



The right to pornography

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A liberal democratic state does not have the right to monitor its citizens to check to see whether they buy magazines or films that present naked bodies

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A new hot debate started this week in the Turkish media with the draft law prepared by Edibe Sözen, a member of Parliament on the ticket of the governing Justice and Development Party, or AKP. In order to "protect" the young from pornography and alcohol, Ms. Sözen's proposal brings some measures that raised eyebrows in the secular camp: Minors below 18 will not be admitted alone in restaurants that serve alcohol after 10 p.m.. Even if they are with their parents, they won't be allowed to stay there after midnight. Pornographic material will be sold in closed bags, and those who buy them will have to show their ID and give their citizenship number to the newsstand that sells them. And the newsstands will report these buyers to the local "youth and sports department."

Towards a shariah state?

The whole idea seems to be about keeping porn and alcohol consumption under control. And while I think it might not be a bad idea, some of the elements in the draft, especially the one about monitoring porn-consumers, are wrong.

Let me explain. First, one should note that Turkey indeed needs some check on alcohol consumption by minors. In the United States, you can't drink if you are younger than 21. When you try to walk into bars, you will often be asked to prove that you are old enough by showing your ID to the sizeable gentleman at the door. In Turkey, the situation is much more lax. A 15-year-old can easily walk into a bar and order the booze he or she wants. So we will not become a "shariah state" or something, as the secularist media has started to chant yet again, if some regulation on alcohol consumption by minors is introduced. We will be just more responsible.

Pornography, no doubt, needs to be controlled as well. In the United States, which I see as the best example of a balance between individuals liberties and moral concerns, not just pornography, but even erotic scenes in normal movies are kept away from the eyes of minors. And again, Turkey is much more lax. The motion picture rating system used in American movies has no equivalence in this country. Here, a 10-year-old can freely walk into a movie theater and see, say, "Eyes Wide Shut," which would be rated "R" in the country where it comes from. There are even movie theaters in Turkey in which erotic films supplemented by porn scenes are played, and to which teenage boys can freely go. Internet cafes, which are also listed in Ms. Sözen's draft as places that need regulation, are also often used by Turkish teenagers to access porn.

But regulating obscenity is one thing, and monitoring the people who indulge in it is another. And the latter, I believe, is dead wrong. The state has the duty to protect minors from pornography and similar vices, but when minors become adults they reach the level of being responsible for themselves and their decisions. If an adult wants to enjoy pornography, that is his (or her, but often his) decision. We can still denounce that form of explicit sexuality as morally destructive, as most conservatives do, or condemn it as an act of exploitation of women, as most feminists do. Then we have all the right to make a public case against that industry by raising awareness through media campaigns or other civil means. Yet the state should not interfere with the choices of consenting adults – unless it involves criminality such as child porn.

Therefore, I think, Ms. Sözen should give up her suggestion of collecting the names of citizens who buy pornographic material. In her speech to the press, she said a similar law is in practice in Germany. I don't know about the situation in Germany, but I know that a liberal democratic state does not have the right to monitor its citizens to check to see whether they buy magazines or films that present naked bodies.

Prayer at schools?

Another suggestion in Ms. Sözen's draft is the opening of "prayer rooms" in public schools, "for students from all different religious faiths." The secularist media perceived this as "an attempt to insert Islamic prayer to schools," and Ms. Sözen responded by saying that she meant "all faiths," not just Islam.

This is, again, a complex issue. It is nice that Ms. Sözen refers to "all faiths," but it is also true that more than "99 percent" of Turkey is Muslim, and the prayers rooms, if they will be opened, will all be Islamic ones. So, in real life, the issue is about allowing Islamic prayer in Turkish schools. And it is not easy to give an answer. On the one hand, there is the idea that public schools are supposed to be secular, so they should not promote religious services. But on the other hand, there is the idea that public schools, let alone private ones, should respect the demands of their students to observe their religious practices. Which one is true?

The issue actually cuts down to this question: Should the secular state respect the religious practices of its citizens and make some regulations accordingly? My answer is often yes, because otherwise religious citizens would feel be discriminated against by the state. And they would be alienated.

I recall that the director of my high school would not allow students to go to the Friday prayer by taking a slightly longer noon break. He used to say, "Study at school is more important than prayer at the mosque." That sort of secularism is an assertive one that seeks to triumph over religion. And it is inevitable for true believers to dislike, and stand against, such a secularism. The wiser way would be to develop a model in which the religious lifestyle would be embraced, as well as the secular lifestyle. And citizens should decide whether they are driven to prayer or porn.

(Read more of Mustafa Akyol's pieces at www.thewhitepath.com)

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