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Use of Civilisational Populist Informal Law by Authoritarian Incumbents to Prolong Their Rule

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Abstract: Once voted into office, populist governments have often found undemocratic means to prolong their stay. The literature on populists in power is evolving and expanding. However, it has mainly focused on how the populists in power attack institutions such as the judiciary, rule erosion, and dirty institutionalism. How populists make use of the law and the judiciary to prolong their authoritarian rule remains an area that is under-researched. The populists' use of informal institutions such as the unofficial law when in power has not been studied either. This paper addresses these gaps in the populism literature by studying Turkey's Islamist populist ruling party's use of informal law in prolonging its authoritarian rule. The paper argues that the Islamist civilisational populist AKP has been using informal Islamist law for both the legitimization of its rule and the repression of the opposition. It shows how the AKP officials, the state's Directorate of Religious Affairs (Diyanet), the pro-AKP Sharia scholars, and other informal religious authorities employ the civilisational populist Islamist legal narrative to argue that according to Sharia it is obligatory to choose the side of the God that is represented by the AKP and to vote against the infidel opposition that is an existential danger to the pure Muslim people of Turkey and their religion. The paper combines and contributes to two theoretical strands. The first is civilisational populism, and the second is the informal institutions, with a focus on informal law and legal pluralism.

Keywords: religious law; authoritarianism; civilisationalism; populism; legal pluralism; informal law; Islamism; Turkey; political parties; opposition; oppression; sexual violence; violence



Citation: Yilmaz, Ihsan. 2022. Use of Civilisational Populist Informal Law by Authoritarian Incumbents to Prolong Their Rule. *Religions* 13: 960. <https://doi.org/10.3390/rel13100960>

Academic Editors: Labeeb Bsoul and Susanne Olsson

Received: 14 July 2022

Accepted: 5 October 2022

Published: 12 October 2022

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1. Introduction

Even though the literature on populists in power is evolving and expanding, the literature has mainly focused on how the populists in power attack rule erosion, dirty institutionalism, and institutions such as the judiciary. However, how populists make use of the law and the judiciary to prolong their authoritarian rule remains an area that is under-researched. What is more, the populists' use of informal institutions such as the unofficial law when in power has not been studied at all. This paper addresses these gaps in the populism literature by studying Turkey's Islamist populist ruling party's use of informal law in prolonging its authoritarian rule. As is well known, authoritarians mainly employ legitimization, repression, and co-optation to prolong their rule and authoritarian resilience (Gerschewski 2013). In this paper, we argue that the Islamist populist AKP has been using informal Islamist law for both the legitimization of its rule and the repression of the opposition.

While there are many works on the AKP's authoritarianism, populism, Islamism, and Islamisation (e.g., Aytaç and Öniş 2014; Çınar 2018; Yilmaz 2018; Taş 2020; Yilmaz and Ertürk 2021), what is missing from these otherwise very valuable works are the legal dimension and the Islamisation of the state. The literature on the Islamisation of Turkey is mostly limited to social Islamisation, and it has been explicitly or implicitly argued that the law has not been Islamised. Even the recent articles (e.g., Kaya 2015; Karaveli 2016) on Islamisation in Turkey repeat this viewpoint. While contributing to this literature, the

paper also challenges this conventional argument, showing how Sharia is becoming a de facto law under Erdoğan's regime.

The paper focuses on the AKP and its allies' civilisational populist use of legal pluralism (the existence of informal Islamic laws in the constitutionally secular country) as an instrument to delegitimise and oppress the political opposition in Turkey.

After briefly presenting our methodology, this paper discusses the theoretical framework that the paper is contributing to. The paper combines two theoretical strands. The first is civilisational populism, and the second is the informal institutions, with a focus on informal law and legal pluralism. After explaining these theories and discussing how the AKP has been employing a civilisationalist populist narrative since the Gezi protests of 2013 and how informal Sharia has been part and parcel of this narrative, the paper discusses how the Islamist-rooted AKP made use of this legal pluralism after turning to civilisational populist authoritarianism and how its leaders started gradually using Sharia-based Islamist legal justifications to bolster their support and delegitimise the opposition.

In the following empirical analysis sections, we will show how the AKP officials, the state's Directorate of Religious Affairs (Diyanet), the pro-AKP Sharia scholars, and other informal religious authorities employ the civilisational populist Islamist legal narrative to support the AKP and to attack the opposition. In a nutshell, this civilisational populist legal narrative alleges that according to Sharia it is obligatory to choose the side of the God that is represented by the AKP and to vote against the infidel opposition that is an existential danger to the pure Muslim people of Turkey and their religion. After these sections, the paper proceeds to show how the elite and the ordinary non-politician AKP supporters who are not part of the formal or informal clergy have been influenced by this narrative and have used similar Islamist civilisational populist legal reasoning when supporting the AKP and attacking the opposition.

2. Methodology

Even though there were signs of the AKP's authoritarianism in its second term, it is usually agreed that after it managed to change the constitution in 2010 to get rid of Kemalist tutelage and its third general election victory in 2011 the AKP indisputably took an authoritarian civilisational populist turn and the opposition has intensified its claims that the party has been trying to transform Turkey's secular system. Particularly since the Gezi protests of mid-2013, the party has been increasingly using civilisationalist populist narrative against the opposition. According to this narrative, the AKP is the only true representative of the pure Muslim people of Turkey, and the other parties are either infidels or pawns of the external foreign powers that are hostile to Islam, Muslims, Turkey, and its people who are Muslims (Yilmaz 2022). As this paper argues that informal Sharia has also been in this narrative to legitimate the AKP's authoritarianism and also to justify the repression against the opposition and dissidents, this study primarily scanned the media reports between 2013 and 2022 that have been mentioning this usage of Sharia and Islamic legal terminology by the AKP, the pro-AKP formal and informal clergy, and the supporters of the AKP in the media, academia, and the grassroots. To understand the relationship between the AKP's civilisational populism and the informal Islamist law, the paper examines the *fatwas* (officially non-binding Islamic legal opinions) issued by the AKP leaders, and the official and informal religious authorities. The paper also looks at how these *fatwas* have been parroted by the laypeople and the grassroots supporters of the AKP. The selection of these *fatwas* for this study is based on their content. Given the limited scope of the study, the *fatwas* were selected based on their pro-AKP and anti-opposition content. For qualitative analysis, a thematic technique was applied to the *fatwas* to establish various themes. The thematic analysis has demonstrated collaboration between the AKP and its allies among the Islamist religious authorities, which helps in the perpetuation of the AKP's authoritarian civilisational populist ideology and narratives.

3. Civilisational Populism

Populism has alternately been defined as a set of ideas, a thin-centred populist ideology, a type of political strategy, a discourse, or a style. The most commonly accepted definition describes populism as a group of ideas that together argues that politics should be an expression of the *volonté générale* (general will) of the people; society is considered to be ultimately separated into two homogenous and antagonistic groups: “the pure people” versus “the corrupt elite” (Mudde 2004, p. 543). As populism as a thin-centred ideology lacks the sophistication of other ideologies such as socialism or liberalism, it is usually combined with other beliefs and ideas of politics (de la Torre 2019, p. 7). In particular, right-wing populism usually focuses on internal and external dangerous others who are clear and present threats to the people but are favoured by the corrupt elite. In contrast, populists present themselves as the saviours of the people against these corrupt elites and the dangerous others.

In right-wing populisms, the corrupt elite are usually framed to be collaborating with the dangerous others. This form of populism is essentially a cultural populism, which designates “the people” as the authentic people of the nation and therefore others the ethnic and religious minorities and—above all—the “cultural elites” (Kyle and Gultchin 2018). These populists emphasise religious traditionalism, law and order, and sovereignty and portray immigrants as an enemy other (Kyle and Gultchin 2018). This populist rhetoric is a powerful tool of division and polarisation, punching both up and towards the political, cultural, and economic elites, but also across and down towards minority groups and immigrants (Kyle and Gultchin 2018, pp. 33–34).

Right-wing populists—as cultural populists—construct “the people” and their enemies along civilisational lines (Brubaker 2017), arguing that there is a crisis in which the people are faced with an existential threat to their culture, identity, way of life, religion and civilisation. In the West, right-wing populists have incorporated civilisationalism in order to define “the people” of their respective nations as Christian or Judeo-Christian and to exclude Muslims by claiming that Islam represents a threat to Judeo-Christian values and culture (Brubaker 2017; Morieson 2021). It must be noted, however, that while the boundaries of belonging and the semantics of self and the other are reconceptualised in civilisational terms, civilisational populism largely remains a hybrid form of nationalism rather than an anti-nationalist ideology (Brubaker 2017).

Civilisational populism can be observed inside populist discourses across the democratic world. In India, Prime Minister Narendra Modi’s BJP is beholden to the *Hindutva* ideology that asserts that the “Hindu religious or cultural identity is the national and primary identity of Indians” (Saleem 2021). Turkish President Recep Tayyip Erdoğan and his AKP are attempting to build a “New Turkey” for their supporters based on Islamist populism and Turkish neo-Ottomanism (Yilmaz 2018, pp. 54–55). This civilisational populism is a conspicuous manifestation of a civilisational populism within Muslim societies, and its survival and maintenance are highly dependent on the continued antagonism between Islam and the religious others that are usually framed as the Judeo-Christian West and the crusaders, Zionists, infidels, secularists, and their internal pawns (Yilmaz and Shipoli 2021). In other words, in this Islamist civilisational populism, the struggle between “the people” and their enemies (“elites” and “others”) is constructed as part of a broader religious and civilisational struggle between righteous Muslims and those who are outside of/hostile towards Islam (Barton et al. 2021, p. 397).

In the following section, we will give a brief historical background of this Turkish Islamist civilisational populism.

4. Turkish Islamists and Their Civilisational Populism

Islamism is the instrumentalisation of Islam by individuals, groups, and organisations to pursue political objectives (Denoëux 2002, p. 61). For Islamists, politics is the primary mechanism to rescue society from the ‘moral crisis’ resulting from the modernising and secularising elites shifting towards Western civilisation. In their view, the elite “other” is

incompetent, selfish, corrupt, evil, unaccountable, and unconcerned about the well-being of the people. As opposed to these corrupt and evil elites, Islamists present themselves as religious, pure, and virtuous rulers who qualify to rule because instead of self-interest they pursue a morally superior purpose. From this perspective, Islamists are anti-elitist and populist. In this civilisational populist antagonist construction, Islamists frame political plurality as “Islamists versus the Westernizing elite and their blind followers”, who, in alliance with the West, Zionist forces, crusaders, and infidels, collude against Islam and Muslims. In this civilisational struggle, Islamists present themselves as the defenders and saviours of their country, Islam, and the whole ummah (global community of Muslims) (Çınar 2018, pp. 48–51).

During the early Kemalist era (1920s–1940s), the role of political Islam in the public sphere had been radically marginalised, and the state pursued a policy of extreme intolerance towards Islamism and securitised it. However, after the Second World War, the Kemalists joined NATO and allowed multiparty political system, paving the way for the acceleration of religious activity in the country. Until the 1970s, Turkish Islamism existed within the boundaries of the nationalist conservative movement, but starting in the 1970s, under the leadership of Necmettin Erbakan, Turkish Islamists started a new political movement, the National Outlook (*Milli Görüş*) Movement (NOM) and also started to establish political parties that would become coalition partners in the 1970s. Between the 1970s and 2001, Erbakan and his followers established six political parties: (1) the National Order Party (*Milli Nizam Partisi*—MNP, 1970–1971); (2) the National Salvation Party (*Milli Selamet Partisi*—MSP, 1972–1980); (3) the Welfare Party (*Refah Partisi*—RP, 1983–1998); (4) the Virtue Party (*Fazilet Partisi*—FP, 1997–2001); (5) the Felicity Party (*Saadet Partisi*—SP, 2001–present); and (6) the Justice and Development Party (*Adalet ve Kalkınma Partisi*—AKP, 2001–present). Today, two more parties have splintered from the AKP: the former prime minister Ahmet Davutoğlu’s Future Party (*Gelecek Partisi*, GP) and the former deputy prime minister Ali Babacan’s Democracy and Progress Party (*Turkish: Demokrasi ve Atılım Partisi*, DEVA).

The NOM argued that the main reason for the collapse of the Ottoman Empire was the decay in religious faith, traditions, and culture as a result of the Westernisation process. In this view, the West was seen as an enemy and an obstacle to the Muslim world’s progress. In contrast, the NOM represented the pure people against the evil secularist elite who were pawns and collaborators of the blind imitators of the West and were represented by all the other political parties (Eligür 2010, p. 145). The NOM leaders did not see those who did not vote for the NOM political parties as Muslims, because they believed themselves to be the sole leaders, who represented Islam in a fierce battle of “truth against error” (Çınar 2006, p. 477; Yıldız 2003, p. 193). The NOM leaders were always celebrated with chants of *mujahid* (the one who is engaged with holy struggle, *jiħad*) in party demonstrations that were perceived as a holy struggle by the participants (Tuğal 2009, p. 46).

The Islamist political void created after the banning of RP during the February 28 soft-coup process was later filled by the Virtue Party (*Fazilet Partisi*, FP). The reformist younger generation of the party led by Erdoğan argued that Erbakan’s Islamism “reached an impasse because it let religious issues dominate its political agenda, it underplayed the importance of consensus-seeking and dialogue-building with the other sectors of the society, and it did not address itself to a broader public” (Cizre and Çınar 2003, p. 326). When the Constitutional Court closed the FP on 22 June 2001, Erdoğan and his friends declared that they would not join the new Islamist party of Erbakan, the Felicity Party (*Saadet Partisi*, SP), and founded the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) on 14 August 2001. In the November 2002 election, the AKP formed a single-party government by winning 34.43 percent of the votes and 365 parliamentary seats.

After the 2010 referendum that altered the constitution, the AKP was able to substantially side-line the Kemalist tutelage regime that allowed unelected bureaucrats to supervise the elected politicians. This began as a series of attempts by the party to limit the powers of the military and bring the judicial system under its control. Once it enjoyed a

majority in parliament, the AKP was able to select pro-AKP judiciary heads, breaking the Kemalist's secular legal power structure (Cengiz 2020).

After winning 50 percent of the vote in the 2011 election, the AKP's reformist and democratising agenda increasingly weakened. Erdoğan was re-elected as prime minister, but thereafter, he began to react to political challenges in a growingly demagogic and autocratic manner. Parallel to this, the AKP's foreign policy discourse took a revisionist and Eurosceptic turn. As Taş (2022, p. 10) notes, several external factors contributed to this turn, such as the EU actors' statements about a "privileged EU-Turkey relationship instead of a full membership, blockage of negotiation chapters because of the Cyprus conflict, and the growing Islamophobic sentiments across Europe. Turkey also wanted to diversify its foreign policy scope by pursuing alternative paths in the face of the challenge of the economic recession (2007–2009) gripping the West and geopolitical and ideological opportunities arising from the Arab Uprisings overhauling the Middle East (Taş 2022, p. 10). Furthermore, conflict in Syria complicated Turkey's relations with the EU and also with the Kurdish political opposition as Turkey supported jihadist and Sunni Islamist groups in Syria both against the Assad regime and the Kurdish groups in Northern Syria. Combined with the gradual economic slowdown, after nearly a decade of great economic gains, the popularity of the AKP began to decline. All in all, by 2013, then, it was clear to the AKP that Turkey remained a long way from gaining permanent EU membership, and the party abandoned its notions of liberal democratic reform and increasingly embraced populist authoritarian Islamism.

In mid-2013, the AKP shifted dramatically towards authoritarianism and Islamism. Erdoğan ordered the police to brutally shut down the largely civil-society-led, pro-democracy, anti-corruption protests in Gezi Park in Istanbul. To convince their supporters that their values and beliefs were under attack, the AKP spread disinformation and fake stories based on civilisational populist narratives that framed the protestors as anti-Muslim threats. Pro-AKP media "repeatedly accused the protestors of consuming alcohol inside a mosque near Gezi, entering it wearing shoes, and repeatedly claimed that a head-covered woman with a baby was attacked and assaulted by the Gezi protestors. The AKP leaders and its media had consistently argued that the protestors were the pawns of the CIA, MOSSAD, Zionist lobby, infidels and so on who all target the AKP because of its potential to lead the Muslim world against their domination and exploitation. This civilizational populist conspiratorial storytelling appealed to the popular base of the AKP (Özen 2020, p. 12). Thus, the AKP grassroots were convinced that "the protests were posing a direct and substantial threat to conservative/religious way of life" (Özen 2020, p. 12).

The AKP began to promise a "New Turkey", a utopian superpower free of Western oppression and influence. In the creation of this "New Turkey", it was essential to eliminate "traitors" to country and faith. This began the gradual merger of faith and politics that eventually led the AKP to portray itself as the "guardian" of Islam and Turkey. Thus, criticism of the AKP's gross corruption is easily dismissed by the party as an attack on Islam and Turkey. Equally, the party's authoritarianism is viewed by its supporters as necessary for the state to ensure the safety of its "pious people".

With this narrative of fear of "the others" in place, the AKP has embarked on a process of social reengineering. This has meant that various state institutions and informal institutions have been employed by the Erdoganists to prolong their authoritarian rule. In addition to many other formal and informal instruments, a radicalised form of informal Sharia has been employed by the AKP in this endeavour to repress the opposition and legitimate authoritarianism with civilisational populist justification. Before moving on to the empirical analysis of this phenomenon, we must explain what we mean by informal institutions and their manifestation in the socio-legal realm vis-à-vis Sharia in Turkey.

5. Informal Institutions, Legal Pluralism, and Unofficial Sharia in Turkey

Informal institutions are "socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels" (Helmke and

Levitsky 2004, p. 727). Local customs, reputations, and folkways that are found outside of the formal halls of power are some of the informal institutions (Grzymala-Busse 2010, p. 312). Informal institutions compete with the state's monopolistic claims, strive to establish parallel areas of competence, or influence how the state makes decisions (Lauth 2000, p. 25). These two realms are not mutually exclusive but interdependent (Cheng and Womack 1996). In other words, informal institutions could be in four different typologies: competing, substitutive, complementary, and accommodating (Helmke and Levitsky 2004, p. 727).

Custom law is one of the informal institutions (Lauth 2000, p. 40). Sometimes, custom law is a source of formal law, meaning that a conversion of informal rules into formal ones is possible (Lauth 2000, p. 40). Depending on one's definition of law, the existence of informal law in a society can be observable or not. Legal modernists and legal positivists define the law as the command of the sovereign. Thus, informal law is an oxymoron by default and by definition. However, this approach is not the only one and "there are, generally speaking, basically two approaches to conceptualising law, focusing either on justice and morality, or on rules and regulations" (Menski 2000, p. 55).

It has been observed for a long time that the law exists as cognitive and normative orders in social fields, such as a village, an ethnic/religious/cultural community, an association, a state, or a trans-national community, and the state law is only one of these (Griffiths 1986, p. 8). This is called legal pluralism (Griffiths 1986; Von Benda-Beckmann and Turner 2018). It is "the presence in a social field of more than one legal order" (Griffiths 1986, p. 129). Sharia is one of the sources of legal pluralism in Muslim societies and also in countries where Muslims are in a minority. Sharia is usually informal, but it still "represents an order which governs all spheres of life, in which... even the rules of protocol and etiquette are of a legal nature" (Hoffman 1993, p. 126).

However, the founders of the Turkish Republic, the Kemalists, created a secular legal system that "took on the character of a cultural revolution aiming to produce radical changes in social mentality, lifestyles and world views" (Ozman 2010, p. 70). They aimed "to displace the Islamic Weltanschauung, introducing nationalism and secularism as the cultural bases of the new society" (Ozman 2010, p. 71).

Despite this, Sharia has continued to co-exist with formal laws in the country. As a matter of fact, Turkey is not unique in this respect. In many countries where the top-down "modernizing" of legal systems has taken place, the citizens have found other ways to create an informal legal pluralism. At times, this informal system has found its way into the formal codes (Menski 2013, p. 54). While the ruling elites of Muslim countries often mistook citizens for passive beings, the existence of legal pluralism negates this conception. In Turkey, the transplanting of the Swiss Civil Code, along with other Western-inspired laws, has ultimately faltered under the growing pressure of Islamic legal pluralism (Miller 2000).

Even though the AKP has not clearly declared its support for making Sharia the official law of the country or declared an aim to replace the secular system with an Islamist one, there has been an ad hoc and piecemeal movement towards that direction and several observers have been noting this phenomenon for a while (Tecimer 2017; Bekdil 2017; Cagaptay 2018).

In some extremely rare instances, some AKP figures have been more outspoken about their approach towards Sharia. In a speech in the Turkish National Assembly, parliament, AKP lawmaker Cengiz Aydoğdu was addressing deputies on the budget of the Council of State, and he said that Sharia is "above everything." (Duvar 2020). He explained that:

"The regulation of a person's basic rights and freedoms was never left to the hands of the state in our history. Instead, society did it itself. Sharia is above everything, which means that the law is above everything. We are afraid of the word 'sharia', but it shouldn't be the case. Sharia is our law, our general law and customary law is included in that." (Duvar 2020).

In the following empirical analysis sections, we will show how the AKP officials, the state's Directorate of Religious Affairs (Diyanet), the pro-AKP Sharia scholars, and other informal religious authorities employ the civilisational populist Islamist legal narrative to

support the AKP and to attack the opposition. In a nutshell, this civilisational populist legal narrative alleges that according to Sharia it is obligatory to choose the side of the God that is represented by the AKP and vote against the infidel opposition that is an existential danger to the pure Muslim people of Turkey and their religion. After these sections, the paper proceeds to show how the elite and the ordinary non-politician AKP supporters, who are also not part of the formal or informal clergy, have been influenced by this narrative and have used similar Islamist civilisational populist legal reasoning when supporting the AKP and attacking the opposition.

6. Civilisational Populist Use of Informal Sharia by Different Actors

6.1. AKP Officials

The AKP, Erdoğan, and other prominent AKP figures have constantly argued that the opposition is anti-Islamic and that it works with allegedly anti-Islamic Western powers to attack the AKP, which is the only genuine representative of the Muslim people of Turkey, who comprise, according to this narrative, 99 percent of the population. He has also accused the opposition politicians of being:

“products of a project and running campaigns which “attempt to distract our country’s attention from real targets . . . Every incident that Turkey has gone through is a part of this insidious plot. We have until now succeeded in coming over all attacks which are not natural products of our own dynamics . . . Especially the CHP is forming a new mission for itself, by participating in every anti-Turkey scenario and continuing its lies and allegations that are products of slanders.” (Duvar 2021)

He and other AKP leaders have used the term “gavur” (infidel) to emphasise that the opposition is not Muslim and that it has an animosity towards Islam and Muslims, who are, as mentioned above, the people, the 99 percent of the nation. He has made many speeches similar to the one below:

“We are saddened when we see those who are coming on us by swinging the sword of the infidel (gavur) as if to do opposition, although they have the Turkish Republic identity.” (Duvar 2021)

Ertan (2021) explains the term “gavur” in detail:

Gavur, a Persian word derived from Aramaic, means an infidel, but was originally used in the Ottoman Empire by tax registers to refer to Orthodox Christians. But, unlike its Arabic equivalent kafir, it now refers to a fanatical, cruel and obstinate “other,” either a non-believer or a non-Muslim. Unlike the “kafir,” (a person who has rejected or remained ungrateful to God’s teachings) a gavur is fanatical in his own ways as well as cruel and conniving. The word has been used in a number of idioms such as gavur inadı (the obstinancy of a gavur), gavur ölüsü (the corps of a gavur, meaning dead-weight), or gavur etmek/olmak, meaning making something worthless (like a gavur). None of these expressions are flattering. Proverbs are no better: “You can neither obtain a fur from a pig nor be friends with gavurs” or “Those who feed on the bread of the gavur swing the gavur’s sword,”—a thinly veiled reference to the “collaborators” or “traitors/enemies within” and, in current times, an insult leveled at non-governmental organizations that have received international financial support. Gavur, this rather musical word of discrimination and prejudice, is the meeting point of religious and national arteries, peppered with the resentment of capitalists, imperialists.” (Ertan 2021)

Ertan (2021) goes on to explain how the AKP has been instrumentally using the term to attack the opposition and rally the people around the party’s Islamic righteousness:

“Unsurprisingly, the word often finds its way to the ruling Justice and Development Party’s (AKP) political rhetoric, particularly when its members want to appear righteous in the face of so-called external enemies or their local satellites . . . During the 2017 referendum, an AKP deputy lobbying for a yes vote to the

presidential system, urged his supporters to “hit the place where it says yes” with the strength and determination that “you’d strike a gavur.” (Ertan 2021)

There are many other examples of the AKP politicians’ civilisational populist use of Islamic legal terminology or argumentation to bolster their support and undermine the legitimacy of the opposition in the eyes of the voters. We will only give a few more examples to show the point. The AKP’s deputy chairman, Ali İhsan Yavuz, claimed that “those who vote for Erdoğan get *sevap* (good deed registered in their name that will be accounted for in the judgement day before God; opposite of sin)” (Diken 2021). A mayor who is an AKP member alleged that:

“Elections in June is a historical turn. It is not ordinary. It is between righteousness (*hak*) and evil (*batıl*) (as defined by Islamic law). It is clear what to do for those voters who want to avoid responsibility (*mesuliyet*) in accordance with Islamic law.” (Kılıç 2018)

An AKP lawmaker for representing the Ordu province, Senel Yediyıldız stated that:

“Thank God, we are Muslims. We have come to the world today and tomorrow we will depart, die. When we go, we will be judged for what we have done. Do not assume that we will not be questioned for our votes. I am saying this sincerely, you will be questioned for the votes more harshly. You will be accounted for your votes more than the obligatory prayers you did not say, obligatory fasts you have not had and obligatory pilgrimages you have not performed”. (Yolhaber 2021)

Another AKP member, Mustafa Ataş, similarly used an Islamic legal logic and said that “Our spouses are Islamically forbidden (*haram*) to us until we make Erdoğan president.” (Ahval 2018a):

“There are forces who want to undermine Turkey both economically and politically. To give them the best answer, sleeping is *haram* (forbidden in Islamic law) to us for the next 27 days. Until we make Erdoğan our president, sleeping is *haram* to us. Our children, our families are *haram* to us. Our spouses (i.e., having sex), our friends are *haram*. This election is a different election. This election is one of the turning points which will shape the next hundred years of our country”. (Ahval 2018a)

In the following section, we will show how this civilisational populist legal narrative that delegitimises the opposition has been parroted by the state’s Directorate of Religious Affairs, which controls all the mosques in Turkey and employs all the imams.

6.2. The State’s Directorate of Religious Affairs (*Diyanet*)

The Directorate of Religious Affairs (*Diyanet*) was established by the Kemalists to control Islam and create a Turkish Islam in Turkey (Yılmaz 2005). It propagated the state ideology. However, while the earlier secularist governments used the *Diyanet* to push secularism-friendly Turkish nationalist and militarist Islamic teaching on the Turkish population, the AKP uses the *Diyanet* to propagate its Islamist vision of Turkey (Öztürk 2016, p. 6).

The AKP has recognised that the power the *Diyanet* wielded could be instrumentalised, and subsequently, the body has been promoted and empowered, its functions expanded, and its budget increased (Yılmaz 2016; Öztürk 2016). Most importantly, the AKP’s instrumentalisation of the *Diyanet* has allowed it to reorient the organisation towards Islamist conservatism. The *Diyanet* provides the AKP with the religious legitimacy it craves, and in return, the *Diyanet* gains social status and economic advantages. All in all, “the enlargement of *Diyanet*’s sphere of influence is one of the indicators that political elites have tried to spread the identity change of the state to the society both at home and abroad” (Öztürk and Sözeri 2018, p. 9).

Since the party’s authoritarian-populist turn, the *Diyanet* has been heavily influenced by Erdoğan’s neo-Ottoman ideals and has begun to call for the uniting of the *ummah*. (Öztürk and Sözeri 2018). As the party became more conservative and authoritarian,

the themes of the glorification of jihadism, xenophobic anti-Western sentiments, and the victimhood of the *ummah* became common in Diyanet statements and sermons, propagated through its network of mosques (Ozzano and Maritato 2019).

When millions of people protested at Gezi Park because of the growing lack of transparency in the AKP's infrastructure projects and its creeping authoritarianism that targeted the secular and liberal lifestyles of the urbanite populations, the AKP responded by alleging that the protestors were looters, terrorists, and unbelievers (BBC 2013). The Diyanet supported the AKP's arguments and delivered a sermon in all the mosques in Turkey. The sermon claimed that:

"There are two groups of passengers. One group is composed of the people with knowledge, wisdom, intelligence, and virtue who also respects the rules put forward by the God. The other fanciful group, however, steps over the limits, considers freedom as fecklessness and disorder. They also have an understanding of freedom which would cause a disaster not only for themselves but also for the whole humanity." (Diyanet 2013)

Later, in December 2013, the AKP's corruption was targeted by the prosecutors and four ministers had to resign. While the AKP was in control of the conventional media thanks to stick-and-carrot tactics, in the social media, especially Twitter, the AKP's corruption was a hot topic. The AKP responded by threatening to ban Twitter. The Diyanet supported this ban in its sermon delivered on 28 March 2014:

"Today, humanity needs to understand the messages of the Qur'an and Prophet Mohammed about freedom and responsibility more than ever as the world has shrunk with the advent of mass communication tools, the number of those want to stave the ship has increased and they went so far as to disrupt the ecological balance of the earth by using the technical opportunities." (Diyanet 2014a, 2014b, 2014c)

When Turkey banned Twitter ten days before the local elections, Erdoğan said afterwards that:

"We now have a court order. We'll eradicate Twitter. I don't care what the international community says. Everyone will witness the power of the Turkish Republic". (Hurriyet 2014)

The Diyanet's sermon declared that:

"A Muslim cannot injure a sibling's pride and dignity by saying bad words to him privately. We report with sadness that gossip, idle words and allegations, slander, lies and bad words are being presented in a provocative way through modern means of communication. A lie and gossip sector has been created in this way," read the sermon, placing a special importance on the impact of social media." (Hurriyet 2014)

The Diyanet also conveyed this message in the sermon:

"People could forget about upholding their 'holy watch' while seated before a computer and could act irresponsibly towards others' dignities. People who make their tongues into a poisonous arrow through the use of gossip, lies and allegations should remember they will be held accountable for their acts." (Hurriyet 2014)

By the time Professor Ali Erbaş replaced Professor Mehmet Görmez who was a staunch AKP supporter as the Diyanet chief in September 2017, the tone of the sermons, merely distinguishing between "the pure" and "the enemies", took a more violent tone. Usually, the Diyanet sermons have a discreet way of criticising the AKP's opposition. Even the PKK, which is considered a terrorist group, has not been specifically named in the Diyanet sermons. Instead, the Diyanet uses more dramatic and symbolic terms, such as "the networks of murder", when it refers to the PKK's activities. Significantly, despite the proximity of ISIS and its terror activities within Turkey, there is no direct mention of them in the sermons. Under Görmez's leadership, a similar approach was taken towards the AKP's old ally turned arch enemy, the Gülen Movement; the group was referred to as the

“movement of dissension.” At times, sermons referred to the GM as “those who plotted against the existence of the nation” or simply “those who exploited the religion.” Since 2018, the sermons have frequently used the term “FETÖ” (Fethullahist Terror Organisation). An example of this can be seen in the coup anniversary sermons of 2018 that stated:

“The FETÖ terrorist organization which seemed to represent the truth but served the superstition has exploited our beliefs, moral sensitivities, our love of the Prophet, our zakat and alms, animal sacrifices and all other religious values and concepts”. (Diyamet 2018a, 2018b, 2018c, 2018d)

In 2021, Erdoğan’s political appointment of a new head of Bogazici University led to student protests, which soon gained international headlines. Rather than focusing on the legitimate demands of the student body, the protests were framed by the AKP as a push for LGBTQ+ rights. Bogazici University protesters were again labelled delinquents, and the police raided the campus’s LGBTQ+ students’ club and reportedly found an image of the Holy Kaaba in Mecca with the pride flag. This picture was used by the AKP to portray the protestors as anti-Islamic students, disrespectful of Islam and the national values, and violating the Islamic faith (Human Rights Watch 2021). The Diyanet President Ali, Erbaş, expressed support for Erdoğan’s actions and in line with this stance, a Friday sermon around the time of these events also made a direct reference to the “deviations” of the protestors (Diyamet 2021).

6.3. Pro-AKP, Islamist Religious Scholars

Breaking from Kemalist tradition, the AKP has cultivated an amicable relationship with non-Diyamet religious authorities who are not legally recognised and operate in the informal realm, while, since the multiparty era that started in 1950, the state authorities have turned a blind eye to their activities despite the (undemocratic) laws that criminalise these activities. These entities have their own religious power, and the AKP provides them space to express their right-wing Islamist ideas freely. These right-wing voices thus increasingly play a pivotal role in the informal ambit of Islamist law.

The most prominent of these Islamic legal scholars is Professor Hayrettin Karaman, who is also a regular columnist in the pro-AKP Islamist daily newspaper, Yeni Safak. Akyol (2014) notes that:

“Karaman’s religious views are an important guide for Erdogan’s ruling Justice and Development Party (AKP). To make an analogy, one can even say that if the Egyptian Muslim Brotherhood has the Egyptian Islamic scholar Yusuf al-Qaradawi as its religious touchstone, the relatively more modern and progressive AKP has the relatively more modern and progressive Karaman”. (Akyol 2014)

However, in line with the AKP’s increasingly authoritarianist populism and intensifying Islamism, Karaman’s views have become more conservative, anti-democratic, and radicalised. Karaman, and other Islamic scholars like him, have argued since the corruption investigations of the AKP that:

Since Turkey is a dar al-harb (an non-Islamic country where Sharia is not applied) and since what Islamists are doing is jihad, they can bend Islamic rules out of necessity and also break the official law. For them, winning the elections is winning a jihad. Thus, the winners are entitled to ganimet (booty). The elected Islamist politicians can get bribes in the form of 10 to 20 percent commission on public tenders worth billions of dollars from building contractors. Erdogan had to actually defend this corrupt practice after his ministers were caught red-handed by prosecutors with concrete evidence. He reportedly said that since it was not stolen from the treasury but given by the businessmen, it was not corruption. Nevertheless, until the 17 December 2013 corruption investigations, so few people knew this. After the 17 December investigation, Erdogan’s chief fatwa-giver Hayrettin Karaman started writing openly about these issues . . . He was trying to convince Erdogan’s religious voters that: Yes, Erdogan did

corrupt things, but it was for the dawah, jihad, for the Islamist cause, not for himself.” (Today’s Zaman 2015)

Hayrettin Karaman also sees the political parties as Western creations that harm Muslims (Karaman 2015). He argues that the opposition parties’ criticism of the AKP is un-Islamic. According to his Islamist legal reasoning, once a government is elected, opposition must end until the next elections. He once argued that the opposition parties are like enemies (Karaman 2019).

When the AKP decided to seize the properties of some dissident citizens, Karaman defended this act, citing a 13th century fatwa:

“If necessity forces an individual to seize people’s property, this seizure is permissible; in fact, if the individual fears he might die from hunger, cold, or heat, it is not only permissible but also necessary for the individual to seize property to meet his needs, the fatwa reads that it is more important, even preferable, to meet the needs of a society that likely includes Allah’s chosen subjects than to fulfil the needs of one individual.” (Agcakulu 2018)

He argued that it is “Islamically permissible for state to seize citizens’ possessions” (Ahval 2018b):

“If absolute necessity forces a person to seize the property of another, then it is religiously permissible for one to do so, in an apparent reference to an Islamic ruling on meeting one’s bare necessities . . . Keeping a society which is likely to contain esteemed servants of Allah alive is more important and favoured than meeting the needs of one person.” (Ahval 2018b)

When Erdoğan was pressing for a new executive presidential system without checks and balances, Karaman wrote that:

“The presidential system is like the Islamic caliphate system in which the people elect the president [caliph/ruler], then all pledge allegiance (biat) to him”. (Karaman 2015)

Before the constitutional referendum that created this authoritarian system, Karaman (2017) argued that voting “yes” in the referendum to approve the new system was an Islamic legal obligation (*fard*):

“If we want Islam to incrementally spread in our lives and be completed (as a social and political system)—that wishing this is an absolute obligation in Islamic law (*fard*)—and if this constitutional change is one the steps that would facilitate this process, according to the Islamic rule something that helps undertaking or completing a *fard* is also *fard*, voting yes in the referendum is also a *fard*”. (Karaman 2017)

He further argued in another piece that voters who object to this new system are alienated from their own values, civilisation, and culture, i.e., Islam:

“Since Muslims grant the right to life in their own societies to Jews, Christians and members of other faiths, since they establish relations with them within a framework of justice and goodwill, they will surely grant the same right to parts of their society who are alienated from their own values, core civilization and culture . . . I look at those domestic and foreign circles that want to weaken and destroy the current incumbents. Their aim is not ethics, merit, righteousness, their aim is to capture Turkey and get rid of the leader that opposes their wretched aims. The powers that rule the world with sheer force have captured some rulers who are nominal Muslims. Through these so-called Muslims, they are stealing the Muslim ummah’s wealth and lives. If they capture Turkey too, our material and sentimental losses would be very huge”. (Karaman 2019)

There are many more cases of religious scholars who have constantly supported the AKP and delegitimised the opposition by making use of Sharia. However, we will only underline a few examples. While Karaman is a highly prominent example of the army of

fatwa (non-binding Islamic legal opinion) issuers and legitimisers of AKP Islamist rule, there are many other religious clerics strengthening the regime through religious rulings and public statements. A prominent example is Nurettin Yıldız, a cleric known for contentious *fatwas* on gender-related issues. He has expressed highly orthodox views on the marriage of young girls and controlling sexual desire in elevators, among other issues (Pehlivan 2018). Apart from his highly gendered *fatwas*, Yıldız has also targeted the Gulen Movement and by extension other opposition forces. Once, he demanded a fatwa from the Diyanet that would permit the execution of the Gülen Movement members and “their hands and feet be amputated or be exiled instead of keeping them in prisons” (TurkeyPurge 2016). He argued that:

“The Diyanet cannot say it has done its part by ordering imams to recite salâ (call to funeral prayer) on the night of the coup. The Religious Affairs High Commission must speak up about this [Gülen Movement] group. If it is not able speak against it, it must declare the basic criterion [to punish them]. For example, how the Quran punishes those involved in terror in Surah al-Ma’idah. It says ‘Kill them, execute them, order their opposing hands and feet be cut off or exile them.’ There are no prison terms. The Religious Affairs Directorate and its high commission must direct the government [for punishing Gülen followers]. This Muslim nation will have to feed those people [Gülen followers] for more than 20 years in prison. Thousands of people will be more of a burden to the state than a town is.” (TurkeyPurge 2016)

Another professor of Islamic law, Professor Ahmet Akgündüz, who is also the rector of the Islamic University of Rotterdam, doubled down on this pro-violence rhetoric allegedly justified by Sharia and stated on Akit TV that:

“My dear brother, even if they are saints . . . check this out. It is important because people across the count have been asking me about this. They say: ‘Sir, there are some people within FETO who are more pious than us.’ And I tell them it doesn’t matter at all. According to Qur’an, it is even allowed to slaughter them if they rise against the government.” (Kurucan 2018)

When he was criticised, Professor Akgündüz did not retract his comments and posted a question on his Facebook account: “Did they expect me to provide a different answer as an expert on Islamic law?”. (Kurucan 2018)

In another very prominent incident, a tele-preacher who is also an influential leader of a Nakhshbandi religious brotherhood that probably has a few million members in Turkey, Cüppeli Ahmet Hoca, preached in a mosque that:

“I am taking religious responsibility here. We will be judged by God in the hereafter. This is not a matter of İmamoğlu (the opposition CHP’s mayoral candidate for Istanbul). In the background, there is a plot (conspiracy). All services in Istanbul will stop. All services to the Muslims all over the world will stop. Earthquakes will follow like the acts in the Gezi protests. The plotters would want to continue further. So, I am saying this for the sake of Allah not for myself: Those who say that I caused the loss of Yıldırım (the AKP’s candidate) and win of İmamoğlu are committing haram. I am giving a fatwa here, a fatwa in fiqh (Islamic jurisprudence). I have spoken with the committee of fiqh. I have consulted with ulama (Islamic religious scholars). I asked them if I am wrong to give this fatwa. They said, according to all principles in Majalla (Ottoman Civil Code based on Islamic law) and all fiqh rules, you can comfortably give this fatwa.” (Kaç Saat Oldu 2019)

The Islamist legal narrative produced and propagated by the AKP leaders, Diyanet officials, and informal religious leaders have inevitably influenced some of the grassroots of the AKP. The next section will present some examples of this phenomenon.

6.4. Elite and Grassroots AKP Supporters

What the AKP leaders, Diyanet officials, and religious legal scholars have been saying about the Islamic legal obligation to support the AKP and the opposition's anti-Islamic affairs has been repeated in many instances by laypeople, ordinary citizens, bureaucrats, journalists, and others.

In such an incident, the Rector of the Harran University Rector Ramazan Taşaltın stated that:

"In Islamic terms, it is fard al-ayn (obligatory according to Islamic law) to obey Erdoğan, and opposing him is haram (forbidden in Islamic law)." (SCF 2018)

Another rector, the Rector of Artuklu University, Professor Ahmet Ağırakça, included democracy among a list of ideologies that require the death penalty in Islam in an encyclopaedia (Ahval 2018c). In the six-volume Shamil Encyclopaedia of Islam, edited by Professor Ağırakça, apostate is defined as:

"To not declare an unbeliever an infidel, to become doubtful about infidels and to believe that the non-Islamic ideologies they have produced are true; to worship monuments, graves and the dead; to endorse idolatrous systems such as Jewishness, Christianity, Communism, capitalism, democracy, social democracy, etc . . . The penalty for an apostate who does not repent is to be killed." (Ahval 2018c)

Some citizens told journalist that they were under the influence of the AKP and pro-AKP religious legal scholars' narratives on the opposition, and they thought that voting for the opposition could be a sin according to Sharia:

"I entered to the booth, was undecided whether to vote for the AKP or Good Party, then I unconsciously stamped on the CHP's column on the ballot. I trembled and was afraid. I went out and told this to my wife who told me to go back and stamp also on other parties to make the ballot void. But this was not possible. I felt so strange when I voted for the CHP for the first time."

(Basyurt 2019)

Some opposition party members complained that when they were trying to speak to the people in the streets when campaigning before the elections, some pro-AKP people approached them and blamed them for working against Allah's will and thus Islamic law:

"Because we are in alliance with the CHP against the AKP, AKP supporters come to us and call us 'enemy of Islam,' 'faithless,' 'infidel,' 'hypocrite,' 'Fethullahist terrorist,' 'Erbakan is turning in his grave,' 'traitors'." (BBC 2018)

A week before the constitutional referendum that changed the political system to an authoritarian executive presidential system that made Erdoğan a de jure dictator, an employee of the AKP-controlled Istanbul Municipality, Omer Akbayrak, posted on his Facebook page that:

"Dear Friends! The Republican People's Party (CHP) has openly declared war and is doing all that it can (against us). The attacks have started at the parliament with all their rhetoric and action now targets yes-sayers. On April 17, after we win the war, their wives and daughters are available as loot (and) as halal (permissible according to Islamic law) to [those who vote] yes." (Tremblay 2017)

He further claimed in his post "that according to Islamic law, after a war, the defeated army's women become the victors' concubines, and he added that those details would be sorted after the victory" (Tremblay 2017). Tremblay (2017) reports that:

"Although most Facebook commenters were critical of Akbayrak's statement, quite a few applauded him as well. For example, one Twitter user wrote, 'Omer Akbayrak, my brother, whose freedom of expression has been curtailed, stand straight. This nation is with you. No one speaks up against those who want to run us [yes-sayers] into the sea, but speaking about the law of war, gets one suspended'". (Tremblay 2017)

An opposition member told Tremblay (2017) that he was very concerned about the concubine rhetoric:

“We saw photos of wives, daughters, granddaughters of prominent figures [naysayers who were courageous enough to advocate against the constitutional amendments] being displayed as halal [permissible] loot for all those who said yes, or for the believers. This is not a joke. This is the first time in Turkey that Islamists declared their fellow citizens enemies and a democratic political process [referendum] as a war and called upon believers to consider the others as losers, and punish them as losers would be punished in accordance with Islamic law.”. (Tremblay 2017)

Not even one AKP politician or pro-AKP opinion leader or religious law scholar objected to Akbayrak. Even though, “there was a clear call for sexual violence against a specific group, and he has not even been taken into custody” (Tremblay 2017).

Concubine rhetoric (arguing that according to Islamic law the opposition figures’ wives were the sexual properties of the AKP supporters) was not used for the first time during the referendum campaign. It was first used against the soldiers who were allegedly part of the coup on 15 July 2016. An administrator at the Trabzonspor basketball club, Veysel Taskin, who is now a columnist for the Islamist *Karar* newspaper, posted on Twitter that:

“The wives of the infidels’ (gavur) bastards who are staging the coup are the nation’s loots (ganimet) (in Islamic law)”. (PolitikYol 2016)

It has been reported that Veysel Taskin

“was not the only one to objectify women as booty in these precarious times. A widely circulating video online allegedly shows a police officer asking an imprisoned soldier who supposedly took part in the failed coup d’etat if he has a daughter. He then threatens: ‘I’ll f*** her!’.” (Ersoy 2016)

Later, the Gülen Movement members were targeted with the same hate speech and sexual violence rhetoric. However, neither the AKP elite nor the other opposition groups condemned this rhetoric at the time.

In one such incident,

“Foreign Economic Relations Board of Turkey (DEİK) representative in the Austrian province of Vorarlberg Hasan Güray Özüyer has said the Justice and Development Party’s (AKP) male supporters could enter into polygamous marriages with the wives of jailed followers of the faith-based Gülen movement. Responding to Twitter message that interpreted the Rabia sign, a four-finger hand gesture frequently used by President Recep Tayyip Erdoğan, as meaning the Turkish lira’s hitting rock bottom at TL 4 to the euro, Özüyer wrote from his Twitter account: “That [sign] is not for the euro. It is for the wives of jailed FETÖ supporters. It means you could marry as many as four of them.” FETÖ is a derogatory term coined by government circles to refer to sympathizers of the Gülen movement. Özüyer’s remarks were reminiscent of the practices of Islamic State in Iraq and the Levant (ISIL) militants, who take women in the territories they occupy as their second, third and fourth wives”. (TurkeyPurge 2017)

Violence against the opposition allegedly justified by Sharia is not limited to sexual violence in the rhetoric of the AKP’s supporters. They also claim that according to Islamic law it is permissible to kill the opposition members or anyone who dares to criticise the Islamists, their policies, or way of life. In a very recent example, a singer joked that those guys who graduated from the AKP-supported Imam Hatip Schools were perverts. The AKP got very furious, and a judge imprisoned her despite the fact that the alleged crime is not an offense punishable by imprisonment. During the hot debates, Ömer Yıldız who was the chair of the Kagithane branch of the AKP ally the Welfare Once More Party until April 2022, tweeted that “it is obligatory according to Sharia that this women must be murdered (*katli vaciptir*)” (Euronews 2022).

In an earlier similar incident that happened on live TV, pro-AKP Islamist Akit TV's presenter Yusuf Ozan employed a similar rhetoric:

"When Cumhuriyet's (a Kemalist anti-AKP daily newspaper) turn came while he was reading the newspaper headlines . . . (he) let loose a barrage of insults to the accompaniment of ugly insinuations. He then wished for the introduction of Sharia and the death penalty and bandied threats targeting the newspaper's staff saying, 'It is canonically (in Islamic law) permissible to murder the likes of you.' Democracy and all that is baloney. It is canonically permissible to murder the likes of you in wartime. Let God damn you! You are without guts, honour, dignity or prestige. There is not an ounce of religion or faith in you. You are the remnants of a period. They are crypto-zionists. Those who stage operations against this country in such a period are traitors." (Cumhuriyet 2018)

Mr. Ozan is still employed by Akit TV (Akit 2022) and has not faced any legal investigation because of his pro-violence remarks on live TV.

7. Conclusions

This study has shown some very important implications of the AKP's use of civilisational populist informal law to legitimise its authoritarian rule and delegitimise and repress the opposition. In the last decade, Turkish politics has been highly affected by the rhetoric of populism, which has instilled Islamism, fear, neo-Ottomanism, and animosity towards the West and Western values, such as democracy, pluralism, and secularism, among the AKP's supporters. This authoritarian civilisational populism divides society into two antagonistic factions and demonises critics or even individuals who do not show support for and faith in Erdogan and the party. This idea is reaffirmed by the informal legal structure that strengthens the divides within Turkish society. The constant "us" versus "them" rhetoric of populism has put the regime in a permanent survival mode where unlawful detention, the seizure of assets, and the purging of the opposition are becoming a norm.

The paper has shown that the AKP officials, the state's Directorate of Religious Affairs (Diyanet), the pro-AKP Sharia scholars, and other informal religious authorities employ the civilisational populist Islamist legal narrative to support the AKP and to attack the opposition. According to their civilisational populist informal legal narrative, it is obligatory in Sharia law to choose the side of the God, i.e., the AKP, and vote against the infidel opposition that is an existential danger to the pure Muslim people of Turkey and Islam. The paper has shown that in some cases the Islamist informal legal pronouncements of the elite and the grassroots supporters of the AKP are more outspoken and ISIS-like, threatening the opposition figures' wives and daughters with rape, taking them as concubines, declaring democrats as apostates that should be killed, and framing the opposition as infidels that work with the enemies of Islam and Muslims.

The paper contributes to the literature of both populism and informal institutions. Studies on informal institutions in the Middle East and North Africa have shown how informal institutions have had an impact on politics. However, the impact of informal religious law on government and opposition has not been examined. Moreover, legal pluralism and Islamic informal laws in the Muslim world have not been studied extensively, and the existing works have not looked at how rulers use informal laws. This article has addressed these gaps in theory by studying the AKP party and its allies' use of legal pluralism (the existence of informal Islamic laws in the constitutionally secular country) as an instrument to delegitimise and oppress the political opposition in Turkey.

This paper also contributes to the studies on how authoritarian populist governments prolong their rule by showing how these populists attempt to delegitimise opposition by using an informal religious legal system.

Funding: This research received no external funding.

Informed Consent Statement: Not applicable.

Data Availability Statement: Not applicable.

Conflicts of Interest: The author declares no conflict of interest.

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