# CIVILIAN CONTROL OVER THE MILITARY: THE CASE OF TURKEY WITH SPECIAL FOCUS ON INTERNAL THREATS ON ITS WAY TO EUROPEAN UNION MEMBERSHIP

Master Thesis

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MA Thesis

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# ÖZET

## ASKER ÜZERİNDE SİVİL KONTROL: İÇ TEHDİTLER ve AVRUPA BİRLİĞİ'NE ÜYELİK BAĞLAMINDA TÜRKİYE'DEKİ DURUM

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AVRUPA ve ULUSLARARASI ÇALIŞMALAR YÜKSEK LİSANS PROGRAMI

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Bu tez, asker üzerindeki sivil kontrolü, başlıca iç tehditler olan Kürt ayrımcılığı ve politik İslam çerçevesinde incelemektedir. Tarihsel olarak, Türkiye'de asker ülkenin bölünmezliği ve cumhuriyetin laik ve demokratik prensiplerinin korunması açısından özel bir yere sahiptir. Diğer yandan, Türkiye'deki asker sivil ilişkileri batı pratiklerine uyum açısından dikkate alındığında, askerin bu konumundan kaynaklanan bazı problemler bulunmaktadır. Türkiye'nin Avrupa Birliği'ne katılım müzakerelerinin 3 Ekim 2005 tarihinde başlamış olması itibariyle, Türkiye'de asker sivil ilişkileri Avrupa Birliği'nin de en önemli ilgi alanlarından birini oluşturmaktadır. Böylece asker üzerinde sivil kontrolün sağlanması, hem Kopenhag kriterlerine uyum hem de Türkiye'de demokrasinin işlerliği açısından en önemli konulardan biridir. Fakat iç tehditlerin artan etkisi nedeniyle tam bir sivil kontrolün sağlanması yakın gelecekte pek mümkün görünmemektedir. Bu tezin yazılmasındaki amaç, iç tehditler ve asker üzerindeki sivil kontrol ilişkisini Michael Desch'in açıklamalarıyla anlamaya çalışmak, Türkiye'de asker sivil ilişkilerine dair düzenlemeleri Türkiye'nin Avrupa Birliği'ne tam üyeliği çerçevesinde incelemektir.

**Anahtar Kelimeler:** Asker, Sivil Kontrol, İç Tehditler, Avrupa Birliği.

# ABSTRACT

CIVILIAN CONTROL OVER THE MILITARY: THE CASE OF TURKEY WITH

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The thesis analyzes civilian control over Turkish military with regard to the existence of internal threats namely Kurdish separatism and Political Islam. Historically, military officers in Turkey have a special position in the society as a guardian of the indivisibility, and secular and democratic principles of the Republic. On the other hand, when civil-military relations in Turkey are considered in alignment with the western practices, there are problems and inefficient practices arising from the traditional role of the military. Besides, the pattern of civil-military relations in Turkey is also a major concern of the European Union, since accession negotiations have started on October 3, 2005. Thus, maintaining civilian control over the military is a subject of both complying with Copenhagen criteria, and consolidation of democracy in Turkey. However, increasing volume of internal threats makes the full control unlikely in the foreseeable future. Regarding the threats and civilian control relationship, clarifications by Michael Desch will be applied.

**Keywords:** Military, Civilian Control, Internal Threats, The European Union.

*To him who is always with me with his mind and heart…*

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# ABBREVATIONS

CEE    : Central and Eastern European Countries

DP      : Democrat Party (Demokrat Parti)

EC     : European Community

EEC   : European Economic Community

ESDP : European Security and Defense Policy

EU     : European Union

JDP   : Justice and Development Party (Adalet ve Kalkınma Partisi)

JP     : Justice Party (Adalet Partisi)

NATO : North Atlantic Treaty Organization

NOP  : National Order Party (Milli Nizam Partisi)

NSC  : National Security Council

NSP  : National Salvation Party (Milli Selamet Partisi)

OPEC : Organization of the Petroleum Exporting Countries

OSCE : Organization for Security and Cooperation in Europe

PKK  : The Kurdish Workers' Party

RPP   : Republican People's Party (Cumhuriyet Halk Partisi)

RTÜK : Radyo Televizyon Üst Kurulu-The High Audio Visual Board

SSCs  : State Security Courts

TGNA : Turkish Grand National Assembly

VP     : Virtue Party (Fazilet Partisi)

WP    : Welfare Party (Refah Partisi)

YÖK  : Yüksek Öğrenim Kurumu-High Education Board

# 1. INTRODUCTION

Civil military relationship identifies the relations between the elected representatives of the state and the military officers. The domain of civil military relations study further includes the dealings between on the one hand state institutions and the society and on the other the military profession regarding policy-making (both definition and implementation of the policy), funding, and related regulations.

Since the military is the actor who holds the means of legitimate violence, the essential part of civil military relations focus on establishing civilian control over the military profession. Theories of civil military relations accept that civilian control requires military profession to be politically neutral and not to intervene in political decision making process and obey to civilian authorities' orders. These theories have been further developed as *new civil military relations* after the Cold War. The old civil military relations focus only on the prevention of a praetorian military intervention in domestic politics. During the Cold War period, civilian control over the military does not refer to the democratic norms and values such as accountability and legitimacy. For instance, there was no condition for NATO membership comprising democratically maintained civil military relations.[1] However, the focus of new civil military relations emphasizes the "democratic" control of the military integrating the concepts of democratic legitimacy and accountability in the security sector.[2]

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[1] In 1999, NATO introduced new criteria for the aspiring countries within the framework of Membership Action Plan. According to these criteria: "Aspirant countries are expected to achieve certain goals in the *political and economic* fields. These include settling any international, ethnic or external territorial disputes by peaceful means; demonstrating a commitment to the rule of law and human rights; establishing democratic control of their armed forces; and promoting stability and well-being through economic liberty, social justice and environmental responsibility." NATO Handbook, October 2002, Accessed from: ttp://www.nato.int/docu/handbook/2001/hb030103.htm, April 28, 2007

[2] Forster, Anthony, "New Civil-Military Relations and Its Research Agenda", *The Quarterly Jounal*, No. 2, April 2002, pp. 74-78

Concerning the new civil military relations, the problem mainly arises when military demands to have a say in political affairs or when the civilian leaders do not want to act in areas that they believe these areas belong to military professionalism. However, it is obvious that military must be subordinate to civilian authorities in terms of democratic values. If a military is uncontrolled by the state, then the military itself poses a threat to the sovereignty of the state it is entitled to defend. In that case, the outcome would be a military coup which means a total loss of control of the military. However, coups are not the only result, or at least they are more unlikely to happen in democratic systems. Though, military coup has been a fear of some of the European states over the last 40 years, but now it is just a concern of a very limited number of European governments.[3] But, there are still other problems of civilian control of the military such as accountability, democratic control of definition and development of defense policy, decision making on deployment and the use of force, defense spending, approval of senior promotions, restrictions on political activity by members of the military and a civilian Ministry of Defense.[4] Therefore, the question is not only to separate military from politics but also provide democratic control over policies and budget which military is involved.

In order to maintain civilian control over the military, creation of institutional structures are crucial. The Ministry of Defense is the institutional mechanism through which defense policy is made. A civilian Ministry of Defense is therefore essential. Besides, legislature has a role of scrutinize policy, approve or reject legislation and control defense spending. The parliamentary oversight of the defense policy and the defense budget are crucial elements of democracy. Accordingly, bureaucratic defense policy making structures and parliamentary oversight of the defense policy and defense spending provide democratic legitimacy to the policy-making and therefore essential.

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[3] Forster, Anthony, *Armed Forces and Society in Europe*, Palgrave Macmillan, New York, 2006, p. 19

[4] Cottey, Andrew, Timothy Edmunds, and Anthony Forster, "The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations", Armed Forces&Society, Vol. 29, No. 1, Fall 2002, pp. 36-44; Born, Hans (Ed.), *Civil-Military Relations in Europe*, Routledge, New York, 2006, p. 6

After the Cold War, maintaining democratic civil military relations is one of the most important concerns of the European Union considering its new member states of Central and Eastern European countries and also candidate countries such as Turkey. Considering Turkey, since 1998 the EU publishes Regular Reports criticizing and evaluating the developments on civil military relations along with a number of other issues. In response to these demands and also as a result of being a candidate country, Turkey has to adopt certain standards of democracy since Copenhagen criteria[5] is set for the incoming members in order to make their law and practice compatible with Western Europe's democratic standards.

Turkey, as a member of various Western institutions, i.e. NATO, Council of Europe, OSCE, and also a candidate country to the European Union membership, is a parliamentary democracy since the inception of the Republic. Beginning with the early years of the Republic, Turkey adopted radical reforms to transform the state and the society into a modern, secular, and democratic system. In this process, military served the vanguard role by accomplishing the Young Turks Revolution of 1908, and by creating the modern Turkish Republic in 1923 with the pioneering role of Mustafa Kemal Atatürk who was the founder of the Republic and a military officer also.

Today, being a full member of the EU is the most obvious goal of the Republic in order to consolidate democracy. While Turkey has been trying hard to achieve the EU membership, civil-military relations constitute one of the major issues for both democratization of the civil-military relations and accession to the EU. This relationship refers to where military stands in Turkish politics and also it covers the democratic legitimacy and accountability of the civil-military relationship.

Being a candidate country Turkey has been pursuing various reforms in social, economic, political life comprising the role of the military. Turkey has reached at a

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[5] In the Copenhagen Summit of June 1993, the European Council spelled out the so-called Copenhagen criteria, which define whether candidate countries are eligible for accession to the EU.

certain point in consolidating and institutionalizing democracy, and accordingly Turkish civil-military relations have been coming closer to Western practices with the adoption of constitutional changes about the institutional structure of the military organs, yet there are still some deficiencies and poor practices considering civilian control over the military.

Besides these deficiencies, being one of the most important institutions in Turkey, military historically has the role of protecting the indivisibility and secular character of the Republic. What is at issue here is that the military regards two important issues namely the political Islam and Kurdish separatism as the internal threats to the indivisibility and secular principles of the Republic. Thus, in this condition maintaining a full civilian control over the military is a big question in Turkey. Since the military is the leading advocate of these threats it is not eventually possible to have an overall civilian control.

Therefore, the thesis will try to analyze what are the internal threats/threat perceptions for the military officers, and at what degree civilian control over the military is possible in Turkey as they continue to regard these internal threats as a primary concern of Turkey. While trying to explain this, the clarifications of Michael Desch which is exemplified in his work of *Civilian Control over the Military: The Chancing Security Environment* will primarily be applied. His first argument is that "the best indicator of civilian control is who prevails when civilian and military preferences diverge".[6] Moreover, Desch continues to argue that there is a link between civilian control and the internal/external threats. When the external and internal threats are both high then the civilian control is poor, low levels of internal and external threats result in mixed civilian control, high levels of external threat and low levels of internal threat lead to stronger control, and low level of external and high level of internal threats result in worst civilian control.[7]

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[6] Desch, Michael, *Civilian Control of the Military: The Changing Security Environment*, The John Hopkins University Press, 1999, p. 4
[7] Ibid. p. 14

In this respect, first chapter will try to focus on the role of the military in politics in a historical context referring to its traditional vanguard role in establishing and modernizing the state, and its interventions to politics. The second chapter will try to explain the internal threats of Kurdish separatism and the rising of political Islam that are threatening the indivisible, democratic and secular structure of the Republic, and therefore constitutes a primary concern of military officers. Thirdly, the effects of the European Union membership process on Turkish civil-military relations, and accordingly the constitutional and legal amendments on military institutions as part of the EU reforms will be analyzed. Finally, civilian control over the military in changing threat environments will be introduced and prospects for Turkey will be analyzed by applying clarifications of M. Desch.

## 2. THE ROLE of TURKISH MILITARY in POLITICS

Turkish military traditionally has an autonomous place and popularity in Turkish society and a strong voice in Turkish political life. Legacy of the Ottoman Empire and Turkish War of Independence provided the basis of legitimacy for the military's strong role in politics.[8] Regarding this historical context, soldiers are the actors who established the Turkish nation state, and they are also the ones who triggered the reforms in order to have modern social, political, and cultural system. Over the years, they have become some sort of a political actor enhancing their privileged position after gaining more autonomy with the help of the constitutional amendments following three coup d'etats (1960, 1971, and 1980). Consequently, the major problem of the role of the military in Turkish case is the fact that civilian authority lacks the full control of the military authority.

Concerning the democratic control of the military in Turkey, there are basic indicators that reflect the autonomy of Turkish military. These indicators compromise the functions of the NSC (National Security Council), the role of the SSCs (State Security Courts), parliamentary control over the budget and arms procurement, and appointments and career structure of the military personnel. Concerning Turkish civil-military relations, these subjects are also still matters of discussion on the way to accession to the European Union.

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[8] Güney, Aylin, Petek Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", *Armed Forces and Society,* Vol. 31, No. 3, Spring 2005, p. 442

## 2.1 Historical Role of The Turkish Military

Turkish military has a political autonomy that may be defined as its ability to be above and beyond the constitutional authority of democratically elected governments.[9] This is mainly because of the fact that the military, as the founder of the Republic, observes itself an ultimate guardian of the state and its founding principles of nationalism, republicanism, laicism, populism, reformism and statism which were set by the founder of the Turkish Republic, Mustafa Kemal Atatürk.[10] The root causes of this evaluation lay in the historical background in which military has gained and enhanced its authority.

There were two main categories in Ottoman society: the sultan, the military, and the ulema, at the top; and subjects (reaya) comprising a large number of peasants, at the bottom. The civil and military bureaucracies were the intermediaries between these two classes. Consequently, as part of the elite, military officers had closer ties with state that was giving them a prominent role in society.[11] Due to this privileged position of the soldiers, namely the Janissaries and the special type of recruitment of these officer corps[12], and their membership in the political ruling class, there were weak links between them and the society.[13] As the Ottoman Empire declined the Janissaries developed parochial interests with the alliance of some segments of the Muslim establishment and became the main obstacle to reform efforts made to save the collapsing structure of state and society. This caused the reformist sultans to establish a new, European-style army at the end of the eighteenth and beginning of

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[9] Sakallıoğlu, Ümit Cizre, "The Anatomy of the Turkish Military's Political Autonomy", *Comparative Politics,* Summer 1997, p. 153

[10] Demirel, Tanel, "Soldiers and Civilians: The Dilemma of Turkish Democracy", *Middle Eastern Studies*, Vol. 40, No. 1, January 2004, p. 128

[11] Narlı, Nilüfer, "Civil-Military Relations in Turkey", *Turkish Studies*, Vol. 1, No. 1, Spring 2000, p. 108

[12] "Based on the institution of the *devşirme* (conversion), which involved the drafting of young boys from the subject Christian population, their conversion to Islam, and rigorous training to serve the Empire, the Janissaries represented the epitome of patrimonial rules...", Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", *Comparative Politics,* October, 1983, p. 18

[13] Sakallıoğlu, Ümit Cizre, "The Anatomy of the Turkish Military's Political Autonomy", 1997, p. 155

the nineteenth centuries and eventually in 1826 they destroy the Janissaries, the traditional elite corps of Ottoman history.[14]

By the end of 18th century, when the political modernization movements paved in Ottoman state, the reformist efforts occurred in most part under military establishment. Those efforts first included the creation of a new army. Western sciences and technology were first taught in military schools because the Ottoman statesman believed that to save the empire from collapse is closely based on reforming the military. However, the cadets learned both natural sciences and ideas of freedom and constitutional government and they realized the backwardness of their country.[15] Following the Young Turk Revolution of 1908, the Committee of Union and Progress (1908-1918) came to power and it was dominated and led by the Ottoman staff officers who adopted the idea of saving the state as their duty.[16]

After Mustafa Kemal Atatürk emerged as a political and military leader, he and other generals established the modern Turkish nation-state as a result of their success in the Turkish War of Independence and leaded the various reforms to transform the society and the structure of the state. This vanguard role of Turkish military is the reason behind labeling them as the founders of the Republic.

The prominent role of the military and the Ottoman tradition of close military-state ties continued in the Republican era, namely after 1923. There are two essential factors behind the military's guardianship role in this period: First, the Republican leaders realized that a strong and loyal army was certainly necessary for the survival of the state. Secondly, the transformation project of various reforms, comprising replacement of religion and dynasty with nationalism and secular republicanism, and legislation prohibiting certain types of headgear had been carried out, but these reformist steps were met by deep opposition. Since the Kemalist leaders of single-

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[14] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", pp. 18-19
[15] Demirel, Tanel, "Soldiers and Civilians: The Dilemma of Turkish Democracy", 2004, p.128
[16] Ibid., p. 129

party regime (the Republican People's Party, 1923-1945) saw armed forces as the main pillar of the new regime, and the party also had the support of the army, the military became the guardians of the Republic and the six principles of Kemalism. Eventually, because of this role, it identified itself completely with the state and the status quo.[17]

Despite vanguard role of the military as a founder and guardian of the Republic that reinforced the politicization of it, there is a remarkable effort that is made in order to maintain the separation of military from politics. This is conducted by Mustafa Kemal Atatürk by an official action of forbidding military officers to stand for elections without resigning from their military postures. "The aim of this policy was not only to prevent the military from exercising direct political influence, but also to insulate the military establishment from the pulling and hauling of the political arena. This is, in fact, characteristic of stable political regimes".[18] However, military influence in the political affairs continued- and is permitted to continue- because of the military backgrounds of the leading figures (Mustafa Kemal Atatürk, as the first president of the Republic until his death in 1938, and İsmet İnönü, as successor to Atatürk, president, and prime minister), and support of the military to the reform program of the Republic.[19]

A crucial change occurred in Turkish political system when multy-party regime started with the 1950 elections. A new political party, Democrat Party won the elections and this signified for the first time that its leaders who have no military careers were coming to power. This new period, despite it seemed that the influence of military as elite declined nourished the root causes of tension between government and the military officers who believed that the new government was departing from the founding principles of the Republic.

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[17] Ibid., p. 129; Brown, James, "The Military and Politics In Turkey", *Armed Forces and Society*, Vol. 13, No. 2, Winter 1987, p. 238; Sakallıoğlu, Ü. C., "The Anatomy of the Turkish Military's Political Autonomy", p. 155
[18] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 19
[19] Ibid., pp. 19-20

## 2.2 Turkish Military and Politics

Having said that Turkish military has political influence historically, the most viable aspect of this influence is military coups that took place almost in every ten years between 1960-1980 period. Military establishment has further gained various channels to control civilian leaders through the coups. For each intervention claimed that it was coming to power in order to reestablish democracy and maintain stability. It also needs to be emphasized that, at the end of each coup they returned to barracks. Military interventions are also supported by the society because of the belief that politicians were incompetent and self-serving. However, the problem here is that the political system is not capable and self correcting enough conversely to Western democracies in that it always calls for intervention through which military is extending its area of influence. Since "excessive caution to avoid a *quick death* of democracy through coup d'etat might lead to a *slow death* of democracy through the gradual erosion of democratic practice"[20], maintaining stability through military interventions is not compatible with the nature of democracy.

## 2.2.1. The 1960 Military Coup

In 1950 general elections, Democrat Party won the victory and had ruled the country for ten years (1950-1960). The early years of the new government were successful years comprising opening industry to private enterprise and growing of national income by 40 per cent. However, opposition to the ruling party began in the second half of the decade when economic indicators got worse. After 1954, economic growth slowed, and inflation rate and the balance of payments deficit rose. As the economic discontent rose, the government became more politically repressive. While the Democrat Party Chairman Adnan Menderes was taking harsh measures, the

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[20] O'Donnell, Guillermo, "Transitions Continuities, and Paradoxes", in Scott Mainwaring, Guillermo O'Donnell, and J. Samuel Valenzuela (eds.), *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective,* University of Notre Dame Press, 1992, p. 33, qtd. in, Demirel, Tanel, "Civil-Military Relations in Turkey: Two Patterns of Civilian Behavior Towards The Military", *Turkish Studies,* Vol. 4, No. 3, Autumn 2003, p. 3

conflicts between the Kemalist elite-namely the military- and the new political forces were becoming evident. Democrat Party alienated the military by some measures. It changed The Chief of General Staff, and the commanders of land, sea, and air forces, and also some other high-ranking commanders. The party also begun to give the impression that promotions in the military establishment was based on fidelity to the party. It also did little to improve the declining economic status of the officers. [21]

Besides, in 1953, all the properties of Republican People's Party were confiscated except the essential ones that are vital for its activities. The newspaper of the party, Ulus, was temporarily taken over. In 1954, the government muzzled all opposition newspapers with the help of the new Press Law. The government became more repressive by banning public meetings, and the formation of political parties in opposition to form, introducing a legislation that threatened to close down the Republican People's Party. It was also criticized for making too many concessions to the Islamic conservatives. Consequently, there was a growing opposition to government appearing with student protests. The government ordered the military to repress them and applied martial law. By taking these measures, Democrat Party government was pushing the military into a political role thereby violating the Kemalist doctrine of apolitical army.[22]

Consequently, the military removed the government from office with a bloodless coup of 27 May 1960. It is significant to note here that although there was military influence in politics beforehand, military intervention of 1960 was an obvious response to the measures Democrat Party had taken that eroded democracy.[23]

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[21] Brown, J., "The Military and Politics In Turkey", p. 238; Brown, J., "The Politics of Disengagement in Turkey: The Kemalist Tradition", C. P. Danopoulos, (Ed.), *The Decline of Military Regimes,* 1988, p.p. 131-146, Westview Press, Boulder&London; Hale, William, *Turkish Politics and The Military*, Routledge, London, 1994, pp. 94-95; Demirel, T., "Civil-Military Relations in Turkey: Two Patterns of Civilian Behavior Towards The Military", pp. 4-5
[22] Ibid.
[23] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 21

After the coup, soldiers set up the cabinet in the name of National Unity Committee in which there were figures whose ideologies were ranging from moderate socialists to conservatives and also ultra-nationalists. The majority of the members comprised the junior and middle-ranking officers. Academic specialists and the members of the National Unity Committee composed the constituent assembly in order to prepare a new constitution. They primarily aimed to prevent the re-emergence of an authoritarian regime basing on majority in parliament. The new constitution, thus comprised new legislation that restricted the power of the government, i.e. the establishment of a second parliamentary chamber, adopting an electoral system based on a strictly proportional system of representation, providing universities broad autonomy, establishment of new institutions such as a constitutional court with authority to invalidate governmental decrees and legislation.[24] Concerning an essential part of civil-military relations, the new constitution brought an amendment that Chief of General Staff was again made responsible to the prime minister rather than the Minister of Defense.[25]

As another vital part of future relationship between the state and military, a National Security Council was established with the new constitution in order to advice the government on defense and security matters. The National Security Council comprised the president, the main cabinet ministers, the Chief of the General Staff, and the serving force commanders.[26] Thus the military gained a channel to influence and participate decisions of the political power.

### 2.2.2 Coup by Communique of 1971

After the 1960 intervention, the army according to its loyalty to its promise gave the authority to the elected civilian government. Turkey drafted its most liberal

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[24] Ibid., p. 22; Hale, W., *Turkish Politics and The Military*, p. 122

[25] "The position of the Turkish Chief of General Staff has gone through three stages. In 1924 it was subjected to the prime minister; in 1949 it was placed under the control of the minister of defense; and under 1961 constitution it once again became the prime minister's responsibility.", Sakallıoğlu, Ü. C., "The Anatomy of the Turkish Military's Political Autonomy", p. 159

[26] Hale, W., *Turkish Politics and The Military*, p. 138

constitution with which human rights were protected and some measures taken to prevent an authoritarian regime.[27] A socialist party, Turkish Labor Party for the first time in the history of the Republic was established. Organized labor made broad gains after a new law authorizing the right to strike and the upheavals they organized were growing. Political activism of the university students became rising. They began to establish Marxist revolutionary organizations claiming that the government had led to Turkey's enslavement by the United States and been oppressing the masses.[28] Subsequently, there was the formation of political polarization among various groups from students to labor unions, and rising violence especially of leftist militant groups. However, the government was not effective and strong enough to answer this crumbling political situation.

As a result of domestic instability, once again military intervened to overthrow an elected government in March 1971. This intervention was known as coup by communiqué since the armed forces did not take over the government directly, but they issued a memorandum.[29] They refrained from completely overturning the regime; rather they were assured of constitutional amendments aimed to strengthen the regime while dealing with violence-prone groups. Concerning the difference between the 1960 and the 1971 interventions, in 1971 the military wanted to protect the regime with only moderate changes in order to support its authority against challenges particularly from the political left.[30] Consequently, civilian rule returned to Turkey on October 1973 until the next wave of fragmentation and violence.

### 2.2.3 The 1980 Military Coup

During 1970's, another wave of violence began to develop in Turkish politics. Political polarization and fragmentation were this time including political parties,

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[27] Ibid. p. 147
[28] Ibid. p. 177; Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 23
[29] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 23
[30] Ibid.

both left and right wings, organized labor, the teaching profession, the civil bureaucracy, and the police. Tension was increasing with political assassinations comprising members of parliament, an ex-prime minister, journalists, and university professors. The victims of the assassinations included both extremists of left and right but also moderates aiming to accelerate political polarization. The rise of political Islam and separatist Kurdish nationalism were threatening the state in this period of Turkish politics. In addition to political fragmentation and gaining momentum of violence between left wing and nationalist right wing, Turkish politics were further polarized by growing tensions with Greece over oil exploration rights in the Aegean Sea, and the Cyprus issue of 1974, disputes on education and economic policies, and corruption. Besides, Turkish economy worsened as a result of misgoverning and the OPEC oil crisis of 1973. According to the chronic shortage of fuel, power cuts became a daily fact of life. By the late 1970s, inflation rate was in excess of 80% and unemployment rate was at about 15%. The balance of payments deficit rose to $ 3.4 billion in 1980. These domestic economic crises further increased political tensions.[31]

As a result of the general elections held in 1973 and 1977, there were weak coalition governments and those political authorities were unable to maintain stability. Subsequently, the military was also highly critical of the governments with respect to their inability to tackle with economic problems and challenges to basic political values.[32] Due to the complete deterioration of economic and social situation, on 12 September 1980 the military staged the third coup declaring that they were aiming to reestablish democracy.

The crisis that paved the way for 1980 coup covered various reasons from economic breakdown to civil violence, and open challenges to highly symbolic values such as

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[31] Brown, J., "The Politics of Disengagement in Turkey: The Kemalist Tradition", p. 137; Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", 1983, pp. 24-25; Hale, W., *Turkish Politics and The Military*, 1994, pp. 223-224; Narlı, N., "Civil-Military Relations in Turkey", 2000, p. 113

[32] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 26; Narlı, N., "Civil-Military Relations in Turkey", p. 114

secularist nationalism. However, according to military the underlying reason of the failure of the system was the complete erosion of governmental authority.[33] Consequently, the military again initiated the amendments in the constitution, and this time highly enhancing its political influence in the system.

### 2.2.4 The 28 February Process

During the 1980-1983 period, dissatisfaction about the military's involvement in politics began to rise. The extended authority of the military and its rising influence in politics have been criticized by all sides of the political spectrum. Both parties from center-left and center-right begun to appreciate the benefits of the democratic regime and they increasingly became dissatisfied with some policies of the military that were backing Islam against the threat of communism. Therefore, there is a growing consensus against the military rule and military influence following 1980 military intervention. However, by the mid-1990's this consensus against the position of the military in politics begun to perish as the democratic regime seemed incapable of dealing with the rising terrorism arising from the Kurdish separatist movements of PKK (Partita Karkaren Kurdistan, the Kurdish Workers' Party) and the rise of political Islam due to the practices of the religiously oriented partner of the coalition government, Welfare Party.[34]

After the 1995 general elections, Turkey's first Islamist government led by Welfare Party was set up. This Party was the continuation of the previous Islamist parties belonging to the National View (Milli Görüş) movement and existed from 1983 to 1998. Following the 1995 general elections, the Welfare Party experienced a growing popularity and started to put its policies into practice which were perceived as a threat to the secular structure of the state.[35] Some of the practices of the Welfare

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[33] Tachau, F., & Heper, M., "The State, Politics, and the Military in Turkey", p. 25
[34] Demirel, T., "Soldiers and Civilians: The Dilemma of Turkish Democracy", p. 136
[35] Knudsen, Bertil Videt, January 2005, "The Role of Military in Turkish Politics", May 12, 2006, Accessed from http://www.videt.dk/miliduty.pdf, p. 10

Party included "the adoption of Ramadan (the holy month of fasting in Islam) hours in governmental organizations, increasing the financial strength of religious entities, and increasing the number and activities of religious orders as well as prayer leader and preacher schools."[36] The government further disturbed military by the public speeches of its deputies calling change in the system of the Republic, and the foreign policy of the coalition government. In addition, Prime Minister received religious leaders who were wearing religious clothes forbidden by the Dress Code at his official residence.[37] All these actions of the government were perceived by the military as deteriorating the secularist structure of the Turkish Republic.

Regarding these developments, the military began to act, but it did not directly intervene this time. Rather, it chose to issue an 18-point list of policy recommendations to the government at February 28, 1997 meeting of the National Security Council. The list consisted of prolonging compulsory education from five to eight years, and limiting the activities of religious schools and private Quran courses.[38] Thus, this indirect intervention of the military was regarded a "silent coup d'etat" or "post-modern coup" in Turkish politics.[39] The result was the resignation of the government.

Consequently, the military was again an actor in politics, this time not by directly intervening, but by exercising pressure through causing the replacement of a civilian government with another one that was more acceptable to the military.

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 Güney, Aylin, Petek Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", Spring 2005, p. 447
[37] Ibid. pp. 447-448
[38] Narlı, N., "Civil-Military Relations in Turkey", p. 115
[39] Güney, A, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", 2005, p. 448

# 3. INTERNAL THREATS: KURDISH SEPARATISM and POLITICAL ISLAM

Turkish military as a traditional guardian of secular Republic intervened into politics when it regarded there is a threat against these values. Historically, in the mind of military the indivisibility and secularism are the most essential values. There are root causes behind this approach of the military. For instance, the Sheikh Said Rebellion of 1925 by fundamentalist Kurdish groups was a serious threat to the secularity and the indivisibility of the Republic. Moreover, the Kurdish terrorism pursued by PKK/KADEK/Kongra-Gel since 1984 resulted in 30.040 victims, destruction of 3.428 villages, internal flow of more than 3 million refugees.[40]

Kurdish and political Islam questions are not only internal concerns of Turkey but also they have an external dimension. The Green Belt doctrine of the United States, the establishment of the Islamic Republic of Iran in 1979, Saddam Hussein's rise to power in Iraq in the same year, and Iraq's attack on Iran in September 1980 was all deeply influenced the Kurdish and Islamic movements in Turkey. Therefore, both the historical roots about Kurdish and political Islam issue and the external factors effected these issues were always played an important role behind the priority given to the military solution.

## 3.1. The Kurdish Issue

Turkish Republic is set up after the collapse of the Ottoman Empire; therefore it has the heritage of a population which is diversified in religious belief, who are speaking different tongues, and who has different ethnicity. As a result, at the initial years of

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[40] Galletti, Mirella, "The Kurdish Issue in Turkey", *The International Spectator*, Volume XXXIV, No. 1, January-March 1999, Accessed from: http://www.ciaonet.org/olj/iai/iai_99gam01.html, p. 3

the inception of the Republic promotion of Turkish identity was important and necessary effort to have a unitary state.

It is also important to state that Turks and Kurds are the members of Islam, and ethnicity does not play a role in the Islamic religious culture. According to the "umma" concept, all Muslims are equal and their ethnic origins are irrelevant. Secondly, the "millet" system of the Ottoman Empire allowed the non-Muslim communities to use the rules of their religion or sect under the authority of their church or religious leader. These people accepted the ultimate authority of the Sultan in matters of public order and state affairs. In this context, Kurds who are a mainly a Muslim community, were not considered as a "millet" and they remained within the "umma" without any distinction of ethnicity.[41]

The situation has changed after the establishment of the Turkish Republic in 1923. It is essential to emphasize that the basic aim of the new regime was to create a nation state, therefore the basic motivations were homogenizing the country through creating a national language and a uniformed culture.

The reasoning behind this was understandable. The Republic of Turkey established after a series of dramatic events. It was born after a struggle for liberation against Western invaders including the British, the French, the Italian and the Greek with the support of Britain at the end of the First World War. The struggle was also a nationalist revolution against the last Sultan of the empire.[42] Therefore, the aim of creating a nation-state and maintaining nationally and culturally united homogenous nation required a strict approach of creating one-nation with a national language following the demise of the Ottoman Empire.

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[41] Soysal, Mümtaz, "The Kurdish Issue: A Turkish Point of View", *The International Spectator*, Volume XXXIV, No. 1, January-March 1999, Accessed from: http://www.ciaonet.org/olj/iai/iai_99som01.html, p. 1

[42] Ibid. p. 1

It is also important to state that the Turks and the Kurds live together for centuries and they have close cultural affinities. Their languages may be different, but their way of living, their group behavior is very similar. Moreover, they were united in the national liberation movement against the invasion of the country. There are quotes from the resolutions adopted by the regional congresses of the nationalist liberation movement and declarations by its leaders: "Our eastern provinces are entrusted to the honorable brotherhood of Turks and Kurds united by blood, faith, and history."…"In these provinces, Turks cannot do without Kurds and Kurds without Turks. It is impossible not to see that Turks and Kurds have shared and will share the same history, the same interests, and the same way of life." Besides, the first constitutional legislation of Grand National Assembly regime during the War of Liberation went further and mentioned about the application of the principle of regional autonomy in the southeastern Turkey. Moreover, the Basic organization Law of 1921 had foreseen the creation of locally elected provincial councils which would have important power in education, health, economy, agriculture, public works, and social welfare. The central government would only carry the responsibility of foreign policy, international trade, judicial affairs, and matters related to more than one province. These clauses never applied because of the outbreak and effects of the Sheikh Said rebellion of 1925. Instead of these arrangements, centralized administrative approach whose basic concern was maintaining security and public order took place in that region of the country.[43] As a result of the very serious Kurdish uprisings during 1920s and 1930s[44], Republic of Turkey has a memory of these and has always been afraid of Kurdish separatism.[45]

As for the modern Turkish state, the term minority follows the tradition of "millet" which was used in Ottoman Empire differentiating people according to their religious

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[43] Ibid. pp. 2-3

[44] "The 1930 Agri and 1937-38 Dersim (Tunceli) revolts ... were limited geographically in that they did not benefit from regionwide mass participation, but they were Kurdish in nature and aspiration." Barkey, Henri J., Graham E. Fuller, *Turkey's Kurdish Question*, Rowman&Littlefield Publishers, England, 1998, p. 11

[45] Oran, Baskın, "Linguistic Minority Rights in Turkey, The Kurds and Globalization", in Ibrahim, Ferhad, Gülistan Gürbey (Eds), *The Kurdish Conflict in Turkey*, St. Martin's Press, New York, 2000, p. 155

affiliation. This classification is based on the clauses of the Lausanne Peace Treaty of 1923 which defines the non-Muslims (Greeks, Armenians, and Jews) as minorities.[46] These are the only officially recognized minorities in Turkey. Therefore, Kurdish identity is not accepted as a minority in Turkey, but enjoys equality as members of the Turkish nation.

The Republic of Turkey is a unitary state and after the establishment of the Republic the concepts of national unity, integrity of the nation and indivisibility of the territory continued to be of the utmost importance. Besides, the country consists of many different ethnic and religious groups, so it is very diverse and at the same time very vulnerable. Subsequently, in order to eliminate the negative effects of this diversity, maintaining the centralized unitary state structure is essential.

As a result of this understanding of nation state, the existing of ethnic minorities is ignored and they are subjected to a homogenizing policy.[47] Consequently, for a certain period of time, fundamental rights and freedoms of Kurds[48] in Turkey has been restricted due to the protection of the constitutional principle of the indivisibility of the territory and the nation.

For instance, the Anti-Terror Law (Terörle Mücadele Kanunu) of 1991 reflects a certain understanding of the offence of separatist propaganda and forbids any written or oral propaganda, assemblies, and demonstrations which are aiming to destroy the indivisibility of the territory and nation (Article 8). These actions could also include objectives and ideas. Demonstrating these ideas is regarded as terrorist offence. The

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[46] Gürbey, Gülistan, "Peaceful Settlement of Turkey's Kurdish Conflict Through Autonomy?", in Ibrahim, Ferhad, Gülistan Gürbey (Eds), *The Kurdish Conflict in Turkey*, St. Martin's Press, New York, 2000, p. 61

[47] Ibid., p. 62

[48] Approximately 20% out of Turkey's 71 million inhabitants are Kurds. Accessed from: CIA The World Factbook, https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html, 15 May, 2007; "Kurds are living in an area spread into territories of five countries in the Middle East, which are Turkey, Iraq, Iran, Syria, and Armenia. Moreover, a considerable Kurdish immigrant population, estimated about 500,000, live in Western European countries, largely in Germany, Netherlands, France, and Scandinavia". Sirkeci, Ibrahim, "Exploring the Kurdish population in the Turkish Context", GENUS, an International Journal of Demography, Vol. 56, No. 1-2, p. 153

demand for a federalist state for instance is considered as separatist propaganda. As a result the law had a broad definition of terrorism.[49] In spite of its repressive scope (one should take into consideration also at the time the fight against the PKK was at its most intense and also in March-April 1991 after the Gulf War, Turkey witnessed the huge influx of Iraqi Kurdish refugees), the law also annulled the 1983 Bylaw which prohibited the use of the Kurdish language. Besides, there have been four amendments in this law respectively in October 1996, July 1999, February and June 2006. In October 1996, the amendment of decreasing the prison terms (the maximum term was lowered from 5 to 3 years, and it can be changed into fines or sentences on probation) has been made under the pressure of the European Union due to the implementation of Customs Union between Turkey and the EU. Furthermore, between February 2002 and May 2004, eight Harmonization Packages to the European Union were adopted by the Grand National Assembly of Turkey. Due to these Harmonization Packages, the amendments to the Anti-Terror Law took place. With the sixth Harmonization Package of June-July 2003, the Article 8, which bans any written or oral propaganda, assemblies and demonstrations which aim to destroy the indivisibility of the territory and nation, is abolished. Therefore, one of the most important impediments to the freedom of expression has been abolished. Besides, an exact definition of terrorism was made. However, since 2004 violence led by PKK started to increase again. Besides, the bookstore explosion in Semdinli on November 2005[50] indicated that there were illegal operations in the southeast region.[51]

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[49] Ibid, p.p. 62-63; Galletti, "The Kurdish Issue in Turkey", 1999, pp. 3-5

[50] On November 2005, a former PKK member turned police informer and two noncommissioned officers were involved in a bombing of a bookstore owned by a former PKK member in Şemdinli, a province of Hakkari in the southeastern part of Turkey. It was also claimed that some of the senior officials in the military were involved also. Local people captured the suspected bomber and two gendarmerie officers who were standing next to a car that belonged to the gendarmerie according to documents seized in the car. Eventually, a court in Van sentenced the two officers to 39 years and five months for the attack. But, the appeals court in Ankara annulled the verdict on the grounds of procedural flaws and an inadequate investigation. It also said that a military court should hear the case, because the charges related to the army's struggle against the outlawed PKK. Accessed from: www.turkishdailynews.com.tr/article.php?enewsid=49228, 24.04.2007
http://news.bbc.co.uk/2/hi/europe/5096870.stm, 24.04.2007
http://news.bbc.co.uk/2/hi/europe/6662711.stm, 24.04.2007

[51] Aytar, Volkan, "Daha Karanlık Bir Geleceğe Doğru mu? Terörle Mücadele Kanununda Yapılan Değişiklkler"(Towards a Darker Future? The Amendments on Anti-Terror Law), Assessment Report by TESEV and Centre for European Policy Studies (CEPS), February 2006,
Accessed from, http://www.tesev.org.tr/etkinlik/AntiTerrorLawReport-tr.pdf, 24.04.2007, pp 2-3; Gürbey, "Paceful Settlement of Turkey's Kurdish Conflict Through Autonomy?", 2000, pp. 62-63

Consequently, there were both positive developments concerning the consolidation of democracy regarding the means to fight terrorism, but also there were developments which slow down the effects of democratic reforms.

As for the using mother tongue, language regulations favor the Turkish language for a certain period of time. The most remarkable ban was the Language Ban Act of 1983 which declared Turkish as the mother tongue of all Turkish subjects and prohibited the use of Kurdish language. As indicated above, following long debates this law was lifted on 12 April 1991 and the use of languages other than Turkish in private and business conversations were legalized. However, other legal provisions such as Article 81 of the Political Parties Act and Article 6 of the Associations Act still prohibit attempts of fostering languages other than Turkish. These articles state that "political parties and associations must not claim that minorities exist in Turkish territory based on differences in national or religious culture, ethnicity or language, and they must not follow the aim of creating minorities by fostering, developing and disseminating other languages and cultures thus jeopardizing the integrity of the nation".[52]

As a result of the separatist terrorism in the southeast and the memory of the Sheik Said rebellion, the military also developed strong stance to the Kurdish issue. This is also because of the Turkish military's strong commitment to the preservation of the country's territorial integrity basing of the legacy of the Kemalism, the founding ideals of the Republic.

Despite the fact that Turkish military has a strong stance on the issue, the coalition government of social democrats and conservatives recognized the Kurdish reality[53]

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[52] Gürbey, "Paceful Settlement of Turkey's Kurdish Conflict Through Autonomy?", 2000, pp. 61-63; Accessed from: http://www.anayasa.gen.tr/2820sk.htm, 24.04.2007
[53] "For the first time in the history of the republic, Kurdish-language books and newspapers began to appear in Turkey, and the government even began a dialogue with the Kurdish leadership in Iraq, which now enjoyed virtual autonomy under Western protection. On the other hand, the campaign of violence by the PKK continued with renewed intensity." Hale, W., *Turkish Politics and The Military*, 1994, p. 286

in December 1991 in their government protocol. By doing this, they aimed to settle the issue on the basis of the Paris OSCE Charter. Besides, two reports introduced by the political authorities: The report of the Social Democratic People's Party (SHP then, CHP today) of 1990 which stated the necessity of decreasing military measures, introduction of a limited decentralization of the administration, and backing up these measures with economic and socio-cultural construction program; and another report of CHP stating the necessity of granting cultural rights in July 1996. Accordingly, the parliament appointed a fact-finding committee that had to "inquire into the problems of our fellow-citizens who left East and Southeast Anatolia because of emptied villages and propose suitable measures" in 1997. Its report dealt with the consequences of the elimination of 3,428 villages and hamlets in 20 provinces in the east and southeast either by government security forces or the PKK and the displacement of their 378,000 inhabitants. The report also referred to a civilian administration, to the necessity of open and free discussion on solutions, how to end the fighting, bringing about a democratic regulation of the ethnic conflict, and improvement of the socio-economic situation in the region.[54]

In spite of all these efforts, no conclusion has been achieved about the mentioned matters. The fact of separatist terrorism was going on at the time. But, on should also note that various governments fail to implement intensive programs of education, and they also neglect the social and economic development of the region.

Another change of policy came with the new approach of Turgut Özal during his term of presidency from 1989 to 1993, including liberalization in culture and economy, extending the competencies of local administration and politically integrating the Kurds.

Özal supported the new reforms in the region and made proposals on Kurdish radio and television programs, and introducing Kurdish in teaching and he was criticized

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[54] Gürbey, "Paceful Settlement of Turkey's Kurdish Conflict Through Autonomy?", 2000, pp. 63-65

by various sections of society, politics, the military and media. He considered the political solution to the conflict as a priority and negotiations with the pro-Kurdish parties as well. He was for political solution, comprehensive freedom of opinion and discussion of problems. He supported the expansion of the competences of the local administration all over Turkey. Along with the fighting with terrorism, granting cultural rights such as the use of the mother tongue in education, radio, television, and media. Moreover, along with the cultural rights, he was in favor of the legalization of the banned political parties, a general amnesty and a comprehensive administrative reform.[55] However, separatist terrorism activities of the PKK continued[56] and in 1993 Özal died, and another phase of policy started afterwards.

In fighting against terrorism, Turkey had to come up with different organizational structure. Introduced in 1983, state of emergency was one of them. The measures brought by the state of emergency included "nomination of a super governor to coordinate activities against the guerillas, who has extraordinary powers for suspending civil rights and liberties, closing down printing presses, banning publications, and forcibly resettling the population, both temporarily and definitively".[57] Eventually, in 2002, the state of emergency was totally lifted.[58]

There have been also further developments considering the freedom of expression. Due to the EU membership process, with the adoption of 2002 reform laws in 2003, broadcasts and private courses in Kurdish and other non-Turkish languages are allowed. Since then, Kurdish language can be used freely in broadcasting in

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[55] Ibid. pp. 66-67
[56] "Between 1984 and the middle of 1992, attacks by the PKK on the security forces and pro-government Kurdish villages were reported to have accounted for over 4,000 deaths. This was far lower than the death rate which Turkey had experienced before 12 September 1980, and was far more localized." Hale, W., *Turkish Politics and The Military*, 1994, p. 281
[57] Galletti, Mirella, "The Kurdish Issue in Turkey", 1999, p. 3
[58] Accessed from: official website of Grand National Assembly of Turkey:
http://www.tbmm.gov.tr/develop/owa/tutanak_g_sd.birlesim_baslangic?P4=10745&P5=B&page1=34&page2=34

television and radio. Besides, some Turkish and Kurdish businessman opened Kurdish language courses.[59]

Concerning as a political problem, one should not ignore the 10% threshold in Turkey which requires parties to receive 10% of the vote before they can send representatives to the parliament. Besides, this fact is obvious in the case of the main legal Kurdish party in Turkey.[60] Although it won 6% of the nationwide votes and more than 45% in primarily Kurdish populated regions[61], this party has been unable to achieve representation in the parliament.[62] Therefore, the high threshold, as subject to the one of the main criticisms from the European Union, is one of the obstacles to democratic consolidation in Turkey undermining Kurdish political party representation in the parliament.

It is important to state that PKK-led terrorism has been the most essential problem in the southeast region. PKK has been the most important challenge to the integrity of the state in a large area of southeast of the country with its separatist terrorism methods since its inception of 1970s.[63] The violent conflict between that separatist organization and Turkey resulted in 37,000 fatalities and caused the displacement of very large number of people. On the other hand, the terrorist activities of the PKK and Turkey's efforts to fight with it affected the country's democratization process. As a result of the conflict, Turkey's defense spending increased at the expense of education and healthcare.[64]

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[59] "Turkish Radio-Tv Board Approves Private Kurdish Broadcasting", *The Journal of Turkish Weekly*, 29 December 2005, Accessed from: http://www.turkishweekly.net/news.php?id=24261
[60] "In parliamentary terms, Kurds happen to occupy nearly one-third of the seats in the Turkish parliament". Barkey, H. J., G. E. Fuller, *Turkey's Kurdish Question*, 1998, p. 98
[61] Hochleitner, Erich, "The Political Criteria of Copenhagen and Their Application to Turkey", Working Paper, Austrian Institute for European Security Policy, August 2005, p. 6
[62] Yavuz, Hakan M., and Nihat Ali Özcan, "The Kurdish Question and Turkey's Justice and Development Party", *Middle East Policy*, Vol. XIII, No. 1, Spring 2006, p. 113
[63] Hale, W., *Turkish Politics and The Military*, 1994, p. 226
[64] Yavuz, H. M., and N. A. Özcan, "The Kurdish Question and Turkey's Justice and Development Party", 2006, pp. 102-103

Consequently, the Kurdish issue in Turkey has various aspects. It is multi-dimensional in the sense that the problem comprises separatist activities, social and economic development, and human rights in the region. Terrorist activities led by the PKK are the main factor, since it is the basic threat to the territorial integrity of the state. With this respect, separatist activities are one of the basic concerns of the Turkish military. Another aspect relates to the underdevelopment in the region. Therefore, there is need for more steps for the social and economic development for the people living in the southeast region. The other aspect concerns the human rights situation in the region which requires the basic respect for the individual and cultural rights and also which has been closely monitored by the European Union.

Finally, separatist activities of PKK are perceived as an internal threat which endangers the integrity and the unitary structure of the state. Therefore, Kurdish problem is closely related with the role of Turkish military in politics and Kurdish separatism is one of the impediments to the consolidation of democracy in Turkey in terms of military's role in politics.

### 3.2. The Issue of Political Islam in Turkey

Islam had relatively less significant role in the Ottoman state affairs due to the fact that Islam was recognized as regulated basically the personal life and interpersonal relations of the Muslims. Since the Ottoman state comprised several religions, sects, and ethnic groups, the clergy and heads of these groups had authority over church administration, worship, education, and charity. However, according to the Ottoman tradition, there were religious influences on politics and society.[65]

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[65] Heper, Metin, "Turkey Between East and West", Institute of European Studies, Working Paper AY0405-16, University of California, Berkeley, May 16, 2004, p. 4; Kramer, Heinz (Ed.), *A Changing Turkey: The Challenge to Europe and the United States*, Brookings Institution Press, 2000, p. 56

Consequently, the founders of the Republic of Turkey pursued an ambitious program of reforms which basically aimed at modernization and secularization of the society and politics. As a result, the Caliphate was abolished, religious schools were closed, Western educational system was introduced, and also headscarves for women were outlawed. All these reforms gave birth to the secular character of the Republic and contributed to the modernization process in the country.

Accordingly, Article 2 of the Constitution of the Republic of Turkey states that "Republic of Turkey is a democratic, secular and social state governed by the rule of law…", and Article 24 of the Constitution guarantees that "Everyone has the right to freedom of conscience, religious belief and conviction."[66] These articles of the constitution reflect the secular character of the Republic of Turkey.

Secular character is one of the essentials of the Republic. It is always emphasized in the sense that the majority of the population is Muslim and the country is a democratic and secular one which is a unique example in its region.

Despite these developments, Islam in politics has been a problematic issue. The problem started to arise when a religiously oriented political party which has an extremist discourse on internal and foreign policy issues started to rise in 1990s in Turkish political life. Political Islam has played an important role in Turkish political life since three decades; however 1990s were the times that the rise of political Islam in the political life of the country pushed the Turkish military to intervene politics. Therefore, in the eyes of military, political Islam constitutes the second internal threat to the democratic and secular character of the Republic.

The first religiously oriented party in the Republic was National Order Party (Milli Nizam Partisi-NOP) (1970-1971) which was found to improve morality and virtue in

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[66] *The Constitution of the Republic of* Turkey, Accessed from:
http://www.byegm.gov.tr/mevzuat/anayasa/anayasa-ing.htm

the country not to promote Shari' a rule in Turkey. The program of this party emphasized that new generations "were to be patriotic, self-sacrificing, respectful to private property, and equipped with the latest know-how so that Turkey would be the leader country in the scientific, technological, and civilizational race". This party was banned by the Constitutional Court's decision of 1971 saying that it was aiming to alter the secular principles of the Turkish Republic. The ban on NOP came shortly after the military intervention of 1971. The successor to the NOP was the National Salvation Party (Milli Selamet Partisi-NSP) of 1973-1980. The NSP also followed the idea of NOP and went further "arguing that the state was responsible for promoting moral development". The NSP tried to appeal the conservative economically less satisfied people and aimed at industrialization with taking Islam into consideration as a psychological mechanism to get rid of the burden of rapid industrialization. As a result, the NOP-NSP tried to make some tenets of Islam be alive. While emphasizing this, the programs of two parties did not take Islam as an end, as a religious goal itself, but they took it as a means for material development considering Islamic focus on a close community basing on brotherhood and mutual help. Eventually, with the 1980 military coup d'etat, NSP was closed. The Welfare Party (Refah Partisi-WP) (1983-1997) was the successor party to the NSP. The WP mentioned about Just Order which was "referring to a social order that was both rational just". This party also was closed by the Constitutional Court (after the military concluded that there was a threat to democracy and secular character of the state, issued its demands by the National Security Council, and forced the resignation of the WP leader who was the Prime Minister). Some of the reasons behind the closing down of these political parties are the following; they attempted to turn a well-known former Byzantine Church in Istanbul (Haghia Sofia) into a mosque, rendering Friday a weekend day, and objecting to the compulsory eight-year secular education (one of the recommendations of the National Security Council). The successor party of the RP was the Virtue Party (Fazilet Partisi-VP) (1997-2001) which had a more moderate leader and a liberal faction inside of itself. However, due to its relations to the leader of the WP this party also closed by the Constitutional

Court.[67] Consequently, these four religiously oriented parties have been regarded acting as against the secular pillar of the state, therefore they could not survive in Turkish political life.

The WP case indicates military involvement in politics when it regards a threat to the democratic and secular principles of the Republic. The military considered the certain attitudes of the WP-led coalition government as deteriorating the secular nature of the Republic. The party took a clear stand against NATO and the EU, advocating an Islamic common market and an Islamic NATO. Besides, it tried to have closer links with Iran, Libya and Syria, and adopted an anti-Israeli stance.[68] As a result of such policies and stances, there was a pressure from the military through National Security Council against these. The military voiced its discontent with the coalition government led by the religiously oriented WP and issued an 18-point of policy recommendations (28 February Process).[69] In this case, the military did not make a direct intervention to politics; rather it pushed for the resignation of the government through using its function in National Security Council meeting which was called at the time a silent coup d'etat or a post-modern coup.

Considering political Islam in Turkey especially after its rise in 1990s, it has become one of the major concerns of the military because of its traditional role of safeguarding the democratic and secular character and the indivisibility of the Republic. Concerning political Islam, the role of the military and how it regards the political Islam is obvious in the "Concept of National Security Strategy" of April 1997 which labeled the Islamic movements as the most important threat to the Republic along with Kurdish separatist.[70] Therefore, the military defined the political

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[67] Heper, Metin, "Turkey Between East and West", 2004, pp. 8-9; Tessler, Mark, Ebru Altınoglu, "Political Culture in Turkey, Connections Among Attitudes Towards Democracy, The Military and Islam", *Democratization*, Vol. 11, No.1, February 2004, pp. 22-23; Taspinar, Omer, *Kurdish Nationalism and Political Islam in Turkey*, Routledge, New York, 2005, pp. 133-137

[68] Aydın, Senem, Ruşen Çakır, "Political Islam in Turkey", Centre for European Policy Studies, Working Document, No. 265, April 2007, p. 1

[69] Please see in detail in Chapter I.

[70] Taspinar, O., *Kurdish Nationalism and Political Islam in Turkey*, 2005, p. 156

Islam as an internal threat, and as a result of the pressure from the military, the WP was dissolved by the Constitutional Court's decision the next year.

It is important to state here that what the military did on February 28, 1997 did not get much criticism from the various segments of the society. Contrary to criticism, decisions of February 28 had quite strong support from many parts of the society even from some media and civil society organizations that had been critical of the previous military interventions. Therefore, it is ironic that the military was perceived as the only institution defending the democratic regime and the constitutional order and the role of the military in politics with this regard was seen legitimate by the population. Thus, according to the military, the February 28 intervention was a democratic reaction by the armed forces like any other civil society organization.[71] Eventually, February 28 event indicates that if there is a threat perceived from political Islam, the intervention of the military and eventually overthrowing a democratically elected coalition government is seen normal for preserving the secular and democratic principles of the Republic.

It is important to remember that rising of political Islam is also closely related to the populist policies of the political parties in 1950s and also to Turkish-Islamic synthesis policy of the leadership of the 1980 coup which eventually gave the opportunity to the religiously oriented political parties to strengthen their organizational network.

For instance, as a populist step, when The Democrat Party (Demokrat Parti-DP) (1950-1960) formed the government, the religious education was made a regular part of the curriculum in the elementary and secondary schools; new Preacher Training Schools (Imam Hatip) were set up as lycées parallel to the    secular education system; the budget of the Presidency of Religious Affairs was doubled; the building of new mosques were encouraged and hundreds of Koranic schools were set up.

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[71] Güney, A., P. Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", 2005, pp. 448-449

During the Republican People's Party-led coalition (Cumhuriyet Halk Partisi-RPP) in the 1961-64, the number of mosques built was the same as the Democratic Party governments. The four years following the military intervention of 1960, enrollment to Preacher Training Schools were more than doubled. The number of Preacher Training Schools rose from 19 to 26 during the same period. When the Justice Party (Adalet Partisi-JP) (1965-1980) was in the power, 72 new Preacher Training Schools were opened between 1965 and 1971. Between 1975 and 1977, another 147 were opened during the JP-led coalition.[72] In short, throughout Turkish political life center-right parties also lead an Islamic discourse, and pursued policies reflecting Islamic worldview. While doing this, these parties do not generally adopt a concrete Islamic political identity; rather they tried to attract votes from both urban and agricultural populace.

Another contributing factor to rising of political Islam has been the Turkish-Islamic synthesis supported by the coup leaders of September, 12 1980 in order to unify the citizens against the threat of communism. The reason behind this was that it was easy for generals to maintain political stability and national unity by instrumentalization of religion rather than by applying the principles of democracy. This is more obvious with the following statement of Richard Tapper, *"This synthesis was aimed at an authoritarian but not Islamist state where religion was seen as the essence of culture and social control, and should thus be fostered in the education system without politicization."[73]* Within the framework of this approach, the coup leaders introduced compulsory religious lessons in primary and middle schools; the number of Koranic courses increased from 2,610 to 3,246 between 1980 and 1983; the graduates of Preacher Training Schools gained the right to attend higher educational institutions; and higher number of preachers came to be employed by the Presidency of Religious Affairs.[74] Applying these policies, military basically aimed at a homogenized society and to get rid of ideological influences of the left which had been seen the basic cause of unrest at the time.

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[72] Taspinar, Omer, *Kurdish Nationalism and Political Islam in Turkey*, 2005, pp. 123-131
[73] Ibid. p. 140
[74] Ibid. p. 138

Since November 2002, the country is ruled by another religiously oriented party, Justice and Development Party (Adalet ve Kalkınma Partisi, JDP). The party came to power as a result of the failure of previous coalition government on the issues of unemployment, corruption, economic and political instability. The JDP leaders adopted a more liberal approach in voicing their views. The party also strongly supports Turkey's EU membership process. Besides, it emphasizes democracy, and the rule of law. Taking into consideration of all these facts about the JDP, it takes votes from both the conservative and also other parts of the society as well.

What is at issue here is that there has been suspicion about the JDP throughout the some segments of society which define themselves secular and democratic. They are suspicious about if the party has a secret Islamist agenda which aims to overturn secularization. The reason behind this is the JDP is a successor party to the FP which was closed by the Constitutional Court and the leader of the JDP is the former WP Mayor of Istanbul.

The leadership of the party has a clearer understanding of "red lines of Turkish secularism" and "limits of Turkish democracy" due to the February 28 process. Besides, in its first year in power, the JDP had several warnings and reminders that February 28 process continues. For instance, the President used his veto power to refuse some bills introduced by the JDP, and also refused to approve some of the bureaucratic appointments of the government.[75]

As for the policies the JDP pursues, it has a pro-EU approach. A significant democratic reform packages baked by the EU including fight against torture, strengthening of civilian control of the military, human rights, protection of minorities, freedom of expression, assembly and association implemented during the JDP ruling.[76] All of these are the necessary political reforms for the consolidation of democracy in Turkey and indicators of strong effort of the government for the full

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[75] Ibid. pp. 162-163
[76] Aydın, S., R. Çakır, "Political Islam in Turkey", 2007, p. 5

EU membership. Moreover, the leadership of the JDP defined the position of the government as "conservative democratic" rather than Islamic. Thus, the JDP government did not give priority to the publicly sensitive issues such as the ban on wearing head scarves (turban) in public places.[77] Therefore, it can be concluded that the JDP policies were moderate and far from being extremist or Islamist.

However, there is a fear in the secular segment of society and the opposition party (Cumhuriyet Halk Partisi-Republican People's Party) against the JDP concerning the party's Islamist roots. This part of society together with the military has some concerns that the government would deteriorate the secular and democratic principles of the Republic by promoting a secret agenda of Islamization of the country.[78] Therefore, they perceived the government as a threat to secular character of the Republic.

Recently, there are examples of the reaction from this segment of society and from the military against the government especially before the presidential elections campaign of this year. The military was dissatisfied about the candidacy of the Prime Minister Recep Tayyip Erdogan because of his Islamic background.

Therefore, the military issued a memorandum on April 27, 2007 partly stating that:

> "It has been observed that some circles who have been carrying out endless efforts to disturb fundamental values of the Republic of Turkey, especially secularism, and have increased their efforts recently. Those activities include requests for redefinition of fundamental values and attempts to organize alternative celebrations instead of our national festivals symbolizing unity and solidarity of our nation. Those who carry out the mentioned activities which turned into an open challenge against the state, do not refrain from

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[77] Heper, Metin, "Turkey Between East and West", 2004, p. 12
[78] Jung, Dietrich, "Turkey's Future: EU Member or "Islamist Rogue State"?", Danish Institute for International Studies, DIIS Brief, January 2007, p. 4

exploiting holy religious feelings of our people, and they try to hide their real targets under the guise of religion."[79]

This statement of the military which is expressing its dissatisfaction about the process of the presidential elections and the candidate of the ruling party is pursued as an intervention from the military, because it states that the military is following the developments in the country and it can act if it regards it necessary to defend the secular regime. Besides, there were criticism from EU leaders to the memorandum of the military, and they called back the military from involving into country's political processes. Indeed, an open letter signed by more than 30 well-known political figures across Europe was published in International Herald Tribune[80] criticizing the memorandum.

In April and May 2007, there have been big demonstrations by the supporters of secularism in Ankara, Istanbul, Manisa, Canakkale, Izmir, and Samsun aiming to pressure to the Prime Minister not to run in presidential elections because of his Islamic background. As a result, ruling JDP put forward the candidacy of the Foreign Minister Abdullah Gul. A total of 361 lawmakers voted (357 for the candidate, Mr. Gul), but 367 were needed to make a quorum. In terms of this technicality, the main opposition party, People's Republican Party petitioned the Constitutional Court to annul the vote. Eventually, the constitutional court supported the opposition's argument that a quorum of two-thirds of the 550 lawmakers was not present for the voting and annulled it on May, 1.[81]

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[79] Accessed from: http://www.ntvmsnbc.com/news/408321.asp, May 17, 2007;
For the whole text: http://www.tsk.mil.tr/bashalk/basac/2007/a08.htm

[80] http://www.iht.com/articles/2007/05/16/opinion/edlet.php, May 16, 2007
[81] Accessed from: http://www.ntvmsnbc.com/news/408985.asp, May 28, 2007;
http://news.bbc.co.uk/2/hi/europe/6612831.stm, May 1, 2007;
http://www.turkishdailynews.com.tr/article.php?enewsid=71863, April, 28, 2007

Consequently, these recent events also indicates that the military still strongly advocates the role of defending the democratic and secular ideals of the Republic, and it may act if it deems necessary.

# 4. EU MEMBERSHIP PROCESS and ITS EFFECTS on TURKISH CIVIL-MILITARY RELATIONS

Turkey has a long commitment to modernization that meant westernization in Turkish political life. In 1963, Turkey signed an Association Agreement with the European Economic Community (EEC). It applied to become a member of the EEC in 1987 and formed a Customs Union with the European Community (EC) in 1995. The European Union (EU) announced Turkey as a candidate country at the Helsinki Summit of 1999. In December 2002, European Council decided that "If the European Council in December 2004, on the basis of a report and a recommendation from the Commission, decides that Turkey fulfils the Copenhagen political criteria, the EU will open accession negotiations with Turkey without delay".[82] This decision was confirmed at later summits, notably the June 2004 European Council. Eventually, Turkey has started accession negotiations for full membership of the EU on October 3, 2005.

The EU, the North Atlantic Treaty Organization (NATO), and Organization of Security and Cooperation for Europe (OSCE) are the basic institutions through which the West is trying to democratize the civil-military relations especially in Central and Eastern European (CEE) countries. These are the former communists and new democracies of the central and Eastern Europe, and the main challenge they face is the military profession that is effective, but not responding to democratization. Maintaining democratic civil-military relations is also relevant in the case of Turkey given the fact that it is a candidate country waiting to be a member country of the EU. Since 1952, Turkey has been a member of NATO; therefore NATO membership is not a precondition for democratic control of its armed forces[83]. By virtue of

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[82] European Council, 2002

[83] During Cold War, Turkey, due to its geostrategic location, was an important component of Western security strategy as a bulwark against communism. Communist threat was the proeminent concern of that period, so the other issues such as democratic control of the armed forces were considered

Turkey's long struggle to become an EU member with regards to its modernization and westernization project, the EU has been an important tool of reforming civil-military relations. One of the most important conditions among the political criteria for full membership has been the democratic control of the military in Turkey.[84]

The military has always had a pre-eminent role in Turkish political life arising from Turkey's special historical, social, and institutional context. These conditions were basic determinants of the significant place if the military in the nation. And cover time, military has started to have a stronger presence in politics also having constitutional channels of influence and a wide public support.

Turkish military has begun to place more emphasis on its self-appointed role as guardian of the basic principles of the Turkish state over last decades. The underlying reason of this self-appointed role is the perception of the military structure that regards the Islamic activism and Kurdish nationalism as the main internal security threats. The military's enlarged role can be seen in their attempts to securitize the country's serious but mainly political problems. This is made possible by "letting the national security concept influence codification of laws pertaining to internal security, anti-terrorism, maintenance of public order, political activities and public debate, and by expanding military jurisdiction over civilians". [85] On the other hand, the EU has prescribed political preconditions for Turkey to gain successful entry to the union. Concerning the threats posed by internal enemies, the military high command argues that "expansion of freedoms in Turkey represents too high a price to pay to in order to be accepted into the European fold".[86] While military observes such a guardianship role, the EU's entry criteria imply that the military structure must be subordinate to democratic control.

scondary. Güney, Aylin, Petek Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", 2005, pp. 440-441

[84] Ibid.

[85] Sakallıoğlu, Ümit Cizre, "Problems of Democratic Governence of Civil-Military Relations in Turkey and the European Union Enlargement Zone", *European Journal of Politial Research,* No. 43, 2004, pp. 107-108

[86] Ibid.

The Copenhagen criteria set out in the Copenhagen European Council Summit of 1993; comprise three distinct areas of political criteria, economic criteria, and the criteria of being able to take on the obligations of EU membership. Political criteria require the implementation of institutional stability, complete freedom of expression, the entrenchment of human rights, respect and protection for minorities, and an efficient market economy.[87] Despite the fact that democratizing civil-military relations are not directly mentioned in the Copenhagen criteria, the military as an institution should be subordinate to the political authority which is the case in Western practice, and the democratic control of the armed forces in Turkey is always referred in the accession partnership document, annual reports, and progress reports of Turkey which measures the continuing convergence to the EU.

One of the major criticisms that these official documents express is the lack of democratic control over Turkish military. Therefore, the EU regards the position of the armed forces as the main impediment to democratic consolidation in Turkey.

## 4.1 EU's Demands as an Outside Trigger

Concerning civil-military relations, the European norm is that armed forces are unambiguously subordinate to the elected government and the leadership of the armed forces has no voice in public affairs beyond its professional domain. When power legitimately changes hands the armed forces continue to serve their new political masters. Another significant feature of the European practice is that the military's job is to safeguard national security (in both its external and internal dimensions) and not regime security (in the sense of helping keep in power a single party or dominant leader). As for subordination of the armed forces, this implies that they will be firmly and unambiguously under civilian political direction. In advanced democracies, that control is not exercised by the head of government personally, but

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[87] Accessed from, http://europa.eu/abc/12lessons/index3_en.htm, August 21, 2006

by a departmental minister (chief of general staff may have a right of direct access to the prime minister in certain circumstances). In addition, throughout the Union in matter such as defense policy making, planning, programming, budgeting and spending, the authority and autonomy of the military are strictly restricted. Thus, they do not have a complete freedom of manoeuvre even in operational matters. Furthermore, senior military officers do not make public statements without the express authorization of their minister.[88]

The main criticisms directed by the EU concerning Turkish military are about institutional aspects of democratic control. In this respect, the status of the Chief of the General Staff under the prime minister (instead of the Ministry of National Defense), the role of the National Security Council in Turkish political life, and lack of an effective civilian or parliamentary control over the military budget constitute the matters of discussion.[89]

These major problems in Turkish civil-military relations and required reforms that the EU demands have been outlined in the official documents namely Accession Partnership Documents, Regular Reports, and Harmonization Packages of the EU regarding Turkey.

Accession Partnership Document launched in March, 2001 necessitates the "improvement of the functioning and efficiency of the judiciary, including the state security court in line with international standards" as a short-term priority. The medium-term priority of the same document states "the alignment of the

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[88] *Turkish Civil-Military Relations and the EU: Preparation for Continuing Convergence*, Final Expert Report of a program of the Centre for European Security Studies (CESS), the Netherlands, in cooperation with the Istanbul Policy Center (IPC), Turkey, November 2005, pp. 3-4

[89] Özdemir, H., *Silahlı Kuvvetler Sivil Otorite İlişkisinin Yeniden Düzenlenmesi [The Organization of the Relations Between the Armed Forces and the Civilian Authority]*, Türkiye Sosyal Ekonomik Siyasal Araştırmalar Vakfı, 1991, qtd. in., Güney, Aylin, Petek Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", 2005, pp. 443-444

constitutional role of the National Security Council as an advisory body to the Government in accordance with the practice of EU member states".[90]

Accession Partnership Document of May, 2003 states the adaptation of the functioning of the National Security Council in order to align civilian control of the military with practice in EU member states as a priority. This document also refers to State Security Courts as strengthening the independence and efficiency of the judiciary and promoting consistent interpretation of legal provisions related to human rights and fundamental freedoms in line with the European Convention on Human Rights,… and aligning the functioning of state security courts with European standards.[91]

 In November 2005, the Commission of the EU released a proposal for a Council decision on principles, priorities, and conditions contained in the Accession Partnership with Turkey. Under the title of short-term priorities the document referred to the civil-military relations in the democracy and the rule of law chapter. The proposal stipulates for Turkey to "continue to align civilian control of the military with practice in EU member states; to ensure that civilian authorities fully exercise their supervisory functions, in particular as regards the formulation of the national security strategy, and its implementation; to take steps towards bringing about greater accountability and transparency in the conduct of security affairs; to establish full parliamentary oversight of military and defense policy and all related expenditure, including by external audit; abolish any remaining competence of military courts to try civilians."[92]

Accession Partnership of January 2006 refers again directly to civil military relations and the document touches upon "continuing to align civilian control of the military with practice in EU member states; ensuring that civilian authorities fully exercise

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[90] *Council Decision of 8 March 2001,* Official Journal of the European Communities, I. 85/13, 24.03.2001
[91] *Council Decision of 19 May 2003,* Official Journal of the European Union, I. 145/40, 12.06.2003
[92] *Proposal for a Council Decision,* COM (2005) 559, 9 November 2005

their supervisory functions; in particular as regards the formulation of the national security strategy, and its implementation; taking steps towards bringing about greater accountability and transparency in the conduct of security affairs; establishing full parliamentary oversight of military and defense policy and all related expenditure, including by external audit; abolish any remaining competence of military courts to try civilians"; under the title of anti-corruption policy it states "ensuring of the implementation of the Regulation on Principles of Ethical Behavior for Civil Servants and extending its provisions to elected officials, judiciary, academics and military personnel".[93]

Along with the Accession Partnership Documents, Regular Reports express the European Commission's views on issues regarding accession progress of Turkey. The first Regular Report on Turkey presented in 1998 specifies and suggests the following: Evaluating democracy and the rule of law, the document states that "The Chief of General Staff is not formally responsible to the Minister of Defense; he is nominated by the Supreme Military Council and appointed by the Prime Minister. In 1997, according to many Turkish newspaper reports, two operations by the Turkish armed forces against the bases of the Kurdistan Workers Party (PKK) in northern Iraq took place without the Chief of the General Staff giving the government any prior notice". [94] Evaluating the judicial system, it addresses the State Security Courts and points out that it deals with overtly political crimes and these courts do not offer defendants a fair trial. There are also doubts about the impartiality of judges: one in three State Security Court judges are military judges who, as the European Commission on Human Rights recently pointed out, are serving military personnel and therefore subject to military discipline. According to the 1998 Regular Report, this is the only example in Europe in which civilians can be tried at least in part by military judges. The document has a part entitled as National Security Council which summarizes the following: the NSC plays a key role in the formulation and implementation of national security policy and also covers a wide range of political

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[93] *Council Decision of 23 January 2006*, Official Journal of the European Union, I. 22/34, 26.1.2006
[94] *Regular Report from the Commission on Turkey's Progress Towards Accession*, October 1998

matters. The document expresses that the existence of this body shows that, despite a basic democratic structure, the Turkish constitution allows the army to play a civil role and to intervene in every area of political life. It explicitly points out that "the organization of public authorities in Turkey has most of the basic features of a democratic system However, several factors, prevent these authorities from functioning in the same way as they do in the member states of the EU. The NSC demonstrates the major role played by the army in political life. The army is not subject to civil control and sometimes even appears to act without the government's knowledge when it carries out certain large-scale repressive military operations".[95]

1999 Regular Report on Turkey concludes the following regarding military establishment: Under the title of judiciary, it says "Constitutional and legal amendments removing the military judge in the SSCs were adopted by the Turkish Grand National Assembly [TGNA] and entered into force on 22 June 1999. As a direct effect of this reform, the military judge of the Ankara SSC in charge of the trial against Öcalan was replaced by a civilian judge on 23 June 1999".[96] Therefore, the functioning of the SSC is improved, but there are still some doubts about the full rights offered to the defendants in these courts. Regarding NSC the document draws that the NSC still plays an influential role in Turkish political life.[97]

Following the decision of the European Council in Helsinki which welcomed Turkey as a candidate country to the EU on 10-11 December 1999, the European Commission adopted the third Progress Report on Turkey in November 2000. The report emphasizes that civilian control over the military still needs to be improved. Contrary to EU, NATO and OSCE standards, instead of being answerable to the Defense Minister, the Chief of General Staff is still accountable to the Prime Minister. It is also noted that there is one military member selected by the Chief of General Staff in the Council of Higher Education, which controls the activities of the

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[95] Ibid.
[96] *Regular Report from the Commission on Turkey's Progress Towards Accession*, October 1999
[97] Ibid.

institutions of higher education, as well as the Higher Education Supervisory Board.[98]

It continues with the judicial system stating that the functioning, powers and responsibilities, as well as other provisions relating to the proceedings of the State Security Courts need to be brought further in line with the EU standards.[99]

There is again reference to the NSC stating that there has been no change in the role played by the NSC in Turkish political life. Its conclusions, statements or recommendations continue to strongly influence the political process, as in the recent debate over the dismissing of civil servants suspected of links with radical Islamic and separatist movements. In addition, the document suggests that at present the views of NSC in practice seriously limit the government's role. In addition, the EU notes the debate about the increase in the number of civilian members of the NSC. Moreover, there is too little accountability to the Parliament with regard to defense and security matters.[100]

The 2001 Regular Report firstly expresses that there has been little sign of increased civilian control over the military. The constitutional amendment concerning the NSC will enhance de facto civilian control over the military. The report notes that since the last Regular Report, the NSC has given its opinion on a number of governmental issues and policies including Turkey's National Program for the Adoption of the Acquis, the Cyprus issue, European Security and Defense Policy, measures to combat anti-secularism activism, the extension of the compulsory age limit in primary education, the state of emergency in various provinces, the privatization of state companies (e.g. telecoms), recent socio-economic developments and on the

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[98] *Regular Report from the Commission on Turkey's Progress Towards Accession*, November 2000
[99] Ibid.
[100] Ibid.

constitutional reform package. The National Security Council also warned against the risk of "social unrest". [101]

Furthermore, the document again touches upon the several problems regarding to ensure fair trial in the SSCs, for example with respect to access to lawyers, as well as the competence of these courts vis-à-vis civilians. As to the military courts, over the last year, 22 cases involving 38 civilians have been dealt with by military courts in relation to the charges of abuse of the right to freedom of expression. This subject needs further improvement concerning the independence of the judiciary and maintaining compliance with rulings of the European Court of Human Rights. In sum, the document assesses that he basic features of a democratic system exist in Turkey, but a number of fundamental issues including civilian control over the military is still matters of discussion.[102]

The European Commission prepared the following Regular Report in 2002 which outlines the judicial system as follows: "The Turkish judicial system comprises a Constitutional Court, a Council of State, a Supreme Court, a Court of Jurisdictional Disputes and a general system of courts of first instance. There are also State Security Courts and Military courts… Some changes have taken place in the judicial system… The SSCs continue to function. Their operation has been modified following the adoption of a number of legislative amendments… As a result, offences relating to organized crime and fraud in the banking sector no longer fall under the competence of the SSCs… Despite the limitations to the jurisdiction of SSCs, the powers, responsibilities and functioning of these Courts still need to be brought in line with European standards… Another area of concern remains the jurisdiction of military courts over civilians. In 2001, 176 cases involving 358 civilians were dealt with by military courts, mostly in relation to charges of fraud in

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[101] *Regular Report from the Commission on Turkey's Progress Towards Accession*, December 2001
[102] Ibid.

avoiding military service or obstructing, intimidating and insulting soldiers on duty".[103]

As for the NSC, the document states that the constitutional amendment introducing changes to the composition and the role of the NSC has been put in practice. However, in practice its opinions carry more weight than mere recommendations and its military members are particularly influential. The NSC has issued opinions and recommendations on a number of governmental issues and policies; including emergency rule in the Southeast, the fight against terrorism, political an economic reforms relating to Turkey's compliance with the EU accession criteria, and Cyprus… On various occasions throughout the year, military members of the NSC expressed their opinions about political, social and foreign policy matters in public speeches, statements to the media and declarations. They also played an active role in the debate about reforms to comply with the EU political criteria. They have been particularly active on issues such as cultural rights, education and broadcasting in languages other than Turkish. The NSC has continued to be an important factor in domestic politics. Finally, the increase in the civilian members and the limitation of its role to an advisory role, in line with the Accession Partnership priority, does not appear to have changed the way the NSC operates in practice. Although decisions are taken by majority, opinions of its military members continue to carry great weight.[104]

About the defense budget, the document concludes as "The Armed Forces enjoy a substantial degree of autonomy in establishing the defense budget. Details of the military budget have been made public via the press. There are still two extra-budgetary funds available to the military in spite of the efforts of the Government to close such funds and make such expenditure subject to normal budgetary procedures".[105]

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[103] *Regular Report from the Commission on Turkey's Progress Towards Accession*, October 2002
[104] Ibid.
[105] Ibid.

The 2003 Regular Report on Turkey addresses the fundamental changes that have been made to the legal framework of the NSC. However, there is still a representative of the NSC on civilian boards such as the High Audio-Visual Board (RTÜK) and the High-Education Board (YÖK). [106]

Regarding defense budget, the document states that "The audit of the Court is still subject to the restrictions under Article 160 of the Constitution under which the confidentiality of the national defense is foreseen. In spite of the extension of the remit of the Court of Auditors to national defense, the Armed Forces continue to enjoy a substantial degree of autonomy in preparing and establishing the defense budget and in public procurement in the defense-related area. There are still two extra-budgetary funds available to the military. One of these funds relates to a defense industry support fund in which the main budgetary resources allocated to defense originate. According to official data, the national defense budget amounts to 7 % of the consolidated state budget". [107] The document further stresses the role of the military describing its continuing areas of influence apart from the NSC. These are the informal mechanisms that armed forces in Turkey exercise influence. On various occasions, they expressed their opinions about political, social and foreign policy matters in public speeches, statements to the media and declarations. Finally, the report emphasizes the importance of the effective implementation of the reforms in order to align civilian control of the military with practice in EU member states with references to the military representations in civilian bodies and full control on the defense budget, and also the functioning of the SSCs. [108]

The 2004 Regular Report of the European Commission describes the further necessities as follows: "Despite the [recent] developments, there are still provisions on the basis of which the military continues to enjoy a degree of autonomy. As regards the institutional framework, there are legal and administrative structures

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[106] *Regular Report from the Commission on Turkey's Progress Towards Accession*, November, 2003
[107] Ibid.
[108] Ibid.

which are not accountable to the civilian structures. Civilians can be tried before military courts for certain crimes". [109]

With regards to legal basis of the place of the military the document stresses that "The role and the duties of the Armed Forces in Turkey are defined in several legal provisions. Depending on their interpretation, some of these provisions taken together could potentially provide the military with a wide margin of manoeuvre. This is particularly the case for Article 35 and Article 85/1 of the Turkish Armed Forces Internal Service Law, which defines the duties of the Turkish armed forces as to protect and preserve the Turkish Republic on the basis of the principles referred to in the preamble of the Constitution, including territorial integrity, secularism and republicanism. It is also the case for article 2a of the National Security Council Law which defines national security in such broad terms that it could, if necessary, be interpreted as covering almost every policy area". [110]

The document further argues that the armed forces in Turkey continue to exercise influence through a series of informal mechanisms. They continue to express their views on various subjects including political, social and foreign policy matters. In addition to formal reforms to the legal and institutional framework, it is important that in practice the civilian authorities fully exercise their supervisory functions especially concerning the formulation of the national security strategy and its implementation, as well as the control of the defense budget. A constitutional amendment adopted in May 2004 deletes the exemption of the *state property in possession of the Armed Forces in accordance with the principles of secrecy necessitated by national defense* from the control of the Court of Auditors. Appropriate enabling legislation will be needed to allow this important reform to be applied in practice. [111]

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[109] *Regular Report from the Commission on Turkey's Progress Towards Accession*, October 2004
[110] Ibid.
[111] Ibid.

Eventually, the 2005 Progress Report on Turkey describes the role of military and the pattern of civil-military relations. The report as in the previous one addresses The Turkish Armed Forces Internal Service Law, which defines the role and duties of the Turkish military and which contains articles granting the military a wider role. In addition, the Report gives the definition of national security provided in the Article 2a of the National Security Council Law to indicate the broad lines of it which, depending on interpretation, could cover almost any policy field: "*National Security means the protection of the constitutional order of the State, its nation and integrity, all of its interests in the international sphere including political, social, cultural and economic interests, as well as the protection of its constitutional law against all internal and external threats*".[112] The report also states that there has been no further progress with regard to the provisions of the Military Criminal Code permitting the trial of civilians before military courts. It has another reference point namely the Gendarmerie which is connected to the General Staff in terms of its military functions, but affiliated to the Ministry of Interior in terms of its law enforcement functions. The document recommends that the control of the Ministry of Interior, of governors and district governors over the Gendarmerie should be strengthened in order to allow full civilian control on internal security policy.[113]

According to the provisions of the document the armed forces continue to exercise significant political influence. Individual military members of the NSC as well as other senior members of the armed forces have continued to regularly express their opinion on domestic and foreign policy issues including Iraq, Cyprus, terrorism, the principle of secularism and EU-Turkey relations. In November 2004, the Deputy Chief of Staff made extensive comments on aspects of last year's Regular Report. In March 2005, the General Staff issued an official statement reacting to incidents which took place at the occasion of the celebration of the Newroz (marking the beginning of the spring). In April 2005 at the headquarters of the Military Academies

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[112] Progress Report on Turkey, European Commission, November 2005
[113] Ibid.

Command, the Chief of General Staff delivered a speech on foreign policy and domestic issues.[114]

The document emphasizes the importance of the consolidation of the reforms adopted in previous years and recommends that Turkey should remain committed to further reforms in this area. Turkey should work to maintain greater accountability and transparency in the conduct of security affairs in line with member states' practices. In addition, statements by the military should only concern military, defense and security matters and should only be made under the authority of the government, while the civilian authorities should fully exercise their supervisory functions, in particular as regards the formulation of the national security strategy and its implementation, including with regard to relations with neighboring countries. Finally, the report states the importance of promoting better public understanding of reforms in civil-military relations, both at home and abroad.[115]

As it seems in the Accession Partnership Documents (2001, 2003, 2005, 2006) and in Regular Reports (1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005) on Turkey the EU has been closely examining the civil-military relations, influence channels of the military, the military budget, and reforms adopted in these fields. The Union strongly recommends the continuation of the constitutional and legal amendments in order to ensure full civilian control over the military and it assesses that there is still a further need to make the civil- military relations comply with the standards of the EU.

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[114] Ibid.
[115] Ibid.

**4.2 Constitutional and Legal Amendments on Military Institutions on The Way**

   **To Accession to The EU**

**4.2.1 Transformation of The Role and Composition of The National Security**

   **Council**

  The 6th and 7th EU Harmonization Packages[116] brought changes in the composition, functioning, and the role of the National Security Council as a result of the modification of Article 118 of the Constitution. First, the amendment diminished the role of the NSC. With the 1982 Constitution, the NSC had gained executive powers. But now, it became an advisory body. Previously, the NSC was responsible for drafting national security and foreign policy and directing it to the Council of Ministers which was legally obliged to take their recommendations as a priority. Now, according to the amendment it is only responsible for advising the Council of Ministers on matters relating to national security. Also, the functions of the NSC are redefined with amendment of the Article 4 of the NSC Law. According to this amendment, the scope of the NSC's involvement in political affairs is confined to national security issues. The NSC will determine the national security concept and recommend its views about the state security to the Council of Ministers.

Moreover, the composition of the NSC has been altered. The number of the civilian members of the NSC is increased. In addition, the Secretary General who was always

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[116] The 6th Harmonization Package was enacted on July 19, and the 7th package was enacted on August 7, 2003.

a military man in the past will be a civilian. This is actualized with the appointment of Yiğit Alpogan, the former ambassador to Greece, in 2004. Additionally, the NSC will now meet only once in every two months, and the prerogative of the Chief of General Staff to convene NSC meeting is abolished. The provision that states "The NSC will report to the Council of Ministers the view it has reached and its suggestions" is also abolished. So, "it is not going to discuss security in a broader term but in particular terms confining to national security issues". [117]

The 7th Harmonization Package also brought changes to the role and duties of the Secretariat General, an institution which employs approximately 350 permanent staff, and which prepares the NSC meetings. The Article 9 and 14 of the Law on the NSC and the Secretariat General which empowered the Secretariat General to follow up of the implementation of NSC's recommendations made by the NSC are abolished. Provisions that authorized unlimited access of the NSC to the documents of any civilian public agency or legal person are abrogated. Article 19 had been drown as "*The Ministries, public institutions and organizations and private legal persons shall submit regularly, or when requested, non-classified and classified information and documents needed by the Secretariat General of the NSC*". Besides, an amendment of the Article 13 limited the executive and supervisory powers of the Secretariat General to make its new role only secretarial. The confidentiality of the staff of the Secretariat General of the NSC is abolished as well to make it more accountable to the parliament and the public. [118]

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[117] Michaud-Emin, Linda, "The Restructuring of The Military High Command in the Seventh Harmonization Package and its Ramifications for Civil-Military Relations in Turkey", *Paper submitted to the department of Turkish Studies, University of London-School of Oriental and African Studies, in partial requirement for the author's MA degree,* p. 5; Misrahi, Frederic, "The EU and the Civil Democratic Control of Armed Forces: an Analysis of Recent Developments in Turkey", *Perspectives: Central European Review of International Relations,* Vol. 22, 2004, p. 25; Narlı, Nilüfer, "Aligning Civil-Military Relations in Turkey: Transperancy Building in Defense Sector and the EU Reforms", 2000, accessed from: www.ciaonet.org/book/nda003/nda000n.pdf, May 12, 2006, pp. 164-166
[118] Ibid.

Consequently, the prospect of the EU membership gave pace to the reforms in various structures in Turkey as well as the military establishment which constitutes an impediment to democratic consolidation in the country.

Furthermore, the understanding of Turkish General Staff that EU membership could provide solutions to some of the Turkey's main problems which comprise the Kurdish question, rising Islamism, worsening relations with Greece, chronic economic difficulties, internal disagreement about US policies in Iraq, and the possibility that Turkey might be left out of the European Security and Defense Policy (ESDP), the EU's planned independent military force.[119] As a result, by the end of 1990's the Turkish General was growing to be more prone to civilian responses, but without completely abandoning their influence in politics through a series of institutional mechanism such as public speeches, declarations and statements to the media.

### 4.2.2 Transparency of the Defense Budget

A number of reforms as part of the 7th Harmonization Package provide the institutional and legal framework for full accountability of the military to the parliament.

An article is added to the Law on the Court of Auditors "to expand its mandate to audit accounts and transactions upon the request of Parliament in all areas where public means are used". It also introduces a regulation to establish the principles procedures to be observed when auditing state property owned by the armed forces. The article added to the Law on the Court of Auditors (Article 7 of the 7th Harmonization Package) enables the Court of Auditors to scrutinize all types of public expenditure, the revenues, expenditures, and property of institutions without

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[119] Aydınlı, E., Nibat, A. Ö., Akyaz, D., "The Turkish Military's March Toward Europe", *Foreign Affairs,* Vol. 85, Issue 1, January/February 2006, p. 82

any exception and without exempting any institute from being accountable. The other legal arrangement is the Law on Public Financial Management and Control (enacted in December 2003) that brought all extra budgetary funds into the budget. Therefore, extra budgetary defense industry funds (the Defense Industry support Fund and the Turkish armed Forces Strengthening Foundation), used to make defense procurement and expenses, are brought into the Ministry of National Defense Budget. Also, with the Law on Public Financial Management and Control which entered into force on 1 January 2005 extra-budgetary funds (these were almost 80 and were not under parliamentary control) are brought into the defense budget and into the overall state budget. Furthermore, the same law requires more detailed information and documents to be provided in the budget proposals, and longer period of debate on the defense budget proposals enabling the parliament an increased voice. The Law brings a change in the method of budgeting requiring a performance report for efficiency to be submitted to the parliament and to the related institutions. The law also repealed the secrecy clause of auditing of the state property owned by the armed forces.[120]

With the introduction of these reforms, the Court of Auditors is empowered to scrutinize the revenues, expenditures and property of all public sector institutions without any exception. Therefore, what is at issue here is that the implementation of these constitutional and legal amendments is essential and Turkey's elective representatives[121] should be more effective to make the armed forces more accountable.

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[120] Narlı, N., "Aligning Civil-Military Relations in Turkey: Transparency Building in Defense Sector and the EU Reforms", 2000, pp. 167-171

[121] "Willingness is a matter for elected representatives themselves... Elected representatives say that members of the parliamentary Budget and Planning Committee and the Assembly bear in mind the sensitivity of national defense; thus they do not tend to be highly enthusiastic to review and to make changes in the defense budget proposals... In an interview with the daily Hürriyet in July 2004 Defense Minister Gönül said that it was a result of the parliamentary review of the proposal that the 2005 budget had been sharply cut back, to the point where for the first time the amount allocated to defense dropped below that allotted to education. On the other hand, during the same interview, speaking about manpower reductions, he said that the armed forces themselves were 'making the plan' and they would 'declare it when it was decided'." *Turkish Civil-Military Relations and the EU: Preparation for Continuing Convergence*, Final Expert Report, 2005, pp. 32-34

### 4 .2.3 Removal of the Military Representatives from the Civilian Boards

As part of the 6th Harmonization Package of 19 July 2003, with the amendment of the Article 6 of the Cinema, Video and Music Works Law, the NSC representative in the Supervisory Board of Cinema, Video and Music was repealed. With the adoption of the package of ten constitutional amendments in 2004, with an amendment to the Article 131, the military representative on High Education Board (YÖK) was removed in May of the same year. The removal of the military representatives on the High Audio-Visual Board (RTÜK) was in July 2004. In order to abolish the influence of the military on high councils, the right of the Chief of General Staff to appoint a member to the High Education Board and to the High Audio-Visual Board was eliminated by the 9th Harmonization Package, passed in June 2004.[122]

Consequently, the EU prospects and reform programs open the way to diminish the military influence over the policies of educational, and art and broadcasting institutions.

### 4.2.4 Amendments on Military Courts

As part of the 8th Harmonization Package, the legal basis for the existence of State Security Courts, Article 143 of the Constitution, has been repealed. The military judge in these courts had already been replaced by a civilian judge after the trial of Öcalan with an amendment of Article 143. Furthermore, the trial of civilians in military courts was abolished with the amendment of Article 11 of the Law on the Establishment and Trial Procedures of Military courts, as part of 7th Harmonization

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[122] Misrahi, F., "The EU and the Civil Democratic Control of Armed Forces: an Analysis of Recent Developments in Turkey", 2004, p. 25; Narlı, N., "Aligning Civil-Military Relations in Turkey: Transparency Building in Defense Sector and the EU Reforms", 2000, pp. 166-167

Package.[123] Eventually, on May 7, 2004 State Security Courts are totally abolished.[124]

## 4.3 The Changed and Remaining Attitudes of Turkish Military

Consequently, the EU membership process has paved the way for Turkish military to act and for military-related institutions to restructure to comply with the democratic standards. The autonomy of the military in Turkey has been diminished by means of the EU induced reforms. Therefore, the NSC is no more an executive body, it has only advisory functions; the transparency of the defense expenditures has been enhanced; and the competency of the military courts has been limited. Considering these constitutional or legal amendments, it may be argued that the role of Turkish military has been more harmonized with the role of their counterparts in EU member states.

However, there are still remaining problems regarding the position of the military. First of all, the armed forces continue to exercise influence through informal channels. They continue to express their views on various matters using public speeches, media and their declarations. For instance, in August 2005, during the handover ceremony of the Turkish Naval Forces, ex-Admiral Örnek stated that the naval forces do not only serve their military functions, but also they are the vanguards with their strict commitment to the secularist and Kemalist ideals.[125] The new Admiral Karahanoğlu added that "today, there are still bad games that have been planning on Turkey. In these circumstances, we have three inconvertible and indispensable roles: to counter against all threats to the indivisible unity of the state and the nation, unitary and nation-state structure, the main principles of the Republic

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[123] Ibid., Misrahi, 2004, p. 25; Narlı, 2000, p. 173
[124] Accessed from: http://www.belgenet.com/arsiv/anayasa/1982_km.html, August 30, 2006
[125] *Radikal*, 27.08.2005

that are determined by the constitution; and to continue to grow the personnel that will serve according to that mission".[126]

On the other hand, in a NSC meeting in 2005, the military stated that the top priority of the government is to maintain the welfare, peace and happiness of the individual and society; and the government also should fight against terrorism.[127]

Furthermore, in one of his public speeches the Chief of General Staff Özkök declared that "Turkish Armed Forces has a prominent role in the development of Turkish nation, and it has a special relationship with the society, so it is the most-trusted institution in Turkey. The fact that the civil-military relationship in Turkey is a unique one brings Turkish Armed Forces in a different position. In some countries, there are problems concerning the civil-military relations, so there is prejudice while looking at the armed forces. In this regard, the EU does not efficiently understand the role and importance of the armed forces in the society".[128]

In his other declaration Özkök express the importance of the indivisibility of the state and the society, and if a religious or separatist threat occurs the armed forces will immediately respond it.[129] Therefore, this special role of the military does not seem to change entirely unless the internal threat perceptions lessen, and the military observes civilian authority as fully capable of responding to these threats.

Secondly, along with the fact that the political statements of military officials are continuing, the Chief of General staff is still directly responsible to prime minister contrary to the EU practices. These unchanged positions of the military indicate that the political influence of the military remains and Turkey is still far from exercising full control of the military.

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[126] Ibid.
[127] Radikal, 24.08.2005
[128] Radikal, 25.08.2005
[129] Radikal, 20.09.2005

There are root causes behind this fact, so it seems that the authority of the Turkish military will not be strongly challenged in near future. As Jenkins reasonably puts it: "The role of the Turkish military in the formulation of policy is based on a combination of statutory obligations and the moral authority derived from its public prestige and record of past interventions".[130] The military exercises influence through formal and informal mechanisms, such as its position in the NSC, and setting policy parameters through public and private declarations and speeches. Considering this position of the military, the informal authority of it is a strong one. As a result, its ability to influence policy through expressing an opinion is greater than any its legal and constitutional powers. In addition, the military's definition of security is much broader than in the West and comprises not only threats to the country's territory or internal public order, such as terrorism, but also perceived threats to Kemalism. Consequently, if the military considers an issue as a threat against the regime, it will increase pressure on the civilian government to take immediate action.[131]

Accordingly, the effective role of Turkish military suggests that it reflects the characteristics of autonomous military professionalism as Huntington argues. Therefore, Turkish case is an example of the distribution of political power between the military and civilian groups thereby recognizes "objective" civilian control and gives the military an independent sphere as Huntington offers.

Therefore, in order to maintain full civilian control over the military, like the case of EU member states' practice, the implementation of recent reforms is crucial as the Regular Reports on Turkey consistently indicates.

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[130] Jenkins, Gareth, *Context and Circumstance: The Turkish Military and Politics*, Adelphi Paper 337, 2001, pp. 41-42
[131] Ibid.

# 5. CIVILIAN CONTROL OVER THE MILITARY

Although civil-military relations in Turkey are a problematic area, there are further developments on civilian control over the military due to the constitutional changes following the reform packages backed by the EU. It is also important to emphasize that Turkish military values democracy and supports Turkey's EU orientation. After every coup, it returned to its barracks, and did not try to establish an authoritarian regime. What is at issue here is that the military comes to correct things and maintain order due to its traditional guardianship role. However, when a problem arises in any mechanisms of state related issues, these are supposed to be corrected by the political process itself in democratic states.

For the recent role of the military, it is important to consider that the internal threat perceptions play a great role. With this regard, the Kurdish problem and the rise of political Islam are the two essential internal threats that push Turkish military into politics from time to time. It is also important to consider that the types of intervention have changed over time.[132]

Consequently, it can be argued that although the EU reforms contributed to the civilian control of the military, there is no full civilian control now and for the foreseeable future. The reasons behind this are the two basic internal threats namely the Kurdish separatism and the rise of political Islam which are threatening the integrity and the secular and democratic character of the Republic. Moreover, Turkish military has a traditional safeguarding role of these basic principles of the state.

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Güney, A., P. Karatekelioğlu, "Turkey's EU Candidacy and Civil-Military Relations: Challenges and Prospects", 2005, p. 443

## 5.1. Civilian Control in Changing Threat Environments: Clarifications By Michael Desch and Prospects for Turkey

With respect to Turkish military, Michael Desch's argument may be useful. In his valuable work of Civilian Control of the Military, he argues that civilian control exists if civilian preferences prevail in case of a disagreement with the military. Therefore, the level of civilian control depends on at what degree civilian preferences are of priority. As shown in the figure 1, civilian control is weak when military preferences prevail most of the time, and the most extreme cases are the military rule or military coups that throw one civilian regime and bring another. Desch continues to argue that it is not the most serious problem for civil-military relations if military preferences are predominant only for some time, but in this case civilian control is not firm. Eventually, civilian control is maintained when civilian preferences prevail most of the time.[133] Therefore, the measure for establishing the civilian control over the military depends on the subordination of the military to the civilian commands.

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Worst |----------------------------|----------------------------| Best
    Military                     Mixed                    Civilian
   preferences                                           preferences
      prevail                                              prevail
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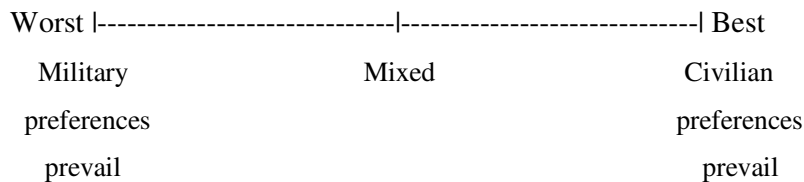
**Figure 1**[134]: Measures of civilian control

Democratic countries are the ones in which military is subordinated to the civilian superiors. Military institutions are inherently undemocratic because of their hierarchically organized structures, and also they possess the monopoly of coercive power. Hence, the military should be under firm civilian control, otherwise it can

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[133] Desch, Michael, *Civilian Control of the Military: The Changing Security Environment*, 1999, pp. 4-5
[134] Ibid. p. 6

pose a serious threat to democracy. Moreover, Desch states that most of the recent political violence has been domestic, rather than inter-state, and this domestic violence has been the result of the complete collapse of civilian control over the military.[135] And he concludes lack of civilian control over the military will stay as a crucial issue.

Working on civilian control over the military, Desch develops an argument that the quality of civilian control over the military is determined by the particular combination of internal and external threats. According to this argument, the strength of civilian control is likely to vary due to the intensity of domestic (internal) and external (international) threats.

Unlikely to some scholars in civil-military literature, Desch is trying to clarify that after Cold War it is not more likely for civilians to maintain full control over their military organizations. Accepting there are alternative theories of civilian control over the military-depending on individual characteristics of civilian and military leaders; level of professionalisation of military; change in the civilian institutions; method of civilian control-, Desch suggests that the strength of civilian control over the military in most countries depends essentially on structural factors, especially threats, that also effect individual leaders, the military organization, the state, and the society. Thus, he points out "*it is easiest for civilians to control the military when they face primarily international (external) threats and it is hardest for them to control the military when they face primarily domestic (internal) threats*".[136]

Therefore, he takes threats as structural factors and accepts that in some cases structure explains a state's pattern of civilian control over the military. He offers a theory that considers domestic and international threats as independent variables and shows which one is important when.

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[135] Ibid. pp. 5-6
[136] Ibid. p. 6-11

He starts with threats, which can be external (international) or internal (domestic) to the state, and says that they can be high or low intensity. Eventually, threats affect three major domestic actors who are the military, the civilian government, and the rest of society. High external threats comprise wars and periods of heightened international tension, such as World War II and the Cold War. Lower external threats include détentes and periods of peace, for instance the Post-Cold War era. The effects of external threats are obvious: they entirely threaten the state usually increasing the unity within the state, and they take everyone's attention to outside.

When it comes to internal threats, Desch argues that they have more complex effects on various actors within the state. He offers different approaches about the effects of internal threats on civilian control. If an internal threat affects only state and society, not the military, than it is unlikely to adversely affect civilian control. But, a threat from society to the military and civilian institutions may lead to a military supported civilian dictatorship. If there is a threat from the state to the military and society, a military coup is likely to occur. Eventually, a threat from the state and society to the military could lead to a military rule. Thus, domestic threats divide the country and focus everyone's attention inside. At this point, Desch notes that the most important part of domestic threats is how they affect the military. Accordingly, the domestic priorities of the military that may be threatened are "protection of budget share, preservation of organizational autonomy, maintenance of cohesion, and survival of the institution."[137]

Explaining threat environments, Desch argues about his structural theory of civilian control over the military. As shown in figure 2, he points out how civilian control varies in different threat environments which are at different intensity (high or low). Thus, if a state faces high external threats and low internal threats, this state should have the most stable civil-military relations (quadrant [Q] 1). An external threat will unify potential and actual military factions, and focus them outside, and also an externally oriented military will be less concerned about domestic politics, especially

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[137] Ibid. pp. 12-13

if it is supplied with necessary resources for its external missions. Thus, the situation of high external threats and low internal threats will favor a strong civilian control over the military. Desch points out that an important reason behind the strong civilian control of the military in Europe and North America has been the fact that the majority of threats these states have        faced have been external.

External threats

|  |  | High | Low |
|---|---|---|---|
| Internal threats | High | Poor<br><br>(Q3) | Worst<br><br>(Q4) |
|  | Low | Good<br><br>(Q1) | Mixed<br><br>(Q2) |

**Figure 2**[138]: Civilian Control of the Military as a Function of Location and Intensity of Threats

If a state is facing low external and high internal threats, this state should have the weakest civilian control over the military (Q4). An internal threat to the military institution from the state and society will unify it, and in this situation a direct military intervention into politics will be more likely. For instance, most of the threats to states in Third World are internal, subsequently the civilian control of the military has been so uncertain and military intervention in politics is so frequent in these states.

Desch suggests that the most difficult cases for a structural theory are states which are facing indeterminate threat environments, such as low external and low internal

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[138] Ibid. p. 14

threats (Q2), or high external and high internal (Q3). In these circumstances, civilian control can range from good to mixed.[139]

It is understandable that in analyzing the degree of civilian control, Desch puts emphasis on structural factors, most importantly to threats both external and domestic. Threat environment shapes the military organization, the society, and the decision-making structures. Therefore, due to the changing threats or threat perceptions, the degree of civilian control over the military will vary accordingly.

With this regard, Turkey can be examined in terms of the effect of threat environments on civilian control. The following argument of Desch may be helpful for the problem of maintaining full civilian control over Turkish military: "*Civilian control of the military will be firm if the military's primary focus is the external threat; it should weaken if the main focus shifts to the state's internal problems*".[140] In the case of Turkey, threat perceptions are extremely important concerning civil-military relations and determining the degree of civilian control over the military. The recent role of the military is closely related with Kurdish separatism and political Islam which threaten the integrity and secular character of the Republic. Turkish military, having traditionally the role of preserving the indivisible integrity of the country, gives primary concern to these internal threats.

Therefore, from time to time they are involving in politics in order to defend two untouchable principles of the Republic, unity and secularism addressing the internal issues of Kurdish separatism and political Islam. Thus, existence of the internal threats weakens the civilian control as Desch has proposed.

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[139] Ibid. 13-16
[140] Ibid. p. 20

# 6. CONCLUSION

The essential part of civil military relations is maintaining civilian control over the military in the sense that the military should not intervene in political decision-making, and it should obey the orders of civilian authorities. More broadly, if the military is not controlled by the state, it may pose a threat to the state because of the means it has. Civilian control not only an impediment to military intervention, it also defines a broad area including accountability, democratic control of definition and development of defense policy, parliamentary control of defense policy and defense budget, approval of senior promotions, and a civilian Ministry of Defense. These areas of democratic control over the military institution have been a major concern of important institutions such as NATO and the EU.

On the way to accession to the EU, civil-military relations have been one of the major issues in Turkey. Turkish military has a history of involvement and influence on politics due to its traditional guardianship role. This role of the military has its roots in Turkey's specific cultural, social, and political history. Thus, over time it has expanded its presence in politics through both having constitutional channels of influence and a wide public support. On the other hand, the recent involvement of the military to politics is closely related with internal threat perceptions of Kurdish separatism and political Islam. Thus, the basic argument of military officers has been the following, these threats that Turkey is facing are strongly endanger the territorial integrity and the secular character of the Republic. Advocating these threats, the military officers do not intervene in day to day politics or they do not try to establish an authoritarian regime, however they regard themselves as ultimate guardians of the regime against separatist and fundamentalist movements. Therefore, they assume a privileged position in threat assessments and strategy choices.

Accordingly, the thesis has tried to make an analysis of the civil-military relations in Turkey with a special focus on internal threats. As a candidate country to the EU

membership, Turkey has taken various measures for convergence to western practices of civil-military relations; however the political influence of the military is still remaining. Still, the military assesses the guardianship role against the internal threats directed to the secular and democratic structure of the state and the integrity of the Republic. Despite the fact that there are historical causes behind this role, the position of the military does not yet fully align with their counterparts in Western democracies.

The lack of democratic control over Turkish military is also a crucial problem in terms of Turkey's long-standing ambition of full membership to the EU. Concerning Copenhagen criteria, putting military to a subordinate position to the elected political authority is a fundamental element of membership. Within the official documents prepared on Turkey, the EU closely follows and evaluates the situation of civil-military relationship and relevant reforms. With respect to the Accession Partnership Documents and Regular Reports, the EU expects Turkey to take concrete steps for democratization including the modification of the role of the military in Turkish politics. As on the way to accession to the EU, Turkey has adopted constitutional changes about the institutional structure of the military. However, it may be argued that there is still a political influence of Turkish military and the historical context backs up this idea.

The conclusion of this study can be derived from the analysis of the historical background and the recent constitutional and legal amendments that points out the changing position of the military. Turkey is seeking for full membership to the EU and this point signifies that the country has reached at a certain point in consolidating democracy. At this point, a military intervention in politics is unlikely to happen. Still, public prestige of the military is high, however Turkey comes closer to the point where political authority is decisively capable of determining the priorities of the security sector. Nevertheless, the military does not regard to release all decision-making and also budgetary issues to the civilian authority, and continues to enjoy a

degree of autonomy in relating area. Likely, the Chief of General Staff continues to express its views when the internal threat perceptions gain impetus.

Consequently, Turkey has achieved to democratize its civil-military relations up to a certain point with the support of the EU membership process. However, there still some deficiencies remain concerning the position of the Chief of Staff, establishing full transparency on military budget and key security policy documents with respect to the practices in the EU member states. Looking at the recent position of the armed forces and their concerns, their position does not seem to change entirely. Therefore, it is hard to state that the military will be under full civilian control in the foreseeable future, since the internal threats of Kurdish separatism and political Islam are still in high volume. The civilian control of the military may further be achieved, if there is a decreasing intensity of these internal threats.

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