culture. Thus how certain cultural motifs are borrowed to increase its efficiency is important. As expected, the embellishment of the emanetçilik with certain cultural motifs increases the cost of disloyalty. Since the mechanism itself is completely informal, and its institutional strength is supported by certain elements transferred from the general political culture. An informal institution that arises from the morally binding context of culture is capable of meting out high social penalties for the breach of its conventions.

Naturally, the role of culture directly brings us to an understanding of a rationality that is different from that of rational choice. Actors on this rationale behave in different ways on cultural considerations. Thus, proper behaviour can have various expressions in the cultural context. Actors may be led by cultural and value-based conceptions of ‘what they believe to be appropriate.’ For instance, a young boy elects to remain standing in the presence of family elders as a gesture of respect, even though there is an empty chair he might occupy. Another young boy in the same circumstance might occupy the empty chair once the formalities of greeting are satisfied. Both behaviours are culturally proper, but they differ on personal estimates of what is appropriate.

As noted above, in rational-choice institutionalism, institutional rules are understood as external constraints and incentives structuring the purposeful choices of self-interested rational actors. However, cultural motivations require different explanations. The following criticism by Hall and Taylor of the interest-seeking actor is also a brief definition of cultural appropriateness: “Many of the institutional forms and procedures used by modern organizations were not adopted simply because they were most efficient for the tasks at hand, in line with some transcendental rationality. Instead, they should be seen as culturally-specific practices, akin to the myths and ceremonies devised by many societies.”
In sympathy with this position, sociological institutionalism defines institutions to include not only externally imposed and sanctioned rules but also unquestioned routines and standard operational procedures, and more importantly, socially constructed and culturally taken-for-granted worldviews and shared normative notions of appropriateness. The sociological institutionalists extend their scope so far as to include symbol systems, cognitive scripts and moral factors as major parameters that affect human behaviour. To emphasize the strong connection between culture and the individual, Donald D. Searing noted that informal rules are the norms and roles of homo sociologicus.

Confirming the sociological institutional approach, the emanetçilik refers to a set of culturally defined symbols which activate the nervous connection of individual and culture. The emanetçilik is decorated with religious and cultural motifs. Social, religious and even secular motifs of Turkish culture pay enormous attention to the idea of emanet/trust. Indeed, the use of such motifs increases the cost of any break between the individual and the relevant informal institution. As an informal institution created in the wider political culture, the emanetçilik has the capacity to formulate culturally proper behavioural codes. Several samples from Turkish politics were cited above to display how some actors were later purged and punished for their breach of the rules of the informal game. It is the social recognition of informal politics that facilitates the banned leader’s eventual punishment of those who break the rules. Not surprisingly, none of the actors who break the rules of the emanetçilik could ever again gain social support for his political aspirations. The parties they found fail at elections; their personal efforts are not welcomed even by other parties. More, they face serious difficulties in communicating with the wider public. Thanks to the same cultural bounds, proxy leaders quickly resign their posts once the banned leaders are released from their legal constraints.

Conclusion

As mechanism of order in a society, institutions lessen the negative impact of fluctuations. Similarly, facing the destabilizing effects of coups and other interventions, Turkish politics has kept its relative order because of the existence of informal institutions such as the emanetçilik. Additionally, since it has been activated mostly in post-intervention periods, the emanetçilik played a crucial role in Turkey’s democratization. It was the major survival mechanism of political key actors. Facing constraints in the formal realm, they took refuge in the realm of culture, the process of which is not easily arranged according to purely formal rules. Proxy leadership, as stabilizer, lessened the negative outcomes of anti-democratic interventions.

The emanetçilik is not the only sample of informal institution in Turkey. Many other traditional forms, some of which are prohibited for various reasons, survive in similar informal ways. However, the significance of the emanetçilik lies in the fact that banning has been a key strategy in Turkish politics. Because banning has been a key policy, how actors and institutions survive through informal patterns is critical to an understanding of Turkish politics. The case of the emanetçilik may be useful in analyzing several other major samples of informalism that exist as similar accommodating institutions. Despite the operation of the ban since the late 30s, major traditional religious and ethnic networks have survived in completely informal corridors, and continue to affect political behaviour. There is a close similarity between their informal institutions and the emanetçilik. Thus, any study of the key issues of Islam or the Kurdish problem requires a parallel analysis of informalism, as actors in these fields operate largely in informal corridors. The case of the emanetçilik and the observations enabled by its analysis are definitely important for formulating the explanatory framework of other political contexts.

NOTES
Thanks to this model, intra-party opposition has never become widespread in Turkey. Since opposition to party leadership necessitates the critique of the leadership of the movement, which runs according to its
own a-historical and non-secular wisdom, it is both risky and meaningless. That is why the break-up model explains the origins of many parties in Turkey. Nearly all major parties give birth to such splinter-parties, due to the intra-party constraints against opposition.

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42 Ibidem.
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44 Donat, Demirel’in Yokluk Yılları, 161.
45 Ibid., 111.
46 Donat, Cumhuriyetin Kara Kutusu.
48 Donat, Cumhuriyetin Kara Kutusu.
49 Komşuoğlu, Siyasal Yaşamda Bir Lider Süleyman Demirel.
50 Donat, Demirel’in Yokluk Yılları, 154.
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