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APPROACHING CIVIL-MILITARY RELATIONS AS A REGIME:

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APPROACHING CIVIL-MILITARY RELATIONS AS A REGIME:
LESSONS FROM THE TURKISH CASE

A Master's Thesis

by
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Ankara
December 2022

To my mother

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LESSONS FROM THE TURKISH CASE

The Graduate School of Economics and Social Sciences
of
İhsan Doğramacı Bilkent University

by

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By Denizhan Malkoç

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Political Science and Public Administration.

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ABSTRACT

APPROACHING CIVIL-MILITARY RELATIONS AS A REGIME: LESSONS FROM THE TURKISH CASE

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This thesis argues that while the equilibrium theories in civil-military relations literature criticise the separation theories for neglecting the domestic conditions of non-western states, they disregard the functional imperative and possible politicisation of militaries. In order to test this criticism of equilibrium theories, this thesis utilises Douglas L. Bland's shared responsibility theory, which adapts the equilibrium approach by applying regime theory, to analyse the change in Turkish civil-military relations between 1999 and the present by conducting a longitudinal with-in case study of Turkey. The findings indicate that the characteristics of established equilibriums are conditional to the political context. In the case of Turkey, the change in civil-military relations mainly proceeded under competitive authoritarianism on the part of the government and resulted in a civil-military relations equilibrium that is stable at the moment but neglectful of the functional imperative and politicisation of the Turkish Armed Forces.

Keywords: civil-military, shared responsibility theory, Turkey, competitive authoritarianism, civilian tutelage

ÖZET

SİVİL-ASKER İLİŞKİLERİNE REJİM OLARAK YAKLAŞMAK: TÜRKİYE ÖRNEĞİNDEN ÇIKARILAN DERSLER

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Yüksek Lisans, Siyaset Bilimi ve Kamu Yönetimi Bölümü

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Bu tez sivil-asker ilişkilerindeki aktörlerin ayrı olmasını savunan kuramları diğer Batılı olmayan devletlerin yerli koşullarını göz ardı etmekle eleştiren ve onun yerine aktörler arası denge kurulmasını öneren kuramların bu sırada orduların işlevsel zorunluluklarını ve siyasallaşmalarını göz ardı ettiklerini öne sürmektedir. Bu tez dengeyi savunan kuramlar hakkında yapılmış bu eleştiriyi sınamak adına denge yaklaşımını benimsemiş olan Douglas L. Bland'ın sorumluluk paylaşımı kuramını kullanarak 1999 ve günümüz arasındaki Türk sivil-asker ilişkilerini zamana yayılmış bir tek-ülke çalışması ile çözümlenmektedir. Bulgular, oluşan dengelerin tiplerinin siyasi bağlamlara koşullu olduğunu göstermektedir. Türkiye ele alındığında, sivil-asker ilişkileri değişiminin büyük çoğunluğu rekabetçi otoriter bir hükümetin altında gerçekleşmiştir ve şimdilik istikrarlı olan bir dengeye ulaşmıştır. Ancak Türk Silahlı Kuvvetleri'nin siyasallaşması ve işlevsel zorunlulukları bu süreçte göz ardı edilmiştir.

Anahtar kelimeler: sivil-asker, sorumluluk paylaşımı kuramı, Türkiye, rekabetçi otoriterlik, sivil vesayet

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CHAPTER I

CHANGE IN CIVIL-MILITARY RELATIONS (CMR) AND POLITICAL CONTEXT

1.1. Introduction

The dilemma between creating a strong military institution with a monopoly of violence to defend a state and expecting such an institution to obey civilian direction is what the civil-military relations literature is built upon. The indispensable nature of both sides of this dilemma set off an effort to build theories on how to regulate CMR in accordance with the needs of both civilian politics and military security.

Huntington's seminal work, *The Soldier and the State* (1967), and others that followed the essentials of the Huntingtonian approach evolved into one of the corners in the CMR literature, the separation model theories. In a nutshell, these theories advocated institutional separation and hierarchical civilian control (Feaver, 1998; Desch, 2001). The criticisms of the Huntingtonian approach were built on Janowitz's *The Professional Soldier* (1960), which opposed clear-cut differentiations between the realms of military and civilian politics. These criticisms evolved into the second corner of the CMR literature, which I name "equilibrium theories" after

Sarkesian's (1981) pioneering equilibrium model. The equilibrium theories asserted that reaching an agreement between military and civilian groups is the more realistic and plausible way towards effectively regulating CMR, and advocating Western-oriented institutional separation and hierarchical civilian control is ethnocentric and neglectful of domestic conditions of other non-Western states (Bland, 1999; Schiff, 2009). However, the equilibrium models are not free of criticism as well. They are criticised for falling short of satisfying all aspects of a healthy CMR by only focusing on preventing military interventions but neglecting the necessity of maintaining a strong military and preventing the politicisation of officers (Wells, 1996).¹

This thesis engages with this debate by analysing the CMR of Turkey with Bland's shared responsibility theory, which falls in the group of equilibrium models. The shared responsibility theory utilises regime theory to create a framework of analysis to analyse which conditions are suitable for the establishment of an equilibrium in CMR. In a nutshell, it asserts that an agreement on principles, norms, rules and decision-making procedures between militaries and civilian governments is the path towards establishing an equilibrium that would prevent military interventions. The changes in the Turkish CMR since 1999 render Turkey a suitable case to test the plausibility of Bland's theory. Starting from 1999, the Turkish CMR went through tumultuous stages of change until the failed coup attempt in 2016. After the failed coup, the CMR followed a calmer path. By analysing and comparing the conditions

¹ Military intervention is an umbrella term for all the possible ways a military uses to influence politics (Schiff, 2009, pp. 21-26). The most blatant way is a coup d'état, and it is defined by Luttwak (2016, p. 13) as an "infiltration of a small but critical segment of the state apparatus, which is then used to displace the government from its control of the remainder". Apart from using force, the mere threat of using it or not using it when deeply needed by the government can also be effective in shaping policy to the point of desire. These threats can be conveyed via illegal memorandums or included in the institutional ways of communication in the bureaucracy. Lastly, these legitimate ways of communication can also be utilised for direct influence, which is defined as making formal recommendations within legal boundaries.

of agreement in the Turkish CMR in the pre-2016 (1999-2016) and post-2016 eras, this thesis tests the plausibility of the shared responsibility theory and tries to answer whether the criticisms of the equilibrium models are valid or not.

1.2. Research Design

This thesis conducts a longitudinal within-case study of Turkish CMR by using a comparative sequential method, which is guided by the shared responsibility theory, and relies on qualitative data.

The reason behind conducting a longitudinal within-case study of Turkish CMR between 1999 and the present is twofold. First of all, since Turkey's CMR background comprises various military interventions, which makes it different from the Western ones that are often defined with institutional separation and hierarchical civilian control, Turkey is one of the suitable states to check the plausibility of a theory that argues to be not ethnocentric. Secondly, within these years, Turkey went through various CMR conditions that provide data to test the shared responsibility theory in different time frames and compare results. In the pre-2016 era, Turkey experienced a turbulent CMR. After the European Council Helsinki Summit in 1999, the prospect of EU membership acted as a trigger and started a backward trend of delegalising and delegitimising the military influence in Turkey (SARIGIL, 2007; Heper, 2005), but the process was not without problems and faced resistance regarding some reforms (Waldman & Caliskan, 2020; Jenkins, 2007). Legal and institutional revisions began to push back the military influence over politics, which sparked off a hopeful expectancy of a more assertive and robust civilian control of the Turkish Armed Forces (Heper, 2011; Aydinli, 2009). The military was supportive of reforms, but what it expected for the future of CMR was incompatible with what

the civilian government was visioning. The Turkish Armed Forces (TAF) showed resilience against the change (Michaud-Emin, 2007; BILGIÇ, 2009). This resilience was a source of tension from time to time and was detrimental to the civilian control of the military. In 2016, Turkey experienced a failed coup attempt that provided the ultimate proof that this hopeful expectancy of robust civilian control was in vain. Interventionism was still seen as a viable option for the members of the TAF (Esen, 2021, p. 202), and the degree of civilian control until then apparently was not enough to control the military. Lastly, this failed coup attempt, a shocking experience, opened a path for a more drastic change in the Turkish CMR. After the incident, it became possible to make not only institutional and legal reforms to deprive the TAF of tools of intervention but also a suitable atmosphere to reshape the mentality of the members of the TAF appeared and was utilised to strengthen civilian control. This was unprecedented. As a result, the TAF's influence on civilian politics decreased even further. The incompatibility between the TAF's and the civilian government's vision for the CMR of Turkey was no more. The civilian control of the TAF had reached a level unheard of before (Haugom, 2019; Gurcan & Gisclon, 2016a).

The advantage of a single case study is that it allows the researcher to conduct an intensive investigation and achieve in-depth knowledge about the motives of actors and mechanisms at work (Gerring, 2017, p. 28). The intensive investigation and in-depth knowledge allow this research to make sound descriptive and causal inferences and reach a better internal validity. However, Gerring (2017, p. 30) also considers it imperative for case studies to shed light on a larger population. The case of Turkey also has such a potential to have external validity for other states that goes through similar CMR between their militaries and governments.

This thesis utilises the comparative sequential method for analysing the CMR regimes in the pre and post-2016 eras. As a part of the comparative historical analysis, the comparative sequential method “is defined by the comparison of two or more historical sequences” (Falletti & Mahoney, 2015, p. 211). The sequences comprise of events which are uncovered according to the guide of a theory (Faletti, 2010, p. 20). The guidance of a theory provides the causality between events and outcomes. Events are happenings, which can be various influential developments. The temporal order of these events constitutes sequences that take place in a context, which can be defined as the spatial and temporal settings that influence the causal effects of events (Thelen & Mahoney, 2015, p. 8). The contexts can be marked by many conditions that could be political, social, economic or security related and they almost always, interact with occurring events and influence their nature of effects. Therefore, effects of similar events can be different due to different contexts.

Since this thesis utilises the shared responsibility theory, the investigated events are under the guide of the shared responsibility theory, which means that they comprise developments that are influential on the implicit and explicit principles, norms, rules and decision-making procedures of the Turkish CMR regime. The nature of the effects of these events is influenced by the spatial and temporal contexts of the pre and post-2016 eras. The fact that Bland’s theory asserts an elimination of ethnocentrism in CMR theories, the inclusion of the context of a state into the analysis of the shared responsibility theory would not be incompatible, but on the contrary, would be useful to shed light on domestic contexts that are influential in the establishment of CMR regimes.

In order to utilise the comparative sequential method under the guidance of the shared responsibility theory, this thesis seeks answers to the following questions:

- 1) What were the principles, norms, rules and decision-making procedures of the CMR regime before 2016? Was there coherence between them and the practices of actors in the regime? If so, what was the level of coherence?
- 2) Was there a change in the principles, norms, rules and decision-making procedures of the CMR regime after the failed coup attempt in 2016? If so, what are the new versions of them? Did these changes result in an establishment of a new CMR regime?
- 3) What was the influence of the 2016 failed coup attempt on this change?
- 4) What kind of influence did the context of Turkey have on the CMR regimes established in the pre and post-2016 eras?

By finding the answers to these questions, this thesis aims to reveal the events and the contexts that determined the CMR regimes of Turkey in the pre and post-2016 eras and eventually compare them to unfold to what extent these CMR regimes are responsive to the needs of CMR that the literature defines.

This thesis collects data qualitatively. Collecting data about principles or beliefs of facts, causation and rectitude of a regime requires information that can reveal what the members of the TAF and civilians believe in and consider as facts. Collecting such information for in-depth analysis requires qualitative data collection. In order to collect such information, this thesis utilises previously conducted interview excerpts, public records, published news, op-eds of related experts and related academic research. The same data sources are suitable for gathering data about norms as well. For the rules and decision-making procedures, a different type of source is required. Since the parameters of rules and decision-making procedures are mainly regulated by institutional structures such as the National Security Council (NSC), Ministry of National Defence (MND), General Staff, Parliament and Supreme Military Council

(*Yüksek Askeri Şûra*), the laws of these institutions provide the necessary data for these parameters. However, due to the existence of some de facto decision-making procedures, once again, some of the related data are gathered from previously conducted interview excerpts and related academic research. The differences between these data make them incomparable, unlike observations from a single population. In other words, these observations are qualitatively different. This is another reason why this thesis utilises a qualitative mode of analysis (Gerring, 2017, p. 160).

1.3. Thesis Structure

In the next sub-chapter, the thesis proceeds with the CMR literature review, which provides the historical background of CMR and then elaborates on the details of the current debate between equilibrium theories and separation theories. After that, in chapter 2, the thesis continues by providing the historical background of the Turkish CMR regime. By starting with the year 1923, the first sub-chapter provides the foundations of the Turkish CMR regime. In the second sub-chapter, the thesis presents the details of how the main principles, norms, rules and decision-making procedures of the CMR developed till 1999. The third sub-chapter explains how the CMR regime started to change, and the last sub-chapter describes the influence of context on this change. Chapter 3 analyses the finalisation of the CMR regime change. Its first sub-chapter describes how the 2016 failed coup attempt became influential on the finalisation of the CMR regime change. The next sub-chapter lists the latest changes in the principles and norms. The final sub-chapter continues with a description of the new CMR regime that emerged and how it was influenced by the political context of the time. Chapter 4 starts by analysing the findings of the thesis and provides a criticism of the equilibrium theories. The next sub-chapter provides

arguments about how to enhance these equilibrium theories to overcome their shortcomings. Lastly, in the final sub-chapter, the thesis conducts self-criticism and deliberates on the possible ways to overcome the limitations of the thesis.

1.4. CMR Literature Review

Wars do occur. With the emergence of conflicts between nomads and sedentary agricultural societies in the fertile lands around the rivers Tigris, Nile and Euphrates roughly around 6500 BC, war became a part of human life, and physical security started to be threatened by other societies (Archer, Ferris, Herwig, & Travers, 2006). Thus, providing the needed physical security became a necessity.

There was a time when states could provide this security by conscripting citizen soldiers as militias (Larson, 1974, pp. 58-59). However, as the communities grew and technology developed, societies modernised, and the provision of goods and services became much more complex. This complexity necessitated delegation and division of labour to fulfil societies' needs adequately (Feaver, 1996, p. 151).

Therefore, instead of relying on conscripted militias, modern militaries were created to be ever present as standing armies.

Modern militaries differ from militias in terms of employed personnel and institutional characteristics. Instead of conscripts, they employ specialised personnel, whom Huntington (1967) defines as professional soldiers. They are trained to grasp the intricacies of soldiering, responsible for performing for the wellbeing of the society when needed and show corporate unity with other associates. Institutionally, unlike disjointed and non-hierarchical militias, modern militaries are cohesive and hierarchical due to their centralised command, discipline, intercommunication and *esprit de corps* (Finer, 2017, p. 7).

Compared to other branches of a bureaucracy, these modern militaries are superiorly organised, prestigious with emotionalised symbolic status and entrusted with the monopoly of arms (Finer, 2017, p. 6). Not many civilian bureaucracies reach the level of organisation apparent within even one of the most primitive modern militaries (Finer, 2017, p. 10). Rather, they are based on voluntary service with weaker disciplining bodies and less special codes of manners. Thus, as a result of these differences, modern militaries are more superiorly organised than civilian bodies. Also, due to the nature of military career, modern militaries are associated with values like bravery, sacrifice and patriotism, which are esteemed and cherished at most times and in most states (Finer, 2017, pp. 10-11). “From this, there arises, at the lowest, a sympathy for the armed forces; at its highest a veritable mystique”, which fashions a symbolic status for militaries (Finer, 2017, p. 11). Furthermore, except for states that apply coup-proofing policies to distribute military power among parallel institutions, modern militaries possess a near monopoly of violence. These three qualities of modern militaries are politically cherished and grant them significant political power over civilian governments, which puzzles the persistence of civilian control of militaries (Finer, 2017, p. 12).

This puzzle brings about the paradox of the *civil-military problematique*: the fear of the enemy giving rise to the creation of an institution of violence that people end up fearing themselves (Feaver, 1996, p. 150; Finer, 2017, p. 12). This paradox emerges from the following two potentially conflicting principles: (1) a military should be sufficiently strong with coercive power to defend its state and force its will on foreign actors, and (2) its coercive power should not be used to force its will on the society that created it (Feaver, 1996, pp. 151-152). In most cases, the first principle grants a monopoly of arms to modern militaries. This prevents the existence of

another organisation that can enforce accountability when militaries intend to take advantage of their political power; hence the second principle is jeopardised.

Nevertheless, the consideration of this paradox as a *problematique* shows that despite these political advantages of militaries over civilian governments, the politically normal is considered as the subordination of the military to the government, and military intervention in politics is an exception (Finer, 2017, p. 12). This is because, although militaries are in possession of this political power, they lack the adequate skills to govern a society unless it is a primitive one (Finer, 2017, p. 14). Turning soldiering into a profession necessitates dedication and specialization with extensive education and continuous experience (Huntington, 1967, p. 8). This turns soldiers into experts in the management of violence but leaves them irrelevant to the other aspects of life (Huntington, 1967, p. 70). Furthermore, more importantly, soldiers lack legitimacy (Finer, 2017, p. 14; Huntington, 1967, p. 71). On the contrary, civilian governments possess the skills to govern a complex society and have legitimacy (Finer, 2017, pp. 14-23). This grants them their political power over militaries, which in the end, renders this paradox a *problematique*. As long as the legitimacy belongs to the civilian rulers, the normal is considered as the subordination of the military to the civilian government.

There are three main problems or concerns in the CMR: ensuring the society's physical security, preventing praetorian attitudes on the part of the military (military tutelage) and protecting the military from the government's attempts to politicise it (civilian tutelage) (Bland, 1999, pp. 12-13). The *civil-military problematique* represents the first two of these problems. While ensuring the historically needed physical security, militaries should be prevented from being drawn to praetorian attitudes that would lead to military interventions and military tutelage. However,

militaries should also be free from the politicisation attempts of governments in order to maintain their focus on the international security of the state as a whole and not to become a political tool in domestic political contentions.

These three problems became the driving force behind the CMR theories that took on the challenge of coming up with ideal types of CMR and frameworks of analysis to work on the civilian control of militaries. Samuel Huntington's *The Soldier and the State* (1967) became one of the most influential works on CMR. His work starts by defining the two forces that shape militaries: functional imperatives and societal imperatives (Huntington, 1967, pp. 2-3). The functional imperative is, as the first principle of the *civil-military problematique* suggests, maintaining a capable force to defend against external threats. The societal imperative is, as the second principle suggests, not using the granted force on the society but also maintaining a political influence and responsiveness to the civilian government at levels that are acceptable to the dominant social forces, ideologies and institutions.

According to Huntington (1967, pp. 80-83), there are two types of civilian control of militaries: subjective control and objective control. Subjective control is a type of civilian regulation that primarily designs militaries according to their societal imperatives and is detrimental to their capability of fulfilling their functional imperatives – the initial reason for their existence. It opens militaries to politicisation, which harms the professional structure of militaries. In a politicised military, soldiers start to focus on subjects that fall out of the management of violence. This shift of focus harms the expertise required from professional soldiers. Also, a politicised military is more willing to perform its expertise not when society needs it but when the representatives of dominant social forces need it. Lastly, politicisation harms the expected corporateness within professional militaries by

introducing the fault lines of domestic politics. Objective control, on the other hand, is the opposite. It suggests the isolation of militaries from societies so that they would be secluded from political contests and puts forward the policy of militarising them to the highest possible extent by rendering militaries politically sterile and totally focused on the profession of soldiering. In this way, militaries would attain the autonomy required for expertly executing their functional imperatives and become states' tools for providing security but nothing else (Huntington, 1967, pp. 80-85).

In Huntington's understanding of CMR, the functional and societal imperatives decide whether civilian control would be a subjective one or an objective one. In this process, the compatibility between the professional military ethic and the dominant social forces plays a decisive role. Huntington defines professional military ethic or military mind as "concrete, permanent and universal", whereas civilian ethic or civilian mind as diversified (Huntington, 1967, p. 89). The military mind is disciplined, hierarchical, and rigid. It approaches human nature in a Hobbesian way, which is pessimistic of human nature and presupposes conflicting interests among societies that are inclined towards the use of violence to further their interests (Huntington, 1967, pp. 62-63). However, the civilian mind has various ethics, some of which are compatible with the professional military ethic, while others are not (Huntington, 1967, pp. 90-94). Huntington argues that the maximization of military professionalism and objective control depends on the compatibility between the professional military ethic and the existing civilian ethic. In the presence of an anti-military civilian mind, Huntington argues that militaries will be subjected to subjective civilian control and forced to compromise their professionalism (Huntington, 1967, pp. 94-96).

In the era of constant external threats emerging from foreign, standing, professional militaries, Huntington assumed that external threats would always be high and consistent, and the traditional peacetime neglect for military security preparations would always be incompatible with contemporary necessities (Larson, 1974, p. 58; Feaver, 1996, p. 159). Since functional imperatives were grave and constant, Huntington opted for a shift from anti-militaristic civilian minds to a conservative realism that is not monistic and does not apply the same ideas to all problems and bureaucratic institutions (Huntington, 1967, pp. 89-97). “It permits a variety of goals and values”; therefore it is compatible with the needs of Huntington’s professionalism and preferred objective control (Huntington, 1967, p. 93).

An alternative approach to the objective civilian control emerged from Janowitz’s (1960) sociological study. As Janowitz himself announced in his study, his writing was a sociological study of the US military “to describe the professional life, organizational setting, and leadership of the American military as they have evolved during the first half of this century [20th century]” (Janowitz, 1960, p. vii). It was not built around the political question of controlling the armed forces (Feaver, 1996, p. 166). However, by revealing that the political fault lines among civilians find their way into the barracks, and the total militarisation of armed forces is a meaningless and unattainable endeavour, his study exposed the gap between Huntington’s ideal objective control and reality (Janowitz, 1960, p. 234; Feaver, 1996, p. 164).

Therefore, instead of the unattainable idealism, Janowitz (1960) proposed his own mechanisms to overcome the problems in CMR. He suggested civilian oversight via legislation and executive policies, but also found it necessary for militaries to be integrated with civilian values and to have self-imposed professional standards,

which is similar to Huntington's professionalism (Janowitz, 1960, p. 420; Feaver, 1996, pp. 165-166).

Huntington's (1967) and Janowitz's (1960) approach toward CMR branches civilian control into two as external control and internal control (Larson, 1974, p. 65).

External control mechanisms are the ones that are enforced by outside actors such as the legislature, executive, courts and interest groups; and internal control mechanisms are the ones that are "based on values and standards held by individuals within the bureaucracy and enforced, at least in the first instance, by their sense of what is right, proper, and feasible" (Larson, 1974, p. 65). There can be two sources of internal control mechanisms. The values and standards that make up internal control mechanisms could be subjective values like social, political and moral preferences or could be objective values like technical and professional standards (Larson, 1974, p. 65). While Huntington's objective control seeks to create a professional military that is solely focused on the management of violence and willing to utilize internal control mechanisms for technical standards, Janowitz's self-imposed standards in an inevitably politicized military expect internal control mechanisms that are built not only on technical standards but also on social, political and moral preferences. Nevertheless, both of them were occupied with finding a solution to the problems of civil-military relations in an era which rendered professional militaries a necessity (Larson, 1974, p. 65).

The reason behind their emphasis on internal control mechanisms was the functional imperative of militaries which required more and more professionalism as civilian militias lost their effectiveness in the face of a rising need to turn soldiering into a profession and maintain standing militaries. The main difference between external and internal control mechanisms, apart from their source, is that external mechanisms

restrain and encumber the military profession, which is characterised by discretion and effectiveness, and this can lead to detrimental inflexibilities in militaries (Larson, 1974, p. 65). They also require personnel to implement and supervise them, rendering them an extra burden on budget. Internal control mechanisms, on the other hand, are ever-present and self-enforcing. As the need for professionalism within militaries became more and more essential, both Huntington and Janowitz kept in mind the functional imperative of militaries while developing their own approaches to overcoming the mentioned problems in CMR and emphasised the importance of internal control mechanisms that they both defined as professionalism but conceptualised differently. While Huntington's professionalism prioritises functional imperatives (protection of state) and believes in the possibility of a politically sterile military, Janowitz's professionalism prioritises societal imperatives (protection of civilian ethics and values) (Burk, 2002, p. 12).

Although the objective control and the Huntingtonian professionalism that came with it were criticised for their possible inverse effects (Finer, 2017, pp. 24-25; Feaver, 1996, pp. 161-164), inessentiality (Feaver, 1996, pp. 163-164) and infeasibility (Janowitz, 1960; Sarkesian, 1981), the works that followed the Huntingtonian approach have remained within the boundaries of his ideal-type CMR in which the military is separated from the government to the most possible extent, and a hierarchical mechanism existed in the form of civilian control. The criticism of the possible inverse effects of professionalism was asserted by Finer (2017, pp. 25-27). He argued that professionalism that keeps militaries politically sterile can actually result in a conflict with civilian governments because it would "make them to see themselves as the servants of the state rather than of the government in power" (Finer, 2017, p. 25). Such a distinction would lead the military to generate its own

definition of national interest that it can easily substitute for the national interest put forward by the government, and it could lead to military interventions for the sake of the state. The inessentiality was revealed throughout history in which not every civilian intervention resulted in a de-professionalization of militaries. The maintenance of military professionalism in terms of expertise, responsibility and corporateness despite civilian interferences in the US military during the Cold War revealed this inessentiality and steered Feaver into introducing a third way of civilian control, assertive control, which “contemplates a simultaneous existence of civilian meddling and military professionalism” (1996, p. 163). Lastly, in addition to the impossibility of isolating soldiers from domestic political fault lines (Janowitz, 1960), competition for budget, changing nature of war that is becoming riskier (Sarkesian, 1981, pp. 285-290) and the emergence of non-combat threats that require non-combat responses (Moskos, Williams, & Segal, 2000) have shown that “military professionals cannot perform as professionals without a deep sense of political and social” (Sarkesian, 1981, p. 289); hence political isolation is infeasible but also possibly harmful.

Having said that, the two most notable works that departed from criticising the Huntingtonian approach, Feaver’s (1998) agency theory and Desch’s (2001) structuralist theory, still maintained the idea of institutional separation and hierarchical civilian control (Schiff, 2009, pp. 34-35). However, given the infeasibility of total separation, their theories focused on maintaining this separation and hierarchy despite a military that is unavoidably politicised. Feaver (1998) proposed the utilisation of the agency theory, which sees civilian governments as principals and militaries as agents of them. It provided a framework to analyse what conditions (control mechanisms) are suitable for the agents to shirk or work (Feaver,

1998, p. 408). Desch (2001) asserted a structuralist analysis that is about domestic and international threat environments. His work focused on the kind of threat environments that allowed the most possible civilian control of militaries. Both approaches remained loyal to the idea of institutional separation and hierarchical civilian control, but they also took into account the reality of military insubordination and the impossibility of total objective control. Consequently, the Huntingtonian school's understanding of a good CMR is the one that is under civilian control despite a challenge from the military.

Another approach in the CMR literature problematized the Huntingtonian way that considered separation and hierarchical civilian control as the *sine qua non* of CMR. The separation and civilian control models presume a conflictual relationship in CMR. The subtext is a zero-sum game in which “the civilian control is achieved to the extent to which the [political] power of military groups is reduced” (Huntington, 1967, p. 80). The alternative approach argues for equilibrium, which is built on a balance between subsystems, the civilian government and the military (Sarkesian, 1981). Similar to Finer's (2017) mention of the different political strengths and weaknesses of militaries and civilian governments, these subsystems have their own integrities and identities, but they are also able to find common ground in shared values and agreed-upon norms of behaviour (Sarkesian, 1981, pp. 290-292). Ideally, these values and norms are coherent with democracy, but they do not necessarily have to be. The differences of subsystems make the CMR a symbiotic one, which necessitates partnership for the perpetuation of shared values and agreed upon norms (Sarkesian, 1981, p. 291). The partnership is not necessarily a symmetrical one, which means that the political impact of militaries varies according to the values and norms of the established equilibrium (Sarkesian, 1981, p. 292). Accordingly, the

political role of militaries is not “a question not of whether, but of how much and of what kind” (Welch, 1976, p. 2). Instead of either controlling or isolating militaries, the equilibrium approach suggests a dynamic relationship built on agreed-upon values and norms. Consequently, the equilibrium approach’s understanding of a good CMR is the one that eliminates tension and finds an agreeable common ground between subsystems.

The contrast between the Huntingtonian approach and equilibrium approach resulted in the establishment of two main corners in the CMR literature. Just like there are scholars that followed the separation and hierarchical civilian control as the *sine qua non* of CMR, there are also other scholars that followed the equilibrium approach. Bland (1999) and Schiff (2009) are the prominent scholars that followed the critical path opened by Janowitz (1960) and built on the equilibrium model proposed by Sarkesian (1981). Schiff (2009, p. 27) argued that the separation and hierarchical civilian control reaches back to Clausewitz’s definition of war as the continuation of civilian politics by other means. This definition created a distinction between the realms of militaries and civilians, which was adopted by many ensuing CMR theorists (Schiff, 2009, p. 27). Their hegemony resulted in the framing of separation models, which are followed by Western states, as good and others as bad (Schiff, 2009, p. 29). This framing is criticised for being ethnocentric (Schiff, 2009, p. 36; Bland, 1999, pp. 7-9). It assumes the western form of CMR as the ideal one and superimposes it to other states as the only answer to every CMR problem in every state despite cultural and historical differences. Consequently, these separation theories are “bound by the culture and national politics of their proponents” and ineffective at remedying the problems experienced in non-western states (Bland, 1999, p. 8).

The alternatives put forward by Schiff (2009) and Bland (1999) reverberated Sarkesian's (1981) asymmetrical and symbiotic CMR built on common ground. In order to prevent military interventions into politics, Schiff proposed a concordance theory that sought agreement between a state's government, military and citizens on four indicators (social composition of officer corps, political decision-making process, recruitment method and military-style) (Schiff, 2009, pp. 32-33). The concordance does not require a certain form of CMR but expects a domestic relationship that is stable and free of military interventions. Bland's (1999) shared responsibility theory was developed in a similar way. Bland argued that the asymmetrical and symbiotic nature of CMR makes the relationship between civilian governments and militaries suitable for the establishment of a regime. Regimes are born from conflicts between actors who are interdependent on each other and therefore have the capacity to harm each other (Haas, 1991, pp. 26-27). Establishing a regime is the factitious answer to bringing an arrangement to this both conflictual and interdependent setting (Haas, 1991, pp. 26-27). In the case of CMR, the *civil-military problematique* and the history of military interventions reveal that CMR has a conflictual side. Also, on the one hand, civilian governments are dependent on militaries to maintain security and civilian control via internal control mechanisms (Feaver, 1996, p. 150; Larson, 1974, p. 65). On the other hand, militaries are dependent on the technical capabilities of civilians to govern highly complicated societies in a legitimate manner (Finer, 2017, pp. 14-22). On top of this, building a common ground in shared values and agreed upon norms of behaviour is a direct reflection of arrangements in regimes, and the internal and external control mechanisms are the responsibilities that fall on the shoulders of actors in a CMR regime.

Thus, Bland (1999), observing these mentioned conditions of CMR and their suitability for establishing a regime, comes up with the shared responsibility theory to apply the rules and dynamics of regimes to the CMR. Regimes consist of four parameters, which are “sets of implicit and explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area” (Krasner, 1991, p. 2). Principles are built on beliefs of facts, causation and rectitude; and they are the building blocks of fundamental political arguments of actors in a regime. “Norms are standards of behaviour defined in terms of rights and obligations” (Krasner, 1991, p. 2). Rules and decision-making procedures are extensions of principles and norms. Rules regulate prescribed and proscribed actions, and decision-making procedures consist of prevailing practices of collective preferences. Bland (1999, p. 16) adapts this nature of regimes into CMR by putting forward that beliefs of facts, causation and rectitude held by the subcultures of civilian governments and militaries evolve into norms and shape the rules and decision-making procedures of CMR.

Depending on the power balance between members-to-be and alignment of interests, regimes could be spontaneous, negotiated, or imposed (Young, 1991, pp. 97-101).

Spontaneous regimes are not the products of conscious coordination but are established after actors’ expectations converge without explicit awareness. On the contrary, negotiated regimes are established with conscious efforts to agree on arrangements with explicit awareness to reach a mutual gain. These two types of regimes result from self-interested actors finding common ground via negotiation.

Imposed regimes, however, are the products of direct power imbalance. They are deliberately promoted and sponsored by powerful actors via either sticks or carrots, and they are not built on consent.

One of the most important features of a regime is that it is an attitudinal phenomenon (Puchala & Hopkins, 1991, p. 62). In a stable regime, actors adhere to the principles, norms, rules and decision-making procedures. This adherence establishes a pattern. Patterns evolve into experiences, create a history for the regime and generate prejudices about what practice is acceptable and what practice is not in a regime (Bland, 1999, p. 16). These patterns eventually lead to the development of actors' expectations of regularities. These established regularities of regimes could be about a specific issue like regulating CMR, or it could be about a diffuse one like regulating international peace (Puchala & Hopkins, 1991, p. 64). Furthermore, these regularities could be supported by either formal or informal structures (Puchala & Hopkins, 1991, p. 65). Regimes could be formal with official organisations, bureaucracies and laws to maintain and supervise, or they could be informal with gentlemen's agreements and actors' active surveillance.

Although regimes consist of regularities and patterns, they are not all immersive and immune to change. The stability and strength of regimes are determined by the coherence and consistency between practices and the mentioned four parameters. Challenges to regime parameters with inconsistent practices would weaken or reshape the established regime. While changes in rules and procedures are mere restructurings within a regime, changes in principles and norms are the change of the regime itself (Bland, 1999, p. 16). Shifting powers and interests of members, and inventions of new knowledge and technologies can lead to changes in principles and norms (Young, 1991, pp. 107-112). This would initiate the change process of the regime itself. This can either be an evolutionary or revolutionary change (Puchala & Hopkins, 1991, pp. 65-66). During evolutionary change, the usual power structure remains while norms and principles are reformed; but during revolutionary change,

the usual power distribution reverses. Especially when there are unilateral challenges to principles and norms by either the civilian authority or the military, a revolutionary change process starts, and the other side, who prefers the status quo, would probably resist vigorously (Bland, 1999, p. 18).

Approaching CMR with regime analysis by utilising the shared responsibility theory is proposed to be advantageous for a number of reasons. First of all, unlike separation theories, it does not restrict itself with the assumption of a superior-subordinate CMR. Instead, Bland's (1999, p. 10) theory reduces the gap between the idealised separation and reality by taking into account the interdependence between militaries and civilian governments, which renders a superior-subordinate relationship incompatible. This difference makes the shared responsibility theory applicable for any kind of state with a civilian government, whether it enjoys a superior-subordinate CMR or not. In other words, it does not assert a single form of CMR. Secondly, the parameters of regimes are not dependent on government type. Therefore, as long as there are two distinct organisations as a military and a civilian government, regimes are applicable to any kind of state. This provides a suitable framework to analyse CMR in a wide range of states and eliminates the risk of shared responsibility theory being conditional to national circumstances or, in other words, ethnocentric (Bland, 1999, p. 21). Furthermore, this compatibility with different government types makes regime analysis reliable for states that go through a change in the form of government.

However, even though Bland's shared responsibility theory asserts a model that overcomes separation theories' ethnocentric approach and commitment to a single form of CMR, it has major flaws as well. First of all, it neglects the functional imperatives of militaries. It focuses on the establishment of an equilibrium to prevent

military interventions but does not concern itself with maintaining military security. The theory discusses that the establishment of a regime that reflects the power balance between military and civilian actors can regulate a state's CMR and that regulation can establish an intervention-free CMR, but this does not necessarily mean a fully healthy CMR regulation. The *raison d'être* of standing militaries is the provision of military security. Both Huntington and Janowitz kept this functional imperative in mind while providing contrasting CMR approaches. "It serves no purpose to establish a protection force and then to vitiate it to the point where it can no longer protect" (Feaver, 1996, p. 152). Nonetheless, unlike Janowitz, whose analysis opened the path towards equilibrium approaches, and unlike Huntington, the shared responsibility theory does not make any propositions about how to maintain the fighting capacities of militaries.

Secondly, it does not concern itself with the types of CMR regimes. As long as a CMR regime is established according to an agreed-upon equilibrium, that CMR regime is considered to be military intervention free. However, the context in which the equilibrium was established could be the difference between a CMR that can remedy the problems of CMR or exacerbate them.

How could it be known whether the equilibrium is a surrogate for intervention or not? In certain contexts, the scales of the equilibrium could be too tipped towards the side of the military that there is no need for a military intervention because the established equilibrium is already a *de facto* military intervention (Wells, 1996, p. 272).² Or, it could be the other way around. The equilibrium could be established

² This criticism of Wells was directed to Schiff's (2009) concordance model. However, it is a valid criticism of Bland as well since both approaches are built on the equilibrium model asserted by Sarkesian (1981).

under the influence of a dominant and powerful civilian government. In such a possibility, the equilibrium model would again consider the CMR regime as intervention-free, and that would be correct. However, in this equilibrium, the military would be vulnerable to politicisation at levels that could risk military security due to choosing loyalty over competence, and its functional imperatives would be harder to be fulfilled in a competent manner. Additionally, the prevention of military intervention would be conditional to the civilian political faction that established the CMR regime. As Huntington (1967, pp. 80-83) mentioned, there are many civilian factions within a society which are in political competition with each other. A CMR regime established by one of them can lead to CMR problems when the government changes. A military that was staffed and designed according to the needs of the previous government has a bigger chance to challenge subsequent civilian governments of different factions. Therefore, its remedy for military interventions would carry the risk of being unsustainable and hazardous for subsequent governments.

CHAPTER II

THE FORMATION AND PARAMETERS OF THE PRE-2016 CMR REGIME

Since the establishment of the republic in 1923, many political developments occurred and shaped the CMR regime that Turkey experienced till 2016. By scrutinising these developments, this chapter provides a description of the CMR regime of Turkey between the years 1923 and 2016. The chapter is divided into three sections according to key developments that were influential in shaping this CMR regime. The first section focuses on the period between the establishment of the Republic of Turkey in 1923 and the first coup in 1960. This time period provides substantial information about the foundations of the CMR regime that lasted till 2016. The second section focuses on the developments between the 1960 coup and the European Council Helsinki Summit in 1999. The 1960 coup was the ending of military disengagement from politics. It resulted in changes in political practices and set a precedent for the subsequent military interventions in Turkey. Conversely, the Helsinki Summit served as a triggering factor for the subsequent reforms that initiated a regressing military influence in Turkish politics. During the years between these two key developments, the main parameters of the regime were created and solidified. This section names and details these main parameters of the CMR regime

of Turkey. The third section focuses on the time period between the Helsinki Summit in 1999 and the 2016 failed coup attempt. This section analyses the regressing military influence and its effects on the Turkish CMR regime. The end is chosen as the 2016 failed coup attempt because it was a highly critical and influential event that led to the emergence of a new CMR regime.

2.1. The Foundation of the Turkish CMR Regime (1923 and 1960)

Despite ups and downs, the TAF's influence over politics followed an increasing trend till 1999, and its CMR was characterised by a regime that was imposed by and in favour of the TAF. There were two main principles of this regime: (a) the TAF was the guardian of Turkey, and (b) civilians were the legitimate rulers of the state. The norms were established accordingly. The TAF's autonomy and acceptability of military interventions became behavioural standards. In a regime that was built on these principles and norms, the rules and decision-making procedures were created or evolved in a suitable manner. Various institutions and laws were introduced or reformed to formally establish the rules and decision-making procedures of this regime. Additionally, although fewer in numbers, there were some informal arrangements as well to supplement the formal structure.

The formation of this regime dates back to the Turkish War of Independence (1919-1922). During the war, the civilian government and the TAF were intertwined. The existent military organisation in Anatolia was utilised for the war effort, and many positions in the executive and legislative bodies were filled with military figures (Harris, 1965, p. 55). The military was indispensable to the government, and in the course of the war, there was neither the time nor the desire to separate the civilian government and the military (Harris, 1965, p. 55). Even the subordination of the

Chief of General Staff to the Ministry of War in the Ottoman Empire was abolished.³ Instead, the Chief of General Staff became a member of the cabinet as a direct subordinate to the president (Harris, 1965, p. 55). The TAF and military officers had dominant roles in the establishment of the Turkish Republic and were part of politics. After the war was won, a number of policies were enacted to push the TAF into the background and keep it there. In 1923, the parliament passed a law that forbade military officers from running for the parliament without resigning from their military duties (Harris, 1965, pp. 57-58). Furthermore, in 1949, the General Staff was put under the charge of the MND (Harris, 1965, pp. 55-65). Although these changes contributed to the military disengagement from politics, the main reason behind the TAF's subordinate attitude in the single-party era was the harmony between military officers and members of the government.⁴ Given the military background of civilian leaders, they saw eye to eye with officers, and harmony emerged between them. Consequently, the military identified itself with the status quo, and this identification suppressed interventionist motivations in the single-party era (Sarigil, 2014, p. 174; Sakallioğlu & Cinar, 2003, p. 155). In other words, the TAF was not under democratic civilian control; instead, it was harmoniously working with the civilian government.

Although the military was in the background, it was designated by the civilian government to become a guardian of the established state. This guardianship role did not only include a military protection against external threats. The military was entrusted with being both the spearhead and the guardian of modernisation in Turkey

³ The Ministry of War was succeeded by the MND.

⁴ Except for a short attempt at multi-party politics in 1930, the Republic of Turkey was ruled by a single party, the Republican People's Party (RPP), till 1945 (Zürcher, 2013, pp. 261-262).

(Harris, 1965, pp. 55-56; Heper, 2005). This given duty was visible in Atatürk's speech which remarked that "the Turkish nation... considers its army the guardian of its ideals" (Harris, 1965, p. 56). This role was also legalised by the Army Internal Service Law (Ordu Dahilî Hizmet Kanunu, 1935), which stated in Article 34 that the TAF was responsible for the protection of the territorial integrity of the Turkish nation and the constitutionally defined republic.⁵ While this article clearly defined what is cherished the most, it gave a vague description of threats. Therefore, it provided flexibility to the TAF to determine a variety of situations as threats and widened the threat perception of the TAF. It did not restrict itself to external military threats and engaged with political problems as well.

After the transition to the multi-party system in 1945, the harmony between the RPP and the TAF created a problematic CMR. Dissatisfied with the Democrat Party (DP) opposition, some local commanders acted in partisan manners on their own accord. For instance, military courier planes flying between Ankara and Erzurum dropped declarations on cities and villages to warn the people of the need to gather behind İnönü, the party leader of the RPP back then (Öztürk, n.d., p. 48). Even some senior generals allegedly approached İnönü with an offer of a military move before the election in 1950, but he refused them (Hale, 2006, p. 92).

2.2. The CMR Regime of Turkey (1960 and 1999)

Eventually, a decade later, the first coup in the history of the republic occurred on the 27th of May, 1960, on the grounds of increased authoritarianism under the DP rule.

The aftermath of this coup was highly influential in determining the CMR regime

⁵ Article 2 of the Constitution of the Republic of Turkey defines the state as a "democratic, secular and social state governed by rule of law, within the notions of public peace, national solidarity and justice, respecting human rights, loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the preamble".

that Turkey was going to have till 1999. In Rousseau's Social Contract, it is stated that "if force creates right, the effect changes with the cause. Every force that is greater than the first succeeds to its right" (Rousseau, as cited in Finer, 2017, pp. 17-18). The 1960 coup created the 'right' and set a precedent for the following coups. Till 1999, three more military interventions occurred (1971, 1980, and 1997), and all of them preserved and developed the CMR regime that was imposed by the putschists of 1960.

One of the defining qualities of this regime was the principle of military guardianship. Military interventions are the most blatant proof of this principle in this time frame. Four major military interventions took place in 1960, 1971, 1980 and 1997. All of them were made under the principle of guardianship to protect the state against threats that the TAF considered serious enough for interventions, and the first three of them were legitimised by the law that regulated the internal service of the TAF (Zürcher, 2013, p.401; Küçük, 1960, p.6; Hale, 2006, pp. 184-185). For starters, the 1960 coup was declared as a response against the economic degradation and the authoritarianism that came with it (Hale, 2006, p. 94).⁶ The declaration of the 1960 coup stated that the coup was conducted to solve the crisis that the Turkish democracy has fallen into, to prevent fratricide and to reorganise the democratic Republic of Turkey for a fair and free election as soon as possible (Hale, 2006, p.

⁶ Between the years 1957 and 1960, the Menderes government resorted to a number of authoritarian and repressive policies (Zürcher, 2013, pp. 348-350). To name a few, they created the Homeland Front (*Vatan Cephesi*) initiative to accumulate grassroots support. It served as a supportive branch for the party. As new members accumulated, their names were read on the radio. It turned out that some of these names were forged for an illusion of force. Furthermore, the membership was suspected of being a green light for favouritism (Gaytancıoğlu, 2011, pp. 109-111). In 1960, the government mobilised military troops to prevent the opposition's campaigns. Furthermore, the Democrat Party parliamentarians established the Committee of Inquest to investigate the opposition's activities. It was protested for being unconstitutional by law professors. Thereafter, the same professors were inflicted with disciplinary punishment for getting involved in politics.

119). The 1971 memorandum and 1980 coup were also built around this guardianship principle. The common driving forces behind these two military interventions were the out-of-control political violence and economic downturn (Harris, 2011a, p. 206; Hale, 2006, p. 246). Lastly, the 1997 post-modern coup was conducted as a response against rising political Islam, which the TAF considered a threat to the secular structure of the republic (Aslan, 2015, pp. 366-367).⁷

Along with these blatant military interventions, the TAF also ‘looked after’ Turkey with interventions that were on a small scale. Memorandums, verbal warnings and press releases from the TAF were expectable parts of political life. For instance, in 1964, three years after returning to democratic politics, the Chief of General Staff easily sent a reprimanding letter to political party members to convey his dissatisfaction with the way the TAF was criticised in the parliament and how this situation was leading to factionalism among people (Hale, 2006, p. 170). Muhsin Batur, the Air Force commander in 1970, issued two memorandums regarding reforms for the benefit of the state. One of them was directed toward the NSC, and the other one bypassed his superiors and was directed toward the president himself (Hale, 2006, p. 188). In 1979, Kenan Evren, the Chief of General Staff, utilised his victory day message as a means to warn the government and, later that year, gave a letter of warning to the president (Öztürk, n.d., p. 72). In 1995, Hakkı Karadayı, the Chief of General Staff at the time, urged the leaders of the True Path Party and the Motherland Party to form a coalition against the Islamist Refah Party (Aslan, 2015,

⁷ It is called a post-modern coup because the tactics utilised reflected post-modern military qualities. The end of the Cold War resulted in the establishment of post-modern militaries (Moskos, Williams, & Segal, 2000). New threats that fall outside the boundaries of conventional war-making emerged, and militaries had to adapt. Non-combat requirements necessitated non-combat skills; consequently, the dominant type of military professional shifted from combat-oriented soldier to soldier-scholar or soldier-statesmen who additionally attained civilian degrees, became capable of handling media and attained diplomatic skills. These non-combat skills were used in the 1997 coup, and therefore, it is called a post-modern coup (Aslan, 2015).

p. 367). These events were less robust but as reflective of the guardianship principle as coups.

The belief in the TAF's guardianship role was supported by military officers' inclination toward seeing themselves as superior to civilians. This was the result of cadet education and socialisation. Military education at an early age starts shaping the political and social stance of military cadets and results in the internalisation of conveyed viewpoints (Nordlinger, as cited in Aslan, 2017, p. 41). The TAF's cadet education started at an early age (12-13), and it was visibly superior in terms of organisation and quality when compared with most of its civilian counterparts (Birand, 1989, pp. 25-45). It was also under the sole responsibility of the General Staff (Birand, 1989, p. 65). This created an atmosphere in which cadets were under the dominant influence of the military establishment during education. Starting from the matriculation speeches, cadets were exposed to ideas about how special and different they were. For instance, the speech given to military cadets by the commander of the Army Military Academy (*Kara Harp Okulu*) stated that "Always bear in mind that you are superior to everyone and everything, and that you are trained here to have superior knowledge and superior qualities" (Birand, as cited in Hale, 2006, p. 321). When this education was juxtaposed with a lifetime of separation from civilians due to constant in-group socialisation, a feeling of superiority erected (Hale, 2006, p. 321). A soldier's remarks give the most precise description of this feeling of superiority (Birand, 1989, p. 134):

The threats Turkey faces are obvious. The ignorance of my people is evident. Therefore, even if a political leader, who wants to divert this state from Atatürk's principles, wins the elections and takes 100% of the votes, that leader can not overcome us. We can not accept it. They can deceive the people, but not us.

Moreover, when times were hard, military interventions accumulated a significant amount of civilian support from citizens, civil-society organisations and even parliamentarians. The coup of 1960 was welcomed by opposing groups like students and intelligentsia in big cities such as Ankara and İstanbul (Hale, 2006, p. 120; Zürcher, 2013, p. 351). Approximately two years before the 1980 coup was conducted, there were parliamentarians and senators who were asking Kenan Evren, the Chief of General Staff at the time, to intervene and get Turkey out of the crisis because they had lost faith in the political procedures (Hale, 2006, p. 233). When the post-modern coup was underway in 1997, civilian actors even went beyond welcoming the military intervention and actively participated in the process. Labour unions, media organisations, members of high courts and bar associations applied pressure on the incumbent government by making statements that were supportive of the TAF's stance (Aslan, 2015, pp. 370-375). The General Secretary of Türk-İş (Confederation of Turkish Trade Unions) even stated that they would have supported a coup if a necessity emerged for the protection of Atatürk's principles and reforms (Aslan, 2015, p. 371). These were signs of an agreement between some civilians and the TAF on the guardianship role of the military.

In this CMR regime imposed by the TAF, for a considerable amount of civilian actors, the principle of guardianship went hand in hand with the behaviour of accepting military interventions. The steadfast quality of all these military interventions was that none of them faced any judicial procedures to punish perpetrators and prevent these actions from becoming precedents. On the contrary, some of these interventions were even praised or supported by civilian actors. For instance, after the 1971 memorandum, the junta government won an overwhelming vote of confidence from both main parties, the RPP and the Justice Party (JP) (Hale,

2006, p. 194). This does not indicate that they were supportive of this military intervention. There were even opposing figures to this voting. For example, Bülent Ecevit, RPP's Secretary General, resigned in protest (Hale, 2006, p. 195). Nevertheless, it reveals that given the assertiveness of the TAF and the risk of a coup, the majority of the parliament was accepting this intervention. For example, Demirel's initial reaction to the 1971 memorandum as the head of the government was to resist it in the assembly by asking for a vote of confidence for the government, but he later backed down and accepted the intervention to prevent the verbal intervention from evolving into a coup (Hale, 2006, p. 193). Later on, during the duration of the post-modern coup against the Erbakan government, Ecevit, who adamantly opposed the junta government in 1971 and established a coalition with Erbakan in 1973, suggested to Erbakan not to lock horns with the state and acknowledge the state's base components, including secularism, or think of resigning. ("Ya içine sindir ya git," 1997, p.1). After the Erbakan government caved in, Deniz Baykal, the leader of the RPP, interpreted the process not as an intervention but as a military contribution to the formation of public opinion to expose Erbakan's true colours (Aslan, 2015, p. 374). The population also showed a degree of acceptance of military interventions as well. According to a survey conducted in 1999-2000, the confidence in the military was 86.2% (Sarigil, 2009, p. 708), and according to another survey conducted in 2015, 13.5% partly and 28% fully agreed with the military rule if necessary (Sarigil, 2015, p. 293).

Acceptability of military interventions extended into some rules and decision-making procedures that would support this behavioural arrangement. These were both formal and informal. The formal ones appeared as institutional and legal arrangements, while informal ones appeared as unwritten conventions and patterns. As institutional

and legal arrangements, four new institutions were introduced to administer the military's influence over civilian politics and the Army Internal Service Law was renewed in a way to maintain the legitimacy of military interventions. As an informal arrangement, the military gained influence on presidential elections without any legal basis.

The most pivotal institutional arrangement was the introduction of the NSC. The 1961 constitution introduced the NSC to assist the decision-making process of national security policies by informing the cabinet.⁸ It comprised of the president, prime minister, various ministers, Chief of General Staff and force commanders (Milli Güvenlik Kurulu Genel Sekreterliği, 2022). Although military members were a minority in numbers, monthly conventions of the NSC gave the TAF a periodic opportunity to convey its opinions to the civilian government.⁹ With subsequent military interventions, the NSC's structure was changed to further the TAF's influence. After the 1971 memorandum, a constitutional change in the same year swapped the duty of informing the cabinet with making recommendations to the cabinet. Later on, after the 1980 coup, Article 118 of the 1982 constitution commissioned incumbent governments to give priority to the NSC decisions. Also, after the 1980 coup, its member composition changed in favour of the TAF by decreasing civilian members and increasing military members. The result was an equalization in numbers. Moreover, a broad definition of national security, which included the protection of cultural, social and economic interests, was included in the law of the NSC.¹⁰ This broad definition made it possible to bring traditionally

⁸ Its duty is described in detail in Article 111 of the 1961 constitution.

⁹ The abrogated Law No.129 or *Milli Güvenlik Kurulu Kanunu* (1962) defines the NSC in detail.

¹⁰ The full name of this law is 'Milli Güvenlik Kurulu ve Milli Güvenlik Kurulu Genel Sekreterliği Kanunu'. Its law number is 2945 and it is currently abrogated. The definition of national security is given in Article 2.

civilian topics, such as education and broadcast regulation, to the table (Sakallioğlu, 1997, p. 158). Lastly, the secretariat of NSC gained the right to oversee the execution of taken decisions, which turned it into the super executive next to the cabinet.¹¹

The NSC had another unarticulated and informal regulatory purpose as well. It was also an assurance for the mid-ranking officers that the TAF had an influence over state affairs. It conveyed to them the message that there was no need for illegitimate ways of influencing politics (Esen, 2021, p. 203). The 1960 coup was a colonel's coup. In other words, it was an insurrection not only against the civilian rule but also against the General Staff. During the coup, many pro-DP generals, including the Chief of General Staff, were taken under custody along with DP ministers (Esen, 2021, p. 207). The fear of a repetition of such a coup was high and was proven to be not in vain with the failed coup attempts of Colonel Talat Aydemir in 1962 and 1963. Consequently, in order to choke mid-ranking officers' motives for intervention, the NSC served as a platform to convey the atmosphere in the military to the civilian government.

The other three institutions granted military intervention in areas that used to be and should be strictly civilian. Despite political opposition on the grounds of harming judicial independence, the State Security Courts, which were made up of both civilian and military justices, were created and included in the judiciary in 1973 to hear cases that were directly related to crimes against the security of the state and the republic.¹² They were annulled by the constitutional court in 1975 but then re-opened by the junta government in 1983.¹³ These courts provided the TAF oversight of the

¹¹ Its executive powers were defined in Article 9 of the abrogated Law no. 2945.

¹² The State Security Courts (*Devlet Güvenlik Mahkemeleri*) were opened with the acceptance of law no. 1773 on the 26th of June, 1973.

¹³ According to the official gazette, the State Security Courts were re-opened with the acceptance of law no. 2845 on the 16th of June, 1983.

judicial process. Furthermore, after the 1980 coup, the Council of Higher Education was introduced to centralise and regulate education, and the Higher Council of Communication was established to regulate broadcasts.¹⁴ The General Staff and the NSC were among the authorities to assign some members to the board of management of these two institutions (Sarigil, 2014, s. 169). In this way, the military maintained close surveillance of higher education and broadcasts.

The most important law that regulated this CMR regime was the TAF Internal Service Law (Türk Silahlı Kuvvetleri İç Hizmet Kanunu, 1961). It was enacted in 1961 and was built on the Army Internal Service Law. During the discussions about renewing this law in the parliament, the members of the National Unity Committee acknowledged Article 34 of the Army Internal Service Law as the departure point for the 1960 coup, and they were adamant about keeping it in the renewed versions (Küçük, 1960, p.6).¹⁵ Hence, the same article found its place in the new Turkish Armed Forces Internal Service Law as Article 35 and cemented the legal basis of intervention. Consequently, this law was referred to in many verbal warnings and the second coup in 1980.

Lastly, the informal way of military intervention showed itself as a pattern of choosing presidents from senior officers between 1960 and the late 1980s (Harris, 2011b, p. 210). This pattern was especially visible when the presidential election became a source of conflict between the TAF and parliamentarians after President Sunay's term expired in 1973 (Hale, 2006, s. 203-205). In the end, the

¹⁴ According to the official gazette, the Council of Higher Education (*Yükseköğretim Kurulu*) was introduced with the acceptance of the Higher Education Law (*Yükseköğretim Kanunu*, 1981) on the 4th of November, 1981, and the Higher Council of Communication (*Haberleşme Yüksek Kurulu*) was introduced with the acceptance of the Wireless Law (*Telsiz Kanunu*, 1983) on the 5th of April, 1983.

¹⁵ The National Unity Committee was the military junta government that ruled Turkey between 1960-1961 (Zürcher, 2013, p. 352).

parliamentarians managed to resist the TAF's choice but nevertheless, they had to choose another military figure, Fahri Korutürk (Hale, 2006, p. 207).

In accordance with the guardianship role and the acceptability of military interventions, it also became a norm for the TAF to be autonomous. Once again, this norm extended into both formal institutional and legal arrangements and informal patterned practices. With legal arrangements, the subordination of the General Staff to the MND was revoked, and the General Staff gained autonomy in deciding on military budgets, armed forces administration and cadet education. Institutionally, the Supreme Military Council was established to regulate an autonomous military promotion process, and for a certain amount of time, the Chief of Staff gained the clout to nominate who supersedes him in an informal way. Furthermore, the budgetary autonomy was supported by an informal timid attitude among parliamentarians and MND bureaucrats.

As a result of the enactment of the Law on the Duties and Authorities of the Chief of General Staff in 1970, the subordination of the General Staff to the MND was revoked, and the General Staff gained autonomy in armed forces administration and cadet education (Genelkurmay Başkanlığı Görev ve Yetkilerine ait Kanun, 1970). Article 7 abolished the subordination of the General Staff to the MND, which was the case since 1949 (Harris, 1965), and made the General Staff directly responsible to the prime minister. The former arrangement was more in accordance with democratic civilian control of militaries (Kohn, 1997, p. 149). The new arrangement has prevented the MND from developing into a capable and technically experienced executive branch that can arbitrate between the incumbent government and the General Staff. Article 2 gave the General Staff autonomy in determining intelligence activities, procurement of weaponry, education of new cadets, force structures and

movements and logistics. In education, the General Staff became solely responsible for the curriculum and educational materials of cadets. Neither the MND nor the Ministry of Education had any jurisdiction over it (Birand, 1989, p. 65).

The Supreme Military Council was established in 1972 after the enactment of law no. 1612 and founded military autonomy in high-ranking promotions (Yüksek Askeri Şûranın Kuruluş ve Görevleri Hakkında Kanun, 1972). It was designed to convene annually to discuss the TAF's main program, military aims, military strategic concepts, high-ranking promotions and retirements. The decisions were taken according to a simple majority, and the member composition included a dominant majority of military members. It consisted of only two civilian members, the prime minister and the minister of defence, while the rest were all military officers, including the Chief of Staff, force commanders, army commanders, general commander of the Gendarmerie, generals and admirals. Consequently, except for the Chief of General Staff, promotions of high-ranking military officers progressed in an autonomous manner. According to Article 8 of Law on the Duties and Authorities of the Chief of General Staff, the Chief of General Staff was appointed by the president. However, till Turgut Özal's successful defiance in 1987, the position was also filled in an informal autonomous manner as well.¹⁶ For a while, the position was superseded by the former Chief of General Staff's choice (Sakallioğlu, 1997, p. 162).

The TAF's budget autonomy was built on both formal and informal arrangements. After the 1971 military intervention, a constitutional change restricted the Court of Accounts' jurisdiction over military expenditures by amending Article 127 to make audits conditional to the TAF's requirements of security-related secrecy (Akça, 2010,

¹⁶ Turgut Özal is the prime minister at the time.

p. 23). In 1985, this conditionality became even harsher with an amendment to the Law on the Court of Accounts that totally exempted arms procurement and contracts from the jurisdiction of the Court of Accounts (Akça, 2010, p. 23). In addition to these formal restrictions on audit, a timid attitude of the parliamentarians and MND bureaucrats rendered the TAF's budget autonomy excessive. Both the parliament as the legislative body and the MND as the executive body had jurisdiction to oversee the budget of the military, but these jurisdictions were rarely used by the bureaucrats and parliamentarians (Akça, 2010, pp. 21-23). Discussions of the military budget in the General Assembly were usually conducted in a populist manner that supported an unquestioned acceptance of the desired military budget, and there were rarely any motions to investigate military expenditures (Akça, 2010, pp. 21-23). Article 2 of the law on the duties and structure of the MND entitled the MND to the duty of handling the budget of the TAF and defending it in the parliament (Milli Savunma Bakanlığı Görev ve Teşkilatı hakkında Kanun, 1970). However, the ministry lacked capable civilian staff, and as a result of which, it did not have the determination to analyse and criticise the budget requested by the General Staff. Consequently, the ministers ended up trusting the TAF and defending the budget in the parliament (Akça, 2010, p. 22).

Speaking of budget autonomy, the role of the military in the civilian realms of the economy should also be discussed, for it provides reservations on the part of civilian actors when criticising the TAF and suggesting reforms. The role of the military in the civilian realms of the economy consists in the form of two organisations, OYAK (The Armed Forces Trust and Pension Fund) and TAFF (Turkish Armed Forces Foundation). OYAK was established by the National Unity Committee in 1961 as a response to the economic difficulties that the members of the armed forces

experienced before the 1960 coup (Akça, 2010). It is an enforced savings fund for the members of the TAF, which means that a certain amount of money is taken from the wages of soldiers in a compulsory manner (Kutay, 2016, p. 27). It also has a hybrid identity with characteristics of both a public and private entity. Although its partner companies pay regular taxes, OYAK itself is exempt from several taxes such as income, corporate, inheritance, estate transfer taxes, and revenue stamp duties (Kutay, 2016, p. 27). The stable revenue from the members of the TAF and the tax exemptions provided OYAK with an advantage in a competitive market economy and opened a path for it to become one of the top five holdings in Turkey with various companies and both domestic and international economic relations. As for TAFF, it was created to develop the domestic arms industry in 1987. In due course, various arms industries were established, and TAFF owns significant percentages of shares in many of them. The Chief of Staff was a board member, and administrative posts were filled by military officers (Akça, 2010, p. 26). Consequently, TAFF became a key actor in the establishment of a military-industrial complex in Turkey. Through these two organisations, the TAF became an economic actor in various fields of the economy, including civilian sectors (Kutay, 2016, p. 26). TAF's domestic and international relations in the economic realm were criticised for keeping OYAK and TAFF from scrutiny, and in addition to that, OYAK's privileged position was considered to be another factor for maintaining the feeling of superiority among the members of the TAF by keeping them economically segregated in an advantageous manner (Kutay, 2016, p. 28).

Nevertheless, despite all the mentioned principles and norms until this point, the TAF was not omnipotent in this CMR regime. The power distribution between civilians and officers, which Finer (2017, pp. 6-22) explains, existed in this CMR

regime and established an interdependency between them. On the one hand, the TAF had a monopoly of arms, and civilians depended on it for its functional imperative, providing military security. First and foremost, the TAF was required against external threats. During the Cold War, incumbent governments were dependent on the military to provide deterrence against the Warsaw Pact and to conduct military operations in Cyprus in 1974 (Hale, 2006, p. 293). The same dependence applied to internal threats as well. Civilian governments declared martial laws three times when political violence got out of hand in the 1970s, and the TAF took a substantial part in the fight against PKK terrorism.¹⁷ Lastly, civilians even depended on the internal control mechanisms of the TAF to evade coup attempts. Internal control mechanisms were in force when the coups of 1962, 1963 and 2016 failed (Aslan, 2020). On the other hand, civilians had the technocratic capability and legitimacy to rule a modern state. The military depended on civilians to effectively rule the state under junta governments and had to return the governance back to civilians to maintain legitimacy. After seizing control via a coup in 1960 and 1980, the cabinets formed by juntas were mainly dominated by civilian technocrats.¹⁸ Özal's role as the deputy prime minister for economic affairs in Ulu's – a former military member – cabinet is a great example of this fact (Hale, 2006, p. 248). Also, according to Sarıgil's (2015, p. 293) survey, despite significant support for military rule, the majority (55.8%) still found it unacceptable and, therefore, illegitimate. This reality showed itself in the voting results of elections following the 1980 and 1997 coups. After returning back to democratic politics, voters revealed their discontent by choosing parties that putschists did not desire (Aslan, 2015, p. 363; Hale, 2006, p. 268).

¹⁷ For a detailed history of declared martial laws in the 1970s, see (Hale, 2006, pp. 175-231).

¹⁸ For detailed knowledge of these cabinets, see (Hale, 2006, pp. 122,248; Zürcher, 2013, p. 402).

This interdependence paved the way for the second principle of the regime, which is the legitimacy of civilian rule. Despite an interventionist military, civilians were always seen as legitimate to rule in this CMR regime. One of the reasons, as explained in the previous paragraph, was the power difference between civilians and officers. This was also accompanied by the TAF's approach to interventions and international factors. The TAF approached interventions as necessary actions to guard the state and the republic. The declarations of both the 1960 and 1980 coups stated that military takeovers were conducted not to create a permanent military rule but to put the democratic republic back on track and then withdraw. In comparison with other military takeovers of the era, eventually, the TAF did withdraw in an atypical manner after both of these coups (Hale, 2006, p. 316). Secondly, putschists were aware of the risk of consecutive coups that would follow the initial one unless it was built on something other than naked force. A general's remark regarding this issue clearly reveals this awareness: "One thing that generals never desire is to have Turkey fall into the cycle of coups and counter-coups that happens in Latin American states or used to happen in some Arab states" (Birand, 1989, p. 476). Therefore, they built military interventions on the principle of guardianship, whose prior condition was to accept the legitimacy of civilian rule (Finer, 2017, p. 18). In addition to these, external pressures were also influential in maintaining civilian rule as legitimate. For example, after the 1980 coup, the junta government encountered warnings from the Carter administration stating that the continuation of the US support was conditional on re-establishing democracy (Hale, 2006, pp. 250-251). In addition, relations with European international organisations reached a moment of standstill. The Turkish delegation was not admitted to the Parliamentary Assembly of the Council of Europe until civilian rule was restored and the European Commission froze pre-approved

aids (Hale, 2006, pp. 250-251). Lastly, the Association Agreement with the European Economic Community was frozen till civilian rule was re-established (McLaren & Müftüler-Baç, 2003). Furthermore, these pressures did not only create push factors for withdrawal from the government but also shaped how the TAF conducted military interventions. During the post-modern coup in 1997, in an effort to avoid such pressures, putschists tried to establish a connection between the secularism that they were trying to protect and the survival of democracy while they were ousting an elected government (Sakallioglu & Cinar, 2003, p. 314).

2.3. The Regressing Military Influence and Weakening CMR Regime (1999 and 2016)

The 1999 European Council Helsinki Summit granted Turkey candidate status for the European Union, and the membership process came with challenges to the CMR regime of Turkey. The EU Commission evaluation reports were critical of the Turkish CMR regime. The guardianship principle and the norms of military autonomy and intervention did not agree with the expectations of the EU, and the candidacy process required the TAF to regress from civilian politics (McLaren & Müftüler-Baç, 2003, p. 201).

Expectedly, the candidacy process had the support of civilians. Political elites considered the EU membership a beneficial step towards a better democracy and socio-economic status (McLaren & Müftüler-Baç, 2003, p. 209). Consequently, it was supported by civilian elites (business people, government ministers, parliamentarians, journalists and academics) and wide sections of the electorate by a large margin (Çarkoğlu, 2003, p. 174; McLaren, 2000, p. 125; McLaren & Müftüler-Baç, 2003, p. 208).

However, despite the requirement of regressing military influence over politics, the TAF was also supportive of the process. As a consequence of the TAF's historical role as the spearhead of modernisation in Turkey, the fundamental principles of the EU were coherent with the dominant worldview of secularism and democracy among officer circles (Heper, 2005).¹⁹ Therefore, even though it meant losing institutional and legal privileges and accepting a more subordinate position, the TAF saw EU membership as the ultimate step towards modernisation and supported it (Heper, 2005). Furthermore, after all these years of articulating itself as the bastion of modernisation as westernisation, taking a stance against the EU membership of Turkey for the sake of institutional autonomy and privileges would have been extremely detrimental to the credibility of the TAF. Hence, it was entrapped to accept the EU reforms (SARIGIL, 2007).

The initially enacted policies targeted institutions and laws that constituted rules and decision-making procedures of the CMR regime. Accordingly, initial reforms restructured the NSC, State Security Courts, Military Courts, Higher Education Council and the Radio and Television Supreme Council.²⁰ As Bland's (1999) shared responsibility theory suggests, these amendments resulted in a change within the regime. They restricted the degree of military interventions and autonomy, but the norms were still there. In other words, the change started in an evolutionary manner.

¹⁹ The 'dominant' adjective is important here because the TAF is not a unitary entity, and its members do not support a single worldview or policy altogether. During the EU candidacy process, for example, General Tunçer Kılınç, the secretary general of the NSC at the time, was highly critical of the EU-related reforms on the grounds that they eliminated deterrence against terrorism. Instead, he put forward the idea of aligning with other states like Iran or Russia (Heper, 2005, p. 39). The recent 2016 failed coup attempt conducted by military officers, who were also members of the religious Gülen movement/terror organisation, is another example of the heterogeneity among officers and a challenge to the prevalent portrayal of the TAF as a homogeneous organisation in support of Atatürk and his principles (Esen, 2021, p. 202).

²⁰ The Radio and Television Supreme Council is the institution that succeeded the Higher Council of Communication.

The earliest reform targeted the influence of the TAF on the judiciary and reformed the State Security Courts and Military Courts. Given the controversial status of the State Security Courts as an encroachment of the TAF on the judiciary, a constitutional amendment changed the military judge in this court with a civilian one even before the 1999 Helsinki Summit (Sarigil, 2014). Later on, the court itself was abolished as part of the EU adaptation process in 2004 (Republic of Turkey Ministry for EU Affairs, 2007, p.5). Furthermore, in 2003 and 2006, a number of changes in the Law on the Establishment and Proceeding Methods of Military Courts (*Askeri Mahkemeler Kuruluşu ve Yargılama Usulü Kanunu*) restricted the jurisdiction of Military Courts on civilians (Republic of Turkey Ministry for EU Affairs, n.d., s. 16-19).

Similar developments also decreased the military influence on education and nationwide broadcasts. The Council of Higher Education and the Radio and Television Supreme Council, two institutions introduced by the 1980 junta, maintained their existence, but the military representatives on their boards were withdrawn (Republic of Turkey Ministry for EU Affairs, 2007, p.21). A constitutional change in 2004 amended Article 131 and revoked the right of the General Staff to take part in appointing the board members of the Council of Higher Education. Another change in the law of the Radio and Television Supreme Council revoked the right of the NSC to nominate a member to its supreme board (Sarigil, 2014, s. 179).

The budgetary autonomy of the TAF was restricted as well. In 2003, the audit of the TAF's properties became possible with a regulation, which would be decided on by the cabinet, and in 2004, a constitutional change has restructured Article 160 to

eliminate the audit's conditionality to the TAF's requirements of security-related secrecy (Republic of Turkey Ministry for EU Affairs, n.d. , p.16-19).

Last but not least, the NSC was restructured with a constitutional change in 2001. Enough civilian members were included to make the military members a minority again, and the status of decisions was reduced from priorities to recommendations (Milli Güvenlik Kurulu Genel Sekreterliği, 2022). Furthermore, the statute of the NSC and its secretariat was revised in 2003. As a result of changes in its Articles 4, 5 and 15, the scope of the NSC's duties was narrowed, the frequency of its meetings was reduced to every two months, and the obligation to appoint the general secretary of the NSC from the members of the TAF was changed, rendering it possible to appoint a civilian (Milli Güvenlik Kurulu ve Milli Güvenlik Kurulu Genel Sekreterliği Kanunu, 1983). Lastly, the secretariat's duty to observe the executions of the NSC decisions by other executive branches of the government was lifted by abrogating its Article 14 (Milli Güvenlik Kurulu ve Milli Güvenlik Kurulu Genel Sekreterliği Kanunu, 1983). However, Article 2, which made it possible to bring traditionally civilian topics, such as education and broadcast regulation, to the table, remained intact (Milli Güvenlik Kurulu ve Milli Güvenlik Kurulu Genel Sekreterliği Kanunu, 1983).

Bland's (1999) shared responsibility theory states that degrees of actors' powers and direction of interests can lead to changes in regimes. In the case of the Turkish CMR regime after 1999, there were shifting powers and alignment of interests. First of all, the TAF considered the EU membership as something beneficial and in line with its interests. As the spearhead of modernisation in Turkey, the TAF saw the EU as an important modernisation step and also considered the EU membership as a limiting factor for political Islam and PKK terrorism, two crucial concerns of the TAF

(Waldman & Caliskan, 2020, p. 133). The civilians were along the same line as well. Anticipation of better democratic standards and socio-economic development rendered the EU membership a beneficial step in the eyes of political elites (McLaren & Müftüler-Baç, 2003, p. 209). In terms of shifting powers, the EU candidacy process weakened the hand of the TAF while simultaneously strengthening the civilian government's hand. The TAF was aware of the fact that the population and civil-society organisations were highly in favour of the EU process (Jenkins, 2007, p. 349; Heper, 2005, p. 42). This factor isolated the military against the incumbent government in case of disagreements on which reform to conduct. At the same time, this support for the EU candidacy has given the incumbent government a chance to push desired reforms as part of the EU candidacy process. This power alteration also coincided with the Justice and Development Party (JDP) government, which came to power without any need for a coalition after taking 34.3% of the votes and occupying 363 seats out of 550 in the parliament (Jenkins, 2007, p. 347). This provided the incumbent JDP government substantial power in the parliament against pressures from the TAF.

As a result of this new power and interest alignment, a CMR regime change became almost inevitable. However, given that the initially enacted policies targeted rules and decision-making procedures, it started more like an evolutionary change, in which the CMR regime would still hold on to its principles and norms. There are a number of examples to support this inclination. These initial changes occurred while Hilmi Özkök was the Chief of the General Staff. Özkök was known as a pious person, and he was inclined towards reforms (Jenkins, 2007, p. 348; Heper, 2011, p. 242). He believed Atatürkism was open to reinterpretation and was critical of military interventions on the ground of ineffectiveness in bringing long-term results.

Instead, he defended the idea of having more trust in the people (Heper, 2005, p. 41). Consequently, he was under a great deal of pressure from his colleagues, who limited Özkök's room for action and maintained the TAF's guardianship role in an interventionist manner (Waldman & Caliskan, 2020, p. 134). Between 2002 and 2004, the JDP government faced a number of warnings in the form of protest visits, reception boycotts and press statements. The concerns of these warnings were the policies about state-run preacher training schools and the headscarfed wives of JDP parliamentarians, who put in an appearance at official receptions (Jenkins, 2007, pp. 349-350). These interventions bore fruit as well. The policies about the preacher training schools were retracted, and Tayyip Erdoğan, the prime minister at the time, stated that: "As a government we are not ready to pay the price" (Jenkins, 2007, p. 50). These series of incidents reveal that the principle of guardianship was alive along with the norm of the acceptability of intervention and shows that the TAF, although supportive of reforms according to the EU, was trying to keep the change in an evolutionary manner. The autonomy of the TAF was not shaken as well. Despite attempts at decreasing the budgetary autonomy of the TAF, European Commission's the Turkey 2007 Progress Report reveals that the budgetary autonomy still remained (European Commission, 2007, p.8). Also, no change was made about autonomy in other areas such as intelligence activities, education of new cadets, force structures, high-ranking promotions, logistics and procurement of weaponry.

However, a disagreement over the presidential election in 2007 became the starting point of the incumbent government's unilateral challenges against the principles and norms of this CMR regime, which swapped the evolutionary change process with a revolutionary change process. President Ahmet Necdet Sezer was another actor who was influential in limiting the policies of the JDP. For example, in 2004, he vetoed a

legislation on the grounds of incompatibility with the constitutional principle of secularism (Jenkins, 2007, p. 350). When his term came to an end in 2007, the JDP was able to elect its own candidate in the 3rd round, for it had the simple majority in the parliament, and this situation evoked intervention from the TAF. The Erdoğan government nominated Abdullah Gül, who was the Foreign Minister at the time. His nomination was not acceptable for the TAF due to his background in political Islam. This resulted in a series of warnings to the government, including the notorious e-memorandum (“e-muhtıra’nın kronolojisi,” 2011). It was published on the TAF’s website as a warning to the government about the presidential elections and reminded everyone that the military is a party to the discussions as a determined guardian of secularism (Sarigil, 2014, pp. 180-181). Nevertheless, the JDP government maintained a firm stance against this pressure and eventually had Gül chosen as the president. Also, they led a process of constitutional change on the 31st of May, 2007 and restructured Article 102, rendering presidential elections referendums instead of elections within the parliament.

This incident was followed by the Ergenekon (2008) and Sledgehammer (2010) trials, which led to the prosecution of a significant number of retired and active military officers, including İlker Başbuğ, who served as the Chief of General Staff between the years 2008-2010. The prosecution was about alleged coup plans. Işık Koşaner, the Chief of General Staff at the time, and force commanders resigned in protest in 2011 after their attempts at defending the rights of soldiers on trial came to nought (“Işık Koşaner Neden İstifa Ettiğini Açıkladı,” 2016). The trials, as it turned out later, were based on evidence fabricated by the members of the Fethullah Gülen Movement, who at the time was an ally of the Erdoğan government (“Erdoğan: Rabbim,” 2016; “Erdoğan: FETÖ’nün bizim zamanımızda,” 2018; Kaymal, 2019,

p.73).²¹ Nevertheless, these trials and the resistance against the e-memorandum affirm that the civilian actors were not afraid to challenge the existing CMR regime. In addition to these, the civilian government went beyond and started a judicial process to try the perpetrators of the 1980 and 1997 military interventions (“12 Eylül Davası Başladı,” 2012; Onuş, 2013).

These trials and the government’s firm stance against the e-memorandum challenged the acceptability of military interventions and triggered a response from the military. Ergenekon trials coincided with a Constitutional Court case to ban the JDP from politics, and it was suspected as a move supported by the TAF. İlker Başbuğ’s, the Chief of General Staff at the time, meeting with a Constitutional Court judge before the opening of the closure case caused this suspicion. Although there was no exact proof of the substance of this meeting, it was considered as a move by the TAF against the Erdoğan government (Waldman & Caliskan, 2020, p. 135). In the end, the JDP was not closed but only received a warning and budget cut. Another response was Koşaner’s abortive attempts to protect rights of defendants in the Ergenekon and Sledgehammer trials. Waldman & Caliskan (2020, s. 137) consider Kosaner and other force commanders’ resignations as “the inability of the officer corps to maintain professionalism in the context of political or judicial judgments”. Therefore, as Bland’s (1999) theory suggests, these responses could be interpreted as the expected resistance against the government’s unilateral challenges against a norm of the existing regime. However, given the fact that the Sledgehammer and Ergenekon trials were based on fabricated evidence, considering the reactions of Koşaner and other force commanders as a mere inability to perform professionally

²¹ For more detail on this subject, see (“Turkish ‘Sledgehammer’ coup,” 2015); (“Key evidence in Turkey’s Balyoz coup,” 2014); Ozdemir (2015); Jones (2014).

would be ambiguous. It should be kept in mind that these reactions were against groundless accusations and fraudulent trials.

In the meantime, even more reforms were underway to limit the presence of the military in civilian sections of society and eliminate its legal justifications for intervention. As a consequence of a constitutional change in 2010, except for times of war, the military courts lost total jurisdiction over civilians.²² The duty of protecting the parliament was taken from the TAF and given to the police force in 2011 (“Meclis’i Polis Koruyacak,” 2011). Until 2010, the Supreme Military Council’s decisions on promotions and discharges were final and could not be subjected to judicial review. Koşaner indicates that these discharges were carried out in accordance with the intelligence reports from the National Intelligence Agency and the police force (“Işık Koşaner Neden İstifa Ettiğini Açıkladı,” 2016). The General Staff was utilising this prerogative as a defence mechanism against politicisation within the TAF. It allowed for maintaining coherence by discharging officers who were considered to be engaged with radical political movements (BILGIÇ, 2009, p. 807). As a consequence of the constitutional change in 2010, Article 125, which prevented subjecting the expulsion decisions of the Supreme Military Council to judicial review, was changed. Appropriately, promotions and discharges were allowed to be taken to courts for judicial reviews. Furthermore, the weight of the General Staff was waning as well. Another reason that Koşaner resigned was that he was not going to be able to appoint officers of whom he had a high opinion of (“Işık Koşaner Neden İstifa Ettiğini Açıkladı,” 2016). In 2012, the parliament, which used to have reservations about scrutinising the TAF, created a committee to analyse every coup and memorandum to come up with precautions

²² This change was realised by revising Article 145 of the constitution.

(Köse, 2016). The national security course, which was given by military officers and contributed to the TAF's strong image in society as the guardian, was taken out of the curriculum of high schools (Narli, 2000, p.208; "Milli Güvenlik Dersi Kalktı," 2012). Lastly, the TAF Internal Service Law, which hitherto had been utilised for legitimising interventions, changed for the first time in 2013 by confining the jurisdiction over only external threats.

In a nutshell, between the Helsinki Summit in 1999 and the 2016 failed coup attempt, the CMR was mainly characterised by conflict between actors and a weakening CMR regime. The way the civilian government responded to the e-memorandum and the subsequent Sledgehammer and Ergenekon trials reflected a unilateral challenge from the civilian government to the norm of acceptability of military interventions. This challenge faced resistance from the TAF, but to no avail. The result was a conflictual relationship and a weakening CMR regime.

However, the weakening was mainly in the norm of the acceptability of military interventions. The autonomy of the military was still very much intact, and the principle of guardianship role was not totally abandoned. First of all, the mentioned developments still steered clear of eliminating the autonomy of the TAF in areas such as intelligence activities, education of new cadets, force structures, logistics and procurement of weaponry. Also, as mentioned in the 2015 Turkey Report by the European Commission (2015), the budgetary autonomy of the TAF was still prevalent. In addition, the General Staff was still bypassing the MND by being directly subordinate to the prime minister's office, and a separate military judicial system was still active. Secondly, in 2011, when changing the TAF Internal Service Law's Article 35 was in prospect, a leaked voice recording of Koşaner revealed that the belief in the role of guardianship was still dominant among high-ranking military

officers (Sarigil, 2014, pp. 181-182). In the voice recording, he is heard saying (Sarigil, 2014, p. 181):

They [the civilians/government members] say that they would abolish Article 35 or bring in another one. It does not matter. They can either keep it or abolish it. We, as the Turkish Armed Forces, exist for that purpose [to protect and guard the territorial integrity and the secular Republic]. This is our natural and historical duty. Nobody can advise us on that issue; nobody can oppose this either.

Nonetheless, it should also be mentioned that after the resignation of Koşaner and three force commanders, the TAF was not so eager to refer to its guardianship role. The most vivid indicator of the guardianship principle were the public statements that reminded governments and the public about the guardianship role, which was built on the TAF Internal Service Law. After the TAF's vivid loss of influence in the 2010s and the change in the TAF Internal Service Law, statements of the TAF were mainly restricted to security-related issues. When Necdet Özel, the Chief of General Staff after Koşaner, was criticised for his dormant attitude against the Ergenekon and Sledgehammer trials, he responded by stating that the duties and authorities of the Chief of General Staff were designated by laws and asserted that "a public official should carefully analyse the time, location and addressees of the subject at hand" ("Orgeneral Özel: Hedef olursam," 2013).

2.4. The Influence of Context on CMR Regime Change

Up until this sub-chapter, the events that resulted in a regressing military influence and changing CMR regime were defined and explained in a temporal sequence. Now, this chapter is going to shed light on the context in which these events took place and reveal their influence. According to the political attitude of the civilian

governments throughout this time, the context is bipartite. Between the years 1999 - 2005, the context consists of democratisation and human rights reforms, and between 2005 and 2016, the context consists of increasing authoritarianism on the part of the civilian government.

Although grassroots support for democratisation in Turkey existed before the initiation of the EU membership process, “the timing of the reforms – as well as their content – speaks to the power of the EU as a ‘trigger’ for the reforms” (Kubicek, 2005, p. 373). The reforms between the years 1999 and 2005 included various democratisation reforms, including the recognition of different religious and ethnic identities and regressing military influence on politics. Consequently, the initiation of this CMR regime change started with the EU candidacy process. This time frame was defined as the golden age of democratisation by Öniş (2013, p. 109), and the CMR reforms were interpreted as a breakthrough or a paradigmatic shift towards a CMR system that can be found in liberal democracies (Aydinli, 2009; Heper, 2011, p. 251).

However, after the year 2005, the EU candidacy process started to stagnate and slowly reached a point of stalemate due to the loss of enthusiasm and commitment on the part of the civilian government (Öniş, 2008, p. 40). The loss of enthusiasm was the result of a combination of international factors. The Eurozone crisis and the rise of the radical right in Europe, along with emerging xenophobia (Islamophobia and anti-immigrant sentiments), have created a suspicion pertaining to the economic and political value of the EU membership (Öniş, 2013, p. 110). The coincidence of this suspicion with the economic rise of China and other Asian states, most of which do not shine out with their democratic qualities, provided precedents for arguments to neglect the EU and its standards (Öniş, 2013, p. 111). The loss of enthusiasm

coupled with the loss of commitment. The strength gathered from the JDP's electoral dominance in the parliament and its ability to sustain economic growth and distribute the benefits to its constituency bolstered the possibility of losing the commitment, which surfaced as unfair elections, politicised state institutions and media, violation of civil liberties, curtailing freedom of expression and repression of opposition (Esen, 2016). The effects of this authoritarian shift after 2005 reverberated in the Turkish CMR regime change process as the Ergenekon and Sledgehammer trials, which witnessed violations of defendants' fundamental rights and judiciary impartiality due to the forging of incriminating documents by the Gülenist members within the state bureaucracy (Esen, 2016, p. 1585). As analysed in the previous sub-chapter, these trials challenged the dominant norm of the acceptability of military interventions and seriously weakened the military tutelage that historically existed in Turkey.

However, the context in which these trials proceeded had influenced the way these trials were conducted. Some critics called this direction the replacement of military tutelage with 'civilian tutelage' (Öniş, 2013, p. 107), and Esen (2016) called it the development of a competitive authoritarian government system in Turkey.

Consequently, the initial section of the CMR regime change process between the years 1999 and 2005 was characterised by a democratic leap towards overcoming the military tutelage problem in the Turkish CMR regime. The reforms enacted in this time frame were effective in creating more strict external control mechanisms that targeted institutions and laws that constituted rules and decision-making procedures of the CMR regime. Therefore, it was an evolutionary change process.

In 2007, the disagreement over the 2007 presidential election became the starting point of the incumbent government's unilateral challenges against the principles and norms of this CMR regime, which swapped the evolutionary change process with a

revolutionary change process. The changes in the NSC, TAF Internal Service Law and other institutions and laws were effective at changing the rules and decision-making procedures of the CMR regime, and the Ergenekon and Sledgehammer trials were influential in breaking the norm of the acceptability of military interventions. However, such a substantial change did not happen in the norm of military autonomy and the principle of guardianship. Especially the autonomous military education system that supported the guardianship principle was intact. A new equilibrium between the TAF and the civilian government was underway, and it was under the influence of a contextual change, which included a shift towards competitive authoritarianism.

CHAPTER III

THE CMR REGIME CHANGE

After Koşaner resigned in protest in 2011, the Turkish CMR followed a comparatively calmer path until the year 2016. Instead, the years between 2011 and 2016 were characterised by a conflict between the JDP government and the Gülen movement. Once allies, their relationship started to deteriorate after a judicial inquiry started in 2012 to investigate Hakan Fidan, the undersecretary of the National Intelligence Agency at the time. The inquiry was built on leaked voice recordings of negotiations between intelligence officers and the PKK representatives, which are named ‘Oslo Dialogues’ in the press (Kaya, 2022; “Chronology of Oslo dialogues,” 2012). The voice recordings were suspected of showing an illegal relationship between intelligence officers and PKK terrorists. The government considered this judicial process as an aggressive attempt against the JDP government by the Gülenists in the judiciary, and this development marked the end of their alliance (Kaya, 2022). This was followed by another judicial process to unveil corruption allegations in 2013. Many people close to the JDP government, including four ministers, were investigated on allegations of corruption. This was also considered by the JDP government as another conspiracy by the Gülen movement, which infiltrated the judiciary and the police force (“17-25 Aralık 2013’te neler oldu,”

2021). The 2016 failed coup attempt was the summit of this conflict. It was attempted by a large number of officers within the military on the night of the 15th of July, 2016. The confessions of the arrested putschists and the official statements of the Turkish government hold the members of the Gülen movement, who penetrated into the TAF, responsible for the failed coup attempt (Anadolu Ajansı, 2016). Although the Gülenists within the military planned and initiated it, they were not alone in the implementation process. Other cliques such as anti-Erdoğan officers, secularists, self-interested pragmatists, black-mailed officers and soldiers following orders also joined in this coup attempt (Gurcan, 2016).

This was the first non-hierarchical coup since Talat Aydemir's unsuccessful attempt in 1963. It was led by mid-ranking officers. The highest-ranking officer among them was Akın Öztürk, a four-star general in the Turkish Air Force, and the others were lower-ranking generals, colonels and lieutenant colonels. The Chief of General Staff and force commanders were not involved in the coup. In fact, the Chief of General Staff Hulusi Akar, Deputy Chief of the General Staff Yaşar Güler, Air Force Commander Abidin Ünal and Gendermarie Forces Commander Galip Mendi and more high-ranking officers were taken under custody by the coup perpetrators ("15 Temmuz darbe," 2022). While the coup was unfolding, to motivate other officers sitting on the fence and increase the legitimacy of the coup attempt by showing it as the General Staff's attempt instead of a mid-ranking soldiers' mutiny, Akar was forced to sign the coup memorandum and embrace the attempt. Nevertheless, Akar refused (Anadolu Ajansı, 2016, p. 25). In the end, the coup attempt failed.

Despite its failure, the 2016 coup attempt revealed that the reforms enacted in the pre-2016 era were insufficient for establishing a healthy CMR, and the interventionist tradition was still alive among the officers (Esen, 2021, p. 202). As

discussed in the previous chapter, the changes in the CMR regime of Turkey were effective in eliminating the norm of acceptability of military interventions but failed to make any substantial changes in the norm of military autonomy and the principle of guardianship. Furthermore, even though the Ergenekon and Sledgehammer trials challenged the interventionist inclination among officers, the trials ironically opened the path for Gülenist officers, who had political ambitions, to rise within the ranks of the TAF (Caliskan, 2017). As a result, the interventionism was kept alive within a faction in the TAF and eventually caused the 2016 failed coup attempt.

The resistance shown by the civilian government, population and opposition parties reaffirmed the end of the acceptability of military interventions. Esen and Gumuscu (2017) argue that the competitive authoritarian nature of the JDP government had granted them a capability to utilise the state's institutional structures for partisan goals, which turned out to be useful to resist the coup attempt. Presidency of Religious Affairs' immersive structure in the neighbourhoods of Turkey was utilised to mobilise people against putschists, and equipment of municipalities, such as trucks, was used to create any possible obstacle before them. Similarly, the media managed to resist the coup attempt by serving as a channel to convey the government's directives to the people. One of the iconic moments of the civilian government's resistance against the coup was Erdoğan's appearance on the CNN Türk news channel via a video call (Esen & Gumuscu, 2017, pp. 64-65). The opposition parties took a strong stance against the coup attempt as well and solidified the unacceptability of military interventions.

The officers who did not take part in the coup process also contributed to the unacceptability of military interventions. While the coup was in progress, high-ranking officers, who were unaware of coup plans, suspected a non-hierarchical

coup, and they became certain when they could not reach the Chief of General Staff (Aslan, 2020, p. 445). When suspicions about a Gülenist coup became high, other officers, who were aware of the Gülenist risk due to security reports, took a stance against putschists. The internal control mechanisms were active while the coup was unfolding and were highly influential in preventing it. However, as Major General İbrahim Aydın stated, if the coup had been conducted in a hierarchical manner, the fence-sitters could have acted differently (Aslan, 2020, p. 446).

3.1. The 2016 Failed Coup Attempt as a Critical Juncture

When the coup attempt was averted, enough conditions were prevalent to turn this failed coup attempt into a critical juncture for the CMR regime of Turkey. Critical junctures occur when a number of conditions combine (Capoccia, 2015, pp. 150-151). Initially, there should be an event or a moment which gives rise to uncertainty about the future of an institutional arrangement. Later on, this uncertainty should create an opportunity for change, and there should be political actors who would exploit this opportunity. The failed coup and the developments that followed afterwards established this required combination of conditions.

First of all, the failed coup attempt created uncertainty about the TAF as an institution and the existing CMR regime. It was the realisation of the fear of military, which is defined in the *civil-military problematique*. A faction within the TAF tried to force its will on society with an unprecedented level of violence. During the coup attempt, putschists did not hesitate to use disproportional force against people. The parliament, police and National Intelligence Organization buildings, Presidential Complex and TÜRKSAT's offices (Satellite Communication Company) were attacked by aircrafts, and people on the street protesting the coup attempt were shot

at. Consequently, 251 people lost their lives and 2,194 were wounded (“15 Temmuz’un Bilançosu,” 2020). These devastating results created uncertainty about the future of the TAF as an organisation designed for the protection of the people against threats, and right after the coup was averted, a significant change in the structure of the TAF was under consideration (Kasapoğlu, 2016).

This situation was coupled with the government declaring a state of emergency and the parliament ratifying it (“OHAL dün gece ilan edildi,” 2016). According to the abrogated Article 121 of the constitution, the government became able to issue decree laws (*kanun hükmünde kararname*) on matters necessitated by the state of emergency.²³ These decisions were not open to judicial review by the constitutional court (Gözler, 2020, pp. 40-41). The right to issue decree laws gave strength to the government. On top of this, the TAF was in no condition to resist any change. Only ten days after the failed coup attempt, a total of 8,838 military personnel were detained. Among them, 123 generals and admirals and 1,009 officers were arrested after being brought before a judge (Gurcan, 2016). This loss of personnel and the fresh memory of the failed coup attempt tied the hands of the TAF and rendered it open to any reform. Hence, an opportunity to end the tumultuous CMR of the pre-2016 era and finalize the CMR regime change process has appeared.

Lastly, the JDP government was more than willing to exploit this opportunity. First and foremost, President Erdoğan interpreted the coup attempt as a blessing that would open the way for a purification process in the military (“Darbe girişimi – Guardian,” 2016). This is direct evidence that the failed coup attempt was at least

²³ It was abrogated after abolishing the parliamentary system and switching to the presidential system. However, the same constitutional right of the executive remained as described in Article 119 of the contemporary version of the constitution.

going to be used for purges from the military. Secondly, after the coup was averted, the statements of government figures served to keep the threat and the uncertainty of the coup night alive in the minds of the people so that enacted policies would be welcomed without any possible resistance. The Gülenists were already under a reframing process by the government to create and cement a negative image of the movement since the alliance between the JDP government and the Gülen Movement started to deteriorate. Before the coup, the Gülen movement was constantly portrayed as a sinister organisation that infiltrated the state to create a parallel state structure to manipulate the bureaucracy for its own benefit (Glombitza, 2021, p. 251). This had already prepared the public for the subsequent portrayals after the 15th of July. With the aid of the media, the government constructed the July 15 coup attempt as an attack conducted by the Gülenist faction within the military against Turkey's unity, togetherness and integrity (Altnordu, 2017, p. 153). The chosen verbs and adjectives worked up the fear and preserved the feeling of uncertainty that was felt on the coup night (Glombitza, 2021, pp. 252-253). This kept the coup attempt away from the discussions of politics and securitised it to the extent that the feeling of severity and urgency of the situation granted the government a wild card for desired reforms (Adisonmez & Onursal, 2020, pp. 302-303; Glombitza, 2021, p. 252).

3.2. Changes in Principles and Norms of the CMR Regime

Consequently, a sequence of decree laws was issued to restructure the CMR regime of Turkey. These decree laws mainly targeted the autonomy of the TAF, which remained pretty intact thus far. In the pre-2016 era, the TAF maintained its autonomy in high-ranking promotions, force structures and deployment, judicial processes within the military, and cadet education. These autonomies were ensured by institutional structures such as the Supreme Military Council, General Staff, military

courts and military high schools and academies. Therefore, these decree laws directly targeted the duties and authorities of these structures.

As mentioned earlier, the Supreme Military Council was instrumental in maintaining autonomy in high-ranking promotions, but changes after the failed coup attempt eliminated this autonomy. In fact, this autonomy was already wavering despite the continuation of the member imbalance that was in favour of the military. As a consequence of rendering it possible to subject the Supreme Military Council decisions to judicial review, the decisions were not final anymore. This resulted in the prevention of some discharge decisions (“Işık Koşaner Neden İstifa Ettiğini Açıkladı,” 2016). Furthermore, it seems that unity among the members of the Supreme Military Council was weakened as well because while civilian members were still a minority in 2011, Işık Koşaner, the Chief of Staff at the time, explained his resignation as a precaution to avoid being involved with the discharging of soldiers, who were arrested as a consequence of Sledgehammer and Ergenekon trials. “They were going to make me discharge all these soldiers, which was not possible. I was going to be involved in this crime if I took part in it” were his exact words while he explained the motives behind his resignation (“Işık Koşaner Neden İstifa Ettiğini Açıkladı,” 2016). After 2016, this wavering autonomy in high-ranking promotions was eliminated for good. Article 45 of the Decree Law No 669 restructured the member composition of the Supreme Military Council.²⁴ The number of civilian members was increased by including various ministers such as the minister of justice and minister of foreign affairs, and the military members were decreased enough to render them a minority. In addition to this development, as a consequence of Article

²⁴ The full name of the Decree Law No 669 is ‘OLAĞANÜSTÜ HAL KAPSAMINDA BAZI TEDBİRLER ALINMASI VE MİLLİ SAVUNMA ÜNİVERSİTESİ KURULMASI İLE BAZI KANUNLARDA DEĞİŞİKLİK YAPILMASINA DAİR KANUN HÜKMÜNDE KARARNAME’.

27 of the same decree law, the necessity of choosing the Chief of Staff from generals, who served as force commanders, was annulled and rendered it possible for the president to appoint any four-star general as the Chief of Staff. Lastly, Article 17 of the Decree Law No 681 gave the minister of national defence the right to approve the promotions of even lower-ranking officers, such as colonels.²⁵ As a consequence, the General Staff and force commanders lost any kind of autonomy in officer promotions.

The autonomy in force structure and deployment was eliminated as well. First and foremost, the near monopoly of arms was taken from the TAF. In accordance with Articles 6 and 23 of the Decree Law No 668, the gendarmerie and coast guard forces, which used to be included in the establishment of the TAF, were rendered direct subordinates to the Ministry of Interior.²⁶ This development resulted in a direct separation of an approximately 200,000 personnel from the TAF (“T.C. İçişleri Bakanlığı,” 2021; Güven, 2021). Consequently, this distribution decreased the TAF’s political power by eliminating its near monopoly of arms in Turkey. In addition to this separation, an amendment to the regulation of movable property of the General Directorate of Security (police force) has rendered it possible to transfer heavy weaponry from the TAF to the police force (“TİHV ve İHD: Kolluk güçlerine ağır silah yetkisi,” 2021). This development, as the Minister of Interior Efkan Âlâ asserted at the time, was reactionary and aimed to establish a strength balance between security forces as a precaution against any other military intervention (“Efkan Ala: Polisin ağır silahları olacak,” 2016). This amendment further scattered

²⁵ The full name of the Decree Law No 681 is ‘OLAĞANÜSTÜ HAL KAPSAMINDA MİLLİ SAVUNMA İLE İLGİLİ BAZI DÜZENLEMELER YAPILMASI HAKKINDA KANUN HÜKMÜNDE KARARNAME’.

²⁶ The full name of the Decree Law No 668 is ‘OLAĞANÜSTÜ HAL KAPSAMINDA ALINMASI GEREKEN TEDBİRLER İLE BAZI KURUM VE KURULUŞLARA DAİR DÜZENLEME YAPILMASI HAKKINDA KANUN HÜKMÜNDE KARARNAME’.

the heavy weaponry ownership between security forces. As a continuation of this policy change, the police force included attack helicopters (ATAK T-129) in its inventory, which have nothing to do with the traditional duties of a police force (Gemici & Bulur, 2021). Furthermore, as a result of Article 36 of the Decree Law No 669, the MND gained authority over force commanders along with the Chief of the General Staff. The same also applied to the president as well when Article 338 of the Presidential Decree No 1 gave this right to the president and rendered force commanders direct subordinates to three different governmental branches.²⁷ This system directly contradicts the principle of hierarchy in law and disturbs the autonomy of the TAF in force structures (Gözler, 2019). In 2018, the General Staff was subordinated to the MND as well by Article 799 of the Presidential Decree No 4, but this did not overcome the problem in the principle of hierarchy since force commanders remained subordinate to all three at the same time.²⁸

The autonomy in cadet education was lost as well. Article 104 of the Decree Law No 669 closed down military academies and high schools. The military high schools remained closed, and instead of military academies, the National Defence University was established under the responsibility of the MND in accordance with Article 5 of the same decree law. The rector was appointed by the president. In the end, the autonomy in cadet education was also rendered obsolete. Furthermore, the education of the Gendarmerie and Coast Guard personnel was structured differently. Following Article 113 of the Decree Law 669, the Gendarmerie and Coast Guard Academy was established under the responsibility of the Ministry of Interior.

²⁷ The full name of the Presidential Decree No 1 is 'CUMHURBAŞKANLIĞI TEŞKİLATI HAKKINDA CUMHURBAŞKANLIĞI KARARNAMESİ'.

²⁸ The full name of the Presidential Decree No 4 is 'BAKANLIKLARA BAĞLI, İLGİLİ, İLİŞKİLİ KURUM VE KURULUŞLAR İLE DİĞER KURUM VE KURULUŞLARIN TEŞKİLATI HAKKINDA CUMHURBAŞKANLIĞI KARARNAMESİ'.

Lastly, as a part of the 2017 constitutional referendum that switched the parliamentary government system with a presidential one, the military courts were annulled as well. After the constitutional change in 2010, these courts were already powerless against civilians; however, they maintained a different judiciary for the members of the military. The soldiers of the TAF were still accountable to military courts. This development has rendered them accountable to the civilian standards in justice.

Furthermore, the loss of autonomy in cadet education directly influenced the principle of guardianship as well. The education of cadets was one of the main reasons behind the durability of the principle of guardianship. Military education at an early age starts shaping the political and social stance of military cadets and results in the internalisation of conveyed viewpoints (Nordlinger, as cited in Aslan, 2017, p. 41). During their education in military academies and high schools, the cadets were exposed to ideas about their superiority in comparison with civilians. When this used to combine with an exceptional education, social isolation from civilians and disbelief in civilian judgments, a guardianship role was developing in the mindset of cadets. By abrogating the TAF's autonomy in cadet education, the civilian government opened a path toward influencing and shaping the internal control mechanisms within officers of the TAF. Instead of conveying ideas of superiority, under the rule of a civilian rector, Erhan Afyoncu, the cadets in the National Defence University are now hearing about the heroic shoulder-to-shoulder resistance of loyal officers and the people against the putschists of the July 15 ("Milli Savunma Üniversitesi Mezuniyet Töreni," 2019). Or they hear about Afyoncu's description of a reputable staff officer, which includes loyalty to the Turkish people and democracy. During education, contrary to a curriculum from the late 1980s

(Birand, 1989, pp. 509-511), the cadets take the mandatory course of ‘Democracy and Civil Society’, which aims at the internalisation of democracy as a value (Milli Savunma Üniversitesi Kara Harp Okulu, 2022). Feaver (1996, p. 167) asserts that “even supposedly internal control measures like professionalism are themselves functions of external choices such as...professional military education policy”. This statement was not applicable to the case of Turkey until the 2016 failed coup attempt; however, the loss of military autonomy in cadet education has rendered it possible for civilians to shape the internal control mechanisms of the TAF and challenge the principle of guardianship.

In a nutshell, the revolutionary change process, which started with the JDP’s defiance against the 2007 e-memorandum, was concluded after the 2016 failed coup attempt. As the state of emergency ended on the 17th of July, 2018, the period of change in the CMR regime ended as well. The two years of state of emergency granted a suitable atmosphere for this change to occur. Gurcan and Gisclon (2016b, p. 1) name this change process ‘predatory civilianisation’. Consequently, the principle of guardianship, the norm of autonomy and the norm of intervention became obsolete. Instead, a highly civilianised structure that has an influence over the internal mechanisms of the TAF emerged.

3.3. Establishing a New CMR Regime

After the predatory civilianisation and the elimination of old principles and norms that supported military tutelage, any source of disagreement that existed between the JDP government and the TAF was taken out of the picture. A new equilibrium between the government and the TAF was underway.

As a result of the devastating effects of the failed coup attempt on the TAF's political power, it became possible for the JDP government to change the CMR that was imposed by the TAF with the one that is imposed by themselves. As a consequence of the failed coup attempt, the TAF suffered purges, loss of prestige, loss of the monopoly on violence, and decreased in the bureaucratic hierarchy due to being subordinated to the MND. The combination of these developments created a significant loss of power. On the other hand, the JDP government came out even stronger. The coup and the state of emergency that came after it did not only create an opportunity to swiftly purge Gülenists from the TAF but also from other bureaucratic organisations such as the Ministry of Internal Affairs and the police force. During the state of emergency, a minimum of 125,678 public officials were discarded (Sade, 2020). Among them, 24,256 were from the TAF, including 150 generals and 10,528 officers ("İşte TSK'dan," 2022). Also, as the ratification of the state of emergency by the parliament reveals, the majority of the parliament was behind the government. This support rendered it possible to extend the duration of the state of emergency seven times, which accumulated into approximately two years of time to issue decrees with the force of law to restructure the CMR regime (Erem, 2018). The result was a passive military that was open to any reform imposed by the JDP government.

This power imbalance coincided with the political context created by the competitive authoritarian nature of the JDP government. During the reform process conducted under the state of emergency, the parliament and the civil society actors such as media, non-governmental organisations and think-tanks were left outside the reform process (Gürcan & Gisclon, 2017, p. 79). Many changes pertaining to the TAF's autonomy and self-proclaimed guardianship were conducted solely by the JDP

government. In addition to that, a referendum was conducted to pursue a governmental regime change in 2017 to establish a presidential system. Turkey's new eccentric presidential system was criticised for providing excessive rights not available in other presidential systems (Gözler, 2017). It created a strong presidential executive with very limited institutional checks and balances. It was and still is designed for the president to rule by decrees regarding the executive duties, and the parliament and the judiciary were left weak vis-à-vis the executive, which enjoys vast appointment powers (Esen & Gumuscu, 2018, pp. 44-45). For example, Article 104 of the constitution warrants the president the right to appoint or dismiss high-ranking executives in accordance with the list presented in the Presidential Decree No 3.²⁹ Therefore, it is criticised for showing authoritarian features that emerge as the institutionalisation of personalism and majoritarian rule at the expense of the legislative branch (Esen & Gumuscu, 2018).

Under the influence of this political context, the Turkish CMR entered a path of deinstitutionalisation, politicisation in accordance with the incumbent JDP government, executive dominance over the TAF and dependency on personal ties between the president and high-ranking military officers (Gurcan, 2018). The promotion and assignment of high-ranking military officers became characterised by personal ties, recruitment of new military cadets was suspected to be influenced by the political affiliations of applicants, and different political groups started to be allowed into the TAF in a certain amount to create a balance between them so that there would not be any possibility for unitary military actions such as coups. The consequence was a shift towards deinstitutionalisation of the Turkish CMR.

²⁹ The full name of the Presidential Decree No 3 is 'ÜST KADEME KAMU YÖNETİCİLERİ İLE KAMU KURUM VE KURULUŞLARINDA ATAMA USÛLLERİNE DAİR CUMHURBAŞKANLIĞI KARARNAMESİ'.

As mentioned earlier, the traditional subordination of the TAF to the prime minister that lasted till the end of the parliamentary system had prevented the MND from developing into a capable and technically experienced executive branch that can arbitrate between the incumbent government and the General Staff. After the failed coup attempt, this problem of hierarchy was remedied by subordinating the General Staff to the MND, but force commanders remained subordinate to the MND, the presidency and the General Staff at the same time. This constitutes a violation of the principle of hierarchy and creates confusion about the distribution of tasks among the three actors that are responsible for directing force commanders (Tahincioğlu, 2021, p. 18; Gurcan, 2018, p. 11; Gözler, 2019). Especially between the General Staff and the MND, there is confusion about the distribution of duties such as personnel management, operations control, military intelligence gathering, logistics management and information systems management (Gurcan, 2018, p. 11). Consequently, even though the MND was provided with a more comprehensive responsibility over the TAF, this confusion about the distribution of tasks resulted in the continuation of the MND's lack of capability, and confusion about duties created a deinstitutionalised CMR (Tahincioğlu, 2021, p. 18).

The deinstitutionalised system opened the CMR to politicisation and created a reliance on personal ties. The greatest examples of the existence of personal ties in the promotion and assignment of high-ranking military officers are the Minister of National Defence Hulusi Akar and the Chief of General Staff Güler. Hulusi Akar is known to have established harmony with president Erdoğan (Gurcan, 2017). As a consequence of this, he has been involved in the management of the TAF since 2015. He served as the Chief of General Staff between the years 2015 and 2018, and after that, he became a member of the cabinet as the Minister of Defence. Yaşar Güler,

who is known to get along well with the members of the JDP, was appointed as the Chief of Staff after Hulusi Akar (Gurcan, 2017). His term was also recently extended by the president, and he still remains in his post despite four years of service and reaching the retirement age (“Cumhurbaşkanı Erdoğan, Yüksek Askerî Şûra,” 2022).

This politicised and personalised relationship is suspected of influencing lower-ranks of the TAF as well. According to some allegations in the media and comments of experts, the cadet interviews were suspected to be politicised, and different political groups, such as various religious cult members, were deliberately included in the TAF to prevent homogeneity (Tahincioğlu, 2021, pp. 12-14). The involvement of an ex-military employee from SADAT, a private defence consultancy firm that is owned by Adnan Tanrıverdi, who served on the Security and Foreign Policy Board of the Presidency, in interviews caused this concern of politicised cadet interviews (“MSB'den 'Harp okulları mülakatını,” 2021). The deliberate inclusion of various different religious cult members in the TAF was put forward in an interview conducted by Tahincioğlu (2021, p. 14). This argument was built by Metin Gürcan and Fikrat Bila on the fact that an admiral whose pictures wearing a robe were released in the press.

Ultimately, the failed coup attempt, which provided a wildcard to change the CMR regime of Turkey in a revolutionary manner, occurred in a political context characterised by competitive authoritarianism and was utilised by the JDP to deinstitutionalise, politicise and personalise the CMR regime. In such a change, it seems that the previous principle of the TAF’s guardianship and the norms of military autonomy and acceptability of interventions left their place to the norm of loyalty to the executive in a deinstitutionalised structure.

CHAPTER IV

CONCLUSION

4.1. What Does the Empiric Case of Turkey Tell Us?

After the failed coup attempt, the stormy nature of the Turkish CMR ended for good. The pre-2016 CMR was characterised by the acceptability of military interventions, TAF's autonomy and guardianship. The change process to challenge these characterisations of the Turkish CMR regime started with the 1999 Helsinki Summit and reached an end with the failed coup attempt in 2016. After the failed coup attempt, the CMR followed a calmer path, and a common understanding appeared between the civilian government and the TAF. Even the controversial purchase of the S-400 air defence system, which is criticised for not being ideal for the TAF's force structure and negatively affecting the Turkish Air Force's procurement of next-generation F-35 fighters, did not create any dispute, or at least any public dispute, between the government and the military.³⁰ The new CMR regime shows signs of an equilibrium between the TAF and the government.

³⁰ For more detail on this subject, see Kurç (2020); Mevlütoğlu (2020); Mehta (2019); ("Türkiye'nin F-35 ortaklığı," 2019); ("Bakan Akar'dan S-400 açıklaması," 2020).

However, as discussed in the literature review section, there are three problems/concerns in CMR and reliance on the establishment of an equilibrium can only be an answer to one of these problems. These three problems/concerns are ensuring the society's physical security, preventing praetorian attitudes on the part of the military (military tutelage) and protecting the military from the government's attempts to politicise it (civilian tutelage). Establishing an equilibrium and providing a common understanding between the military and the government in a state can only certainly overcome the problem of overt military interventions and praetorian attitudes. However, depending on the dominance of actors in the establishment of equilibrium, the intervention-free CMR regime can actually be a *de facto* military intervention in which there is no need for an overt praetorianism because the established equilibrium is already providing the military with the necessary tools to pursue its political agendas. Or, it could be the other way around. The equilibrium and common understanding could be established under the influence of a dominant and powerful civilian government. In such a scenario, the military would be vulnerable to politicisation, and civilian tutelage could emerge. The context in which a new equilibrium is being established can tilt the direction of the CMR regime towards a *de facto* military tutelage or a civilian tutelage, and even though each possibility represents one of the major problems in CMR, the shared responsibility theory is neglectful to the possible emergence of any one of these two problems.

In the case of Turkish CMR, the equilibrium established after the failed coup attempt is an example of the creation of a civilian tutelage. The formation of a competitive authoritarian governmental regime in the pre-2016 era had created a political context that allowed for the JDP government to utilise the possibility of change emerging from the failed coup attempt to establish a deinstitutionalised CMR, which is built on

politicisation and reliance on personal ties. It conformed to the new presidential regime that institutionalised *de facto* personalism and majoritarian rule.

A civilian tutelage in CMR was created at the expense of military effectiveness (functional imperative) and politicisation of the TAF. Examples of promotions, assignments and recruitments indicate the possibility of politicisation and personalisation of the CMR regime. The coup-proofing policies, such as eliminating the monopoly of violence of the TAF, purges and subordination of force commanders to three different institutions negatively affected the fighting power of the TAF. First of all, the subordination to three different authorities and also the always-existing undertone of the importance of personalised relations have opened a political playing ground for force commanders and other high-ranking officers to enhance careerist and personalistic gains, which introduced politicisation of the power struggle between military elites (Gurcan, 2018, p. 12). For example, Gurcan (2018, pp. 12-13) asserts that the operational friction between General Metin Temel and General Zekai Aksakalli during the Operation Euphrates Shield, which caused mismanagement of the warfare, was stirred up by careerist concern. Secondly, losing trained personnel with purges and complicating the possibility of conducting joint operations by subordinating forces to three different authorities cause strategic and management confusions that hamper effectiveness. A comparison of the Efes 2016 military exercise that was conducted before the coup attempt and the Operation Euphrates Shield that was conducted after the coup reveals that after the failed coup attempt, the TAF started to suffer from low levels of jointness (Gurcan, 2018, p. 12). Consequently, the case of Turkey reveals that the establishment of equilibrium is not a sufficient condition to satisfy all three problems that exist in the CMR. The context in which equilibriums are established could be the difference between a healthy

CMR that satisfies both imperatives (functional and societal) of militaries while protecting the military from politicisation and a problematic CMR that fails in some aspects.

4.2. How Can We Enhance the Equilibrium Approach?

By testing the plausibility of the shared responsibility theory, this thesis criticises the equilibrium model approaches in the CMR literature. The main argument of the equilibrium theories was the criticism towards the prevalence of ethnocentrism in separation theories. By suggesting an approach that is built on analysing an equilibrium between military and civilian actors, the equilibrium theories assert that ethnocentrism could be overcome, and CMR analysis can be conducted in various states that have different cultures and political structures. However, they neglect the core reason for the existence of militaries, the functional imperative. On top of this, they neglect the possibility of the establishment of a civilian tutelage.

Especially in cases like Turkey, in which the political context is tilted towards authoritarianism, these neglects can lead to a limited understanding of the condition of CMR. Therefore, in order to make a holistic analysis that takes into account all the problems that exist in CMR, equilibrium theories should include domestic political contexts in calculations. In this thesis, this is conducted by opening up the civilian actors. Just as there are democratic civilian actors, there are also authoritarian civilian actors. Awareness of this difference was the key towards making a holistic analysis of the CMR of Turkey.

4.3. The Limitations and Possible Developments

Even though a single case-study provides an in-depth holistic understanding of the case at hand with great internal validity, it has shortcomings when it comes to

external validity (Gerring, 2017, p. 28; Hancke, 2009, p. 44). The external validity is only restricted to other cases that have similar qualities. For further research, a comparative case analysis with many cases can be conducted to reach results that have stronger external validity. It can be similar to Powell, Chacha & Smith's (2018) most similar cases study that investigates the result of failed coups on democratisation. However, instead of democratisation, the focus would be on CMR regimes and their qualities.

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