

How to Mock a Dictator (and Get Away With It)

The German government, a coalition of Angela Merkel's conservative Christian Democrats and the center-left Social Democrats, has decided to [allow prosecution](#) of one of its citizens, a comedian named Jan Böhmermann who read a poem which mocked Tayyip Erdogan, the President of Turkey. This is because there is a law in Germany's penal code that forbids insulting foreign leaders. The decision was made by Merkel despite protests from her coalition partners. Thomas Oppermann, the leader of the Social Democrats, said: "Prosecution of satire due to lèse-majesté does not fit with modern democracy." Even Merkel admitted that the law should be changed and that Parliament will do so in the next session. It should be obvious that there are some important issues at stake in this case.

I have previously written about Freedom of Speech [here](#) (about the Espionage Act and government secrecy) and [here](#) (about Charlie Hebdo and terrorism). I am not an absolutist when it comes to Freedom of Speech; I think that it is not permitted when speech comprises credible threat of violence against a person. Insults and mockery, on the other hand, however offensive they may be, are fair game. Giving offense is not a crime, nor is bad taste; they are both protected by freedom of speech.

I like to think of freedom of speech as the first among equals within the "First Amendment suite" of universal human rights that are the backbone of any free society: Freedom of Speech, Religion, the Press, Free Assembly, and Free Petition of Grievances. Without these most basic protections, no society can be considered free. When these rights are impinged upon, a society becomes less free.

My concern in this case is not for Germany. There is no doubt that Germany is a free, but imperfect, society (there has never existed a perfect society). The fact that the left-wing and right-wing opposition in Germany are in agreement with the Social Democrats that prosecution of Mr. Böhmermann is the wrong decision shows that Germany is not turning into an authoritarian state. Merkel herself clearly said she would try to eliminate the ridiculous law that allows for such prosecution. The problem is not with Germany. The problem is with Turkey.

Turkish President Erdogan has ruled his country for the last 14 years—the first 11 as Prime Minister and the last three as President. For the first few years he was widely praised as a reformer and modernizer who could bridge East and West. Turkey was in discussions with the European Union about potential membership from around 2004-2009. This candidacy stalled ostensibly due to a series of major problems with human rights that were far below EU standards: there was reported to be a lack of freedoms of expression, thought, conscience, religion, assembly, and press; there is also a lack of impartial judiciary, children's and women's rights, and trade union's rights. This does not count to lingering problems of the oppressed Kurdish population, the Cyprus question, and the ongoing official denial of the 1915 Armenian genocide. Since the EU integration process was suspended, there has been a clear move in Turkey even further away from these reforms and more towards authoritarianism.

I have previously written about the legacy of Kemal Atatürk [here](#). While I am highly skeptical of any consolidation of power into the hands of a single person—a dictator or autocrat—there have been historical cases in which the situation called for such a person in order to make otherwise impossible reforms. Atatürk is one such case of the rare benevolent dictator. Other historical examples can be counted on just one or two hands, and the assumption should always be

that these necessary dictators give up power as soon as possible (for example, when Garibaldi conquered the Kingdom of Naples in 1860 and began implementing constitutional reforms, before voluntarily and peacefully giving the territory to the newly united Kingdom of Italy six months later). One of the lessons of history is clearly that all power corrupts (another theme I have discussed [here](#)). If we look critically at the career of Tayyip Erdogan, we can easily follow the path he has led towards authoritarianism, with no apparent sign of his giving up any power during his lifetime. He has moved away from his early reforms towards crushing all opposition and making laws according to his own personal diktat.

The tragedy of Turkey is that it has the potential to be a great country with a free society. It has no need of a dictator. It is similar to Russia in both these regards. But power corrupts. And when certain men (because it's always men) hold power for too long, they begin to see conspiracies and threats around every corner, and they tighten their control of state institutions and limit any lingering freedoms already existing in the country. These men are always afraid of armed uprisings or military coups d'état, but what is just as dangerous in their minds is mockery. When a dictator consolidates his power, writers, comedians, artists, poets, and intellectuals of all stripes are immediately placed under surveillance, exiled, imprisoned, or shot. This is because dictators cannot stand the idea of anyone openly making fun of them, even if it's a joke about their facial hair. Only the dictator sees a real potential threat from a joke by a poor comedian about the dear leader's whiskers. In this case, Erdogan has followed the dictator's operating manual to the letter.

It has long been troubling that a law exists in Turkey that forbids criticism of any kind against Kemal Atatürk. The existence of such a law is itself an affront to freedom of speech and historical inquiry. I respect the achievements of

Atatürk, but no leader, living or dead, is free from criticism from his subjects or posterity. The danger of such a law has been made manifest in new laws clamping down on criticism against Erdogan, and the complete disregard for freedom of speech and the press that now seems to plague Turkey. Erdogan has ruthlessly pursued prosecution of anyone expressing any criticism of him, such as a Turkish doctor who posted an (admittedly uncanny) [comparison](#) between his President and Lord of the Rings villain Gollum.

Erdogan is now taking his game one step further by exploiting a little-known German law to pursue a case against a German comedian who mocked him on German television. This comes at a key time in which European governments are relying on Turkey to stop the influx of refugees through Turkey into Europe so as to appease the growing right-wing xenophobic parties gaining steam around the continent (and the world). Erdogan, always a wily operator, will take advantage of this deal to demand that European governments import his version of press controls in return for cooperation on refugees.

America is by no means a perfect society, but at least it has probably the strongest tradition of freedom of speech and of the press in the world (even if the limits are constantly being tested). In how many other countries in the world can you imagine a comedian not only mocking a sitting president to his face for 20 minutes on live television, but even living to tell about it. That is what happened with Stephen Colbert and President Bush in 2006, and happens everyday of the year with other comedians, writers, or just normal citizens on social media. As I have explained, jokes and speech are allowed to be offensive or in bad taste. My freedom of speech allows me to publicly disagree with what someone said, but not to silence them. The only exception is violence or threat of violence. When America talks about exporting freedom, this is what is meant. It takes a combination of strong leadership and a willing populace to gain such freedoms in the first place. It

is unfortunate that the former is lacking in Turkey today, though we can hope that the latter still has a vote in the matter.