The Role of Civil Society in the Post-Earthquake Period in Turkey

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This earthquake created a fault line in the Turkish political system. Everyone saw how inept the political system is—the bureaucracy, the state mechanism. What collapsed is the whole system. In the long run, ramifications will be very drastic.

–Sedat Ergin, Hurriyet Ankara bureau chief, 1999

In the summer of 1999, Turkey was struck by a devastating earthquake, one of the largest in the country’s history. The reporting by the Washington Post reflected the spirit of the time, when many newspapers opined that the earthquake had not just ruined the affected areas, but in fact the “state was under the wreckage.” More than two decades later, on February 6, 2023, southeastern Turkey was hit by two consecutive earthquakes with magnitudes of 7.8 and 7.6. For a society that has made huge strides in coming to terms with deep, unpleasant memories of the past, the recent earthquakes felt like déjà vu, as the state, once again, failed to rise to meet the crisis. The fault lines responsible for the earthquakes are natural, but the deeply rooted fraud and corruption in the state that exacerbated the tragedy are man-made. The earthquakes also revealed how the state, heavily politicized and deinstitutionalized under the rule of the Justice and Development Party (AKP), fell short on rescue and aid efforts, and left a vacuum to be filled by civil society organizations, similar to the way the 1999 earthquake was handled.

After the earthquakes, many civil society and voluntary organizations rushed into the affected areas to provide humanitarian aid and address immediate needs. At the same time, state institutions were heavily criticized as their rescue and logistical efforts fell short. Prominent scientists, as well as opposition parties and social media users, criticized the government’s construction sector-based economic growth strategy for exacerbating the region’s earthquake vulnerability. For years, the government had granted nationwide construction amnesties that retroactively gave permits to buildings that had been constructed without adequate oversight. On top of that, the building inspection system is corrupt, and the government has never provided any clarity on how it used the vast sums raised by the so-called earthquake tax, instituted after the 1999 earthquake to pay for reinforcing buildings and other earthquake preparedness measures. The latest earthquakes revealed the institutional decay that has been lurking under the state’s surface following the twenty years of AKP rule.

In response, to divert attention away from the government’s failings ahead of the parliamentary and general elections that took place in May 2023, representatives of the AKP-led ruling coalition have not hesitated to attack nongovernmental organizations.
NGOs that actually led the post-earthquake rescue and relief efforts were accused of being political provocateurs. For instance, one of the country’s most influential NGOs, AHBAP, which had received large numbers of donations after the earthquakes amid widespread mistrust of state institutions, quickly became a prime target of politicians in the ruling bloc, as they questioned how it would spend such huge sums. The government’s antidemocratic measures threatened to silence not only NGOs but also society at large. As search and rescue efforts were still underway just days following the earthquakes, the government blocked Twitter for nearly 12 hours overnight. The government said its action, taken under a new media law adopted by parliament in October 2022 amid worries that it would be used to censor journalists and social media users, was aimed at preventing the spread of disinformation, but it served to tighten official control over social media and silence the opposition.

This policy brief addresses the role of NGOs in the post-earthquake period, as well as various forms of repression carried out by the government. To this end, the brief gives an overview of the failure of state institutions and shows how civil society has taken on vital importance in the absence of effective state assistance. It should be noted that this is not to build a false dichotomy between the state and civic space. Rather, this brief challenges the government’s crackdown on civil society and reveals potential fields of cooperation between state institutions and NGOs despite Turkey’s current political and economic gridlock.

The brief first gives a short historical overview of the state institutions that have abdicated their oversight responsibilities due to pressure to stimulate growth through urban development, despite the public demand for greater safety and accountability after the 1999 earthquake. Indeed, all this took place in a simultaneous context of staggering economic expansion and democratic backsliding towards authoritarian strongman rule, as well as consistent violations of basic human rights on many fronts. The second part of the brief focuses on the efforts of civil society organizations in various fields following the 2023 earthquakes, and addresses challenges posed by the government. The brief argues that the government’s corruption, and its prioritization of economic growth over public safety under the spotlight of a competitive election campaign in the months after the earthquakes, motivated the government to attack and deflect blame onto civil society organizations in order to protect its political interests. The last part of the brief lists various policy recommendations and fields of potential cooperation among political parties and NGOs. The brief underlines the importance for post-earthquake efforts to go beyond collecting donations and use human rights advocacy to challenge the government’s antidemocratic stance on Turkish civil society.

From 1999 to 2023: History Repeats Itself, First as a Tragedy, Second as a Farce

The collective memories of the 1999 earthquake are still vivid in Turkish society. Amid the economic crisis and political upheaval towards the end of the 1990s, the earthquake was the tipping point for inadequate state capacity. Similar to the recent earthquake, state officials intervened in the search and rescue efforts and emergency relief campaigns of NGOs after the 1999 earthquake. In some cases, state officials closed down humanitarian NGOs’ warehouses and threatened to freeze their bank accounts to ensure that all the funds meant for victims were channeled through the state. Shortly after the earthquake, the coalition government then in power put in place several new policies intended to bolster the country’s resiliency, such as the establishment of the National Earthquake Council, mandating earthquake insurance, levying a special telecommunication tax—the “earthquake tax”—to be used for earthquake prevention and restoration purposes, and stepping up enforcement of building inspection regulations. However, the AKP government that succeeded it discontinued many of these policies, or only implemented them weakly. For example, the National Earthquake Council was abolished in 2007. The construction inspection law, which came into effect in 2001, became applicable across Turkey only in 2011. While the government duly collected the dedicated taxes levied after the 1999 earthquake, it did not provide any transparency on how they were used; many in Turkey openly questioned what had happened to the money after the 2023 earthquakes, but the AKP government has so far not provided any answers.

Construction-fueled economy

The 1999 earthquake accelerated demands for a change in leadership and resulted in the coalition government being wiped out from the political scene after the 2001 financial crisis, as the AKP won a landslide victory in the 2002 parliamentary elections. Over the turbulent economic times that followed, the AKP implemented a series of austerity measures aimed at reviving the economy according to the neoliberal tenets of an International Monetary Fund (IMF) program, while simultaneously prioritizing the construction sector in its economic strategy. The construction boom led to high profit margins and visible short-term boosts to gross domestic product (GDP) growth, which further increased the appetite of power-thirsty politicians and government-backed construction firms for unrestricted building. As part of many urban development projects, large-scale zoning amenities have been declared in 2003, 2005, 2012, 2015, and 2018. All the while, the public, opposition parties, and civil society organizations criticized opaque public procurement processes, the ineffective implementation of existing regulations, and construction policies that ignored the necessity of earthquake resilience.
For a country whose earthquake-prone location puts it under constant threat of widespread destruction, the apparent lack of awareness and care shows that the current administration has little interest in learning from the painful lessons of the past. However, the government has taken some steps forward. It created the Disaster and Emergency Management Authority in 2009 (AFAD) to act as the chief state institution responsible for post-earthquake logistic and rescue efforts; following a change in regulations, the institution was put under the authority of the Ministry of the Interior in 2018. The public has questioned the effectiveness of the AFAD especially given its inadequate performance following the Van Earthquake in 2011, but a closer look into its personnel and budgetary structure reveals how its shortcomings stem from the government's de-prioritization of the disaster response institution. The AFAD has seen some limited increases in its personnel and budget. Nonetheless, the institution itself has been vocal about consistent shortfalls in its capacity due to a lack of authority and staffing shortages, as well as high-level appointments being based on political considerations rather than merit. The government's construction-fueled economy, which could be fruitfully conceptualized as neoliberal developmentalism—a political philosophy that sees growth powered by market-based policies as the catch-all solution to social issues—also seems to bear traces of the 19th-century Victorian model of capitalism that proved to be so environmentally devastating to the environment.

In this economic model, supported by economic actors that crave excessive returns on their short-sighted construction investments, earthquake-resistant buildings and inspections are little more than a drain on profits.

Regression on democracy and civil society

Under this economic model, the frontal assault on democracy and functional institutions that escalated after the transition into the presidential system in 2018 also eroded the state's disaster management capacity. The AKP, once cheered by many international organizations and the European Union (EU) as the conservative princes of democracy, has taken a sharp turn into authoritarianism, shrinking Turkey's civic space and dividing it into polarized camps. NGOs that are deemed a threat to the government have been systematically oppressed. Confronted by conservative and authoritarian challenges, such organizations have found themselves in an environment where their operational capacity is crippled and their finances are targeted for government inspection, especially after the introduction of Law No. 7262 on the Prevention of Financing the Proliferation of Weapons of Mass Destruction. A report published by Amnesty International about this law states that "the adoption of Law No. 7262, especially when considered in the broader context of numerous repressive measures rolled out over the last five years that have ruthlessly targeted civil society in Turkey, and the fact that human rights organizations have not been identified as particularly 'at risk' of terrorism financing abuses, appears to be a deliberate addition to the constellation of measures intended to dissuade NGOs from engaging in otherwise lawful conduct and activities to promote and defend human rights.'" After the February earthquakes, NGOs joined aid and rescue efforts on their own initiative that often overshadowed state institutions' own visibly ineffective relief operations. In one particularly scandalous case that received widespread media attention, the Turkish Red Crescent (Kızılay), which was officially independent from the government but had close state ties, appeared to have sold tents to AHBAP at a "fair market price" rather than distributing them to victims directly. Incidents like this have put NGOs in the crosshairs for increased scrutiny, which may cause repercussions in the future if they are subjected to financial inspections under the aforementioned Law No. 7262.

Alive and Kicking: Civil Society and Democratic Activism in the Post-Earthquake Period

Despite regression on democracy and the crackdown on civil society, NGOs continue to be vital actors in Turkish society, reaching out to citizens seeking assistance, demanding accountability, and documenting human rights violations. Along with organizations such as AHBAP that directly carried out humanitarian aid operations, NGOs working in areas as diverse as human rights, education, healthcare, children, animal welfare, and LGBT+, women's, children's, and disability issues have shown great solidarity and cooperation among themselves and with state institutions. The Disaster Autism Solidarity Network and the Disabled Children's Rights Network went to the region to provide mental and medical assistance to disabled people. Coordination to Combat Hate Speech After the Earthquake was established to stem the spread of discriminatory content and reach out to disadvantaged minority groups. In Turkey's capital, NGOs, political parties, and other groups came together to form the Ankara Earthquake Solidarity Platform, a network with subcommittees dedicated to ensuring basic human rights for children, women, and the LGBT+ community.

Indeed, there are numerous examples of such solidarity networks, showing how NGOs managed to act collectively and quickly mobilize their resources to perform their main duties while also pressuring the government to fulfill its obligations. However, while this raises hopes for a flourishing civil society, new sets of questions have emerged that pose serious challenges for NGOs to overcome.

In the immediate days after the earthquake, the country witnessed a wave of human rights violations, especially against refugees, and often provoked by populist right-wing politicians. More than 1.7 million Syrian refugees live in...
the areas of Turkey affected by the earthquakes, and the media has reported many disturbing cases of anti-refugee violence. The leader of the far-right Victory Party, Ümit Özdağ, claimed that refugees in the earthquake zones engaged in looting and theft. While those allegations were unfounded, they contributed to the growing anti-refugee sentiment in the country.

Suffice to say that the government has performed poorly in response to human rights violations after the earthquake. A comprehensive report published by the Human Rights Foundation of Turkey (TIHV) documents these violations in detail. According to the report, between February 6 and 27, at least two people were subjected to lynching attempts. A total of 17 people were subjected to torture and other ill-treatment in nine separate incidents; one person died, and at least 10 were injured. In at least 22 cases, journalists working in the area affected by the earthquakes were subjected to interference, with the perpetrators being divided evenly between law enforcement officers and civilians. At least one journalist was injured, and four journalists were detained. Two journalists were arrested on charges of "publicly spreading misleading information" through their social media posts. As a result of investigations into social media posts related to the earthquake, the government took action against 575 people in total; 141 people were temporarily detained, and 27 of those were arrested and subjected to criminal charges. Authorities interfered with efforts by citizens, NGOs, political parties, and municipalities to aid materials for earthquake victims in at least 20 cases. Another organization, Advocates of Silenced Turkey, also compiled its own detailed account of violations of the rights to life, education, health, equality, and freedom of expression.

As the government and far-right politicians prioritize so-called security concerns over basic human rights in the post-earthquake period and unleash the parliamentary, executive, and judiciary apparatuses against all challenges, the efforts made by NGOs to document human rights violations stand out as promising examples of democratic activism. Beset by the erosion of democracy and rule of law, NGOs have not only organized humanitarian aid campaigns but have also stood against the corporate greed revealed by the February earthquakes. NGOs, trade associations, labor unions and other civic actors pushed the government to reconsider its earthquake policies and demanded legal action against the construction firms and individual contractors responsible for constructing buildings that do not comply with earthquake regulations. In February, authorities arrested the developer of the upscale 12-story Renaissance Residence apartment complex, which became a "symbol of the rot in Turkey's construction system" after its catastrophic collapse in the earthquakes. Since then, law enforcement has arrested 332 suspects, including 109 contractors, 173 building supervisors, and 18 building owners, and released an additional 566 suspects with judicial control measures restricting their movement after initially detaining them. There are open arrest warrants for 355 suspects, and detention warrants for an additional 96 suspects.

Accountability cannot stop at construction firms and contractors; the corruption in the Turkish construction sector starts in the corridors of power at both the local and national levels of government. After the AKP decisively turned toward authoritarianism after the government's suppression of the Gezi Park Movement in 2013, its economic model correspondingly shifted away from regulatory free-market economy to non-regulatory neoliberal developmentalism, with policy-making increasingly dictated by the interests of a small number of economic elites in the construction sector. One result is the acceleration of changes in the Public Procurement Law, which as of 2021 had been amended 192 times since it came into effect in 2002. The recent earthquakes revealed the government's asymmetrically dependent relationship with the country's business circles, the inappropriate blurring of boundaries between government and market activities, and corrupted policies. Despite the fact that NGOs called for the immediate resignation of implicated local politicians and bureaucrats to restore a semblance of political accountability, not one resignation was reported in the media in the immediate days following the earthquakes.

Policy Recommendations for Improving Civic Space in the Post-Earthquake Period

The recent earthquakes made a simple fact clear: While state institutions failed at carrying out their responsibilities and were buried under wreckage of their own making, civic actors successfully overcame the crisis. Despite sluggish and inadequate efforts by state institutions, NGOs proved to be dynamic and effective in quickly mobilizing their resources. This disparity in capacities, in itself, is concerning. However, there is still room for cooperation that could potentially mitigate the strained relations between the civic and political sphere in Turkey.

1. **Revitalization of project-based volunteerism:** The impact of an earthquake of this magnitude cannot be measured solely by the number of collapsed buildings, the cost of infrastructure damage and the number of deaths. Even victims who manage to survive find that many aspects of their lives have been severely impacted. To ameliorate such harm, NGOs need to address vital issues such as access to education, health, and work, and staff shortages mean that NGO professionals cannot do that work without relying heavily on volunteers. Volunteerism should focus on working to safeguard rights for broad groups. Digital campaigns, basic human rights trainings, and certification programs should be enriched in order to appeal to volunteers. NGOs need
to identify volunteers that are suitable for the nature of their activities they initiate and promote continuous engagement with their projects.

2. **Alliances with the political sphere**: Actors in civic and political spheres should not be rivals but cooperative partners. In a country where NGOs face unprecedented pressures, actors should unite to defend the last remnants of democracy. To challenge the AKP’s antidemocratic efforts to silence NGOs after the earthquakes, NGOs should fight for their right to exist and broaden their networks with opposition political actors, who, in turn, can provide the political and social resources that NGOs desperately need. NGOs should increase their advocacy efforts in parliament and take part in parliamentary committees. They should constantly provide their expertise to political parties, and make their demands heard in the parliament and high layers of bureaucracy. Moreover, as Turkey still tries to heal the wounds of the February earthquakes, it also needs to start preparing. To this end, NGOs, political parties, and universities should establish disaster management committees to provide information on earthquake readiness to the public. Given state institutions’ apparent failures after the recent earthquakes, these can also play a secondary role as “shadow committees,” allowing experts in relevant fields to band together and demanding accountability from state institutions.

3. **Mapping NGOs for disaster preparedness**: NGOs should be well-prepared for disasters. To this end, the Checks and Balances Network (DDA), a prominent civil society group, offers a crucial recommendation that should go hand in hand with the alliances with the political sphere that this brief recommends. DDA recommends that NGOs should have a clear road map on how to act in both the short and long term during crisis periods. NGOs should obtain basic disaster preparedness education and first aid training and establish effective methods of communicating during disasters, and a mapping study should be prepared so that NGOs have a good understanding of where to take responsibility and to channel their resources.30

4. **Financial transparency**: Given that Law No: 7262 allows government entities to inspect NGOs’ financial structures, transparency has become a more delicate issue for NGOs. Many Turkish NGOs have formed beneficial partnerships with their international counterparts in the aftermath of the earthquakes as they work to better victims’ lives. Since the government uses Law No. 7262 to increase its control over civil society, NGOs, which are perceived as a threat, should check and report the sources of their international funds and partnerships in a clear and transparent manner, even as they are vocal about their concerns that the law is being wielded against them as a weapon. Another concern is that this law adds another layer of discrimination separating independent and government-backed NGOs. The government should treat all NGOs in an equal manner, as necessary components of a democratic society. The €7 billion ($7.5 billion) in donations and loans pledged at the International Donors’ Conference hosted by the European Commission and the Swedish Presidency of the Council of the EU to pay for recovery and restoration efforts in Turkey and Syria on March 20 presents another financial accountability challenge. Civil society should be included in the distribution of these funds, and NGOs should monitor how they are used and demand transparency.

5. **Alternative mandatory certification regulations**: The current Construction Inspection Law No. 4708 obligates existing and new buildings to meet earthquake resistance standards. However, critics point out that the law does not address fraudulent practices by inspection and construction firms. It is clear that the certification process used by these firms is far from transparent. The civil and environmental engineering department chair, Ertugrul Taciroglu, chair of the Civil and Environmental Engineering Department at the University of California, Los Angeles (UCLA), proposes an alternative mandatory certification system, to be implemented by NGOs and professional associations such as Union of Chambers of Turkish Engineers and Architects (TMMOB).31 The main objective here is to layer certification systems in order to increase transparency and offset fraudulent practices enabled by the current law.
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Endnotes


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30. DDA, Afetlerde Sivil Toplum.


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