

6 The Justice and Development Party and the military

Recreating the past after reforming it?

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The landslide election victory, in November 2002, of Turkey's Islam-sensitive Justice and Development Party (JDP)—the offspring of a banned Islamist party¹—has opened up the possibility for a dramatic change in the character and content of Turkey's domestic and foreign policies. Significantly, as part of the democratic requirements of entry into the European Union (EU), the government included in its reform agenda the resetting of the civil-military balance in favor of constitutionally elected organs. This essay assesses the international and domestic catalysts as well as the JDP government's political motives and policies directed at the balance of power that has served to sustain the military's self-ordained 'guardian' role in Turkish public life. The focus on the military is selective: the essay acknowledges that the Turkish military is a prominent member of the secular establishment comprising the president of the republic, the segment of the judiciary dealing with regime and national security issues (i.e., public prosecutors, the constitutional court and the former state security courts), high echelons of the civilian bureaucracy and, especially, the foreign ministry, which has historically formulated and conducted foreign policy in close coordination with the Turkish General Staff. However, beyond the basic interest that all the agents of the establishment share in their distrust of the JDP's policy agenda, a slightly different set of incentives and constraints apply to the military in its thinkings over and dealings with the JDP because of its 'guardian'² role. Let us note that the Turkish Armed Forces (TAF) redefined and intensified its 'guardian' mission in the last decade in stronger terms to lock out Islamic and Kurdish 'threats' from public life, causing a shift in civil-military balance further in its favor. In other words, during the 1990s, changes in civil-military relations in Turkey were intimately connected with the armed forces' identification of political Islam and the Kurdish question as the foremost internal threats to the secular character of the Turkish state.

The essay rests on two distinct time frames and three foci or problematics which, when combined, provide an analytical framework for explaining the changing character and path of the government-military interaction since 2002. There are two distinct phases in the JDP government's policy on the

military since 2002, with opposite contents and outcomes. The first phase spans approximately the first three years of the government's life from the 2002 elections to the launching of negotiations with the EU, in October 2005, to fulfill Ankara's bid for full membership. In this period, the JDP's democratic mandate, together with the dynamism of the 2002 electoral process, acted as powerful forces behind the government's drive to curtail the TAF's political prerogatives and tutelage as a major part of the reform agenda. The government divested considerable energy into the landmark democracy package of 7th August 2003 designed to bring Turkey in line with the EU criteria. That package included a major constitutional amendment designed to curb the powers of the National Security Council (NSC), considered to be Turkey's parallel government (Lowry 2000: 48), and convert it into an advisory body.

In the second phase since October 2005, however, the euphoria on the EU bid has faded away; the government's resolve to hold on to the agenda of democratizing reforms and keep the 'military question' within its remit has weakened; its cycle of mood has changed from optimism and efficiency to a sense of inadequacy; the EU leaders have started to voice unease over Ankara's membership bid, citing concerns of infringement of basic rights and freedoms upheld by the EU; and the JDP's domestic and foreign policy discourse has widened the chasm between Turkey and the EU and the USA. More importantly, the government seems to have moved towards a new convergence with the popular conservative-nationalist sentiment and the military's policy priorities on key issues. They include reinventing the state-centered security considerations at the expense of human security and returning to a hard-line approach towards the Kurdish question, Northern Iraq and the EU.

The first of the three foci is the ideas upheld and policy challenges posed and confronted by the JDP government itself, in its attempts to manage its relationship with the TAF. The second research dimension is about the military itself. The effectiveness or failure of the JDP's policies on the military is inextricably linked with the TAF's evaluation of these policies in light of the survival of its corporate interests. Hence, the essay explores the nature of the military's response to the JDP policies and its counter-strategies, both in the first and second periods.

In the third place, the essay places the government's approaches to the military question in an interactive perspective. In trying to understand the JDP government's shifting position on the issue, it is essential to consider organized interests and popular sentiments as well as the strategic environment in the aftermath of 11 September (2001), in terms of considering the impact of changing the regional and international power balance. In the latter group of variables, the most significant of all is the changing logic that frames the EU's policies, with regard to Turkish entry, and the USA's policy towards Turkey within the context of post-9/11 strategic priorities and the Iraq war.

The JDP and the Military in the First Phase: ‘Civilian Empowerment?’

The Turkish military’s distrust of the ruling party is based on the enduring tension between the republic’s Westernizing and secular vision—which the military guards by entrenching itself in politics (Cizre-Sakallıoğlu 1997; Cizre 2003)—and politically manifested forms of Islam. Thus, it is possible to claim that the JDP’s electoral success reaffirms Turkey’s General Staff’s deeply-held conviction that, if unchecked, political Islam will emerge as the government of the country, i.e., as a fundamental threat to the regime.

The secular establishment has continued to perceive the government’s discourse from the point of view of ‘radical doubt’ with regard to its true intentions.³ The historical dialectic of the Turkish military has relevance in this perception: depiction of Islam as ‘the other,’ or as the symbol of ‘non-modern orientalism,’ has always constituted the essentialist substance of the military’s ‘legitimacy’ itself. Against this backdrop, to counter a potential conflict between its administration and the military ‘guardians’ of Turkish democracy, the JDP has crafted a Western-oriented restyling of the party’s image and ideological agenda. As a result, entry into the EU has become the party’s signature, parliament has become the primary locus for the initiation of policies, and a neo-liberal economic program, democratic reforms and the reshaping of Turkish foreign policy have become its fundamental policy engagements.

In doing this, the JDP leadership has drawn strength from the externally generated forces to civilianize the regime. If EU entry requirements have provided one external impetus for the JDP government attempts to reshape military-civilian relations, the international community’s approval of its Islamic credentials has provided another. This trend stems from the West’s security concerns about the regions’ Islamic movements and regimes. Thus, in the aftermath of the military campaign against Saddam Hussein, the international tide has turned in the ruling party’s favor as the Western alliance has looked for a security partner in the region to hold up as an example of the compatibility of ‘Islam and democracy.’ This need meant that sympathy and support for the Islam-friendly government of Turkey is reconcilable with the prevalent sensibility and conduct of international politics which are against Islamic terrorism.

JDP’s Assertive Policy Position Side by Side with Consensus Seeking

The JDP government’s overall approach toward the TAF, in its early days in office, relied on a strategy of confrontation avoidance. However, its policies also revealed an intention to shift the epicenter of politics from the civil-military bureaucracy to civil society. The new government adopted an ‘Europeanist’ posture in foreign policy, coupled with a ‘reformist’ domestic

agenda. If effectively implemented, this posture would, by prioritizing democracy over security, inevitably diminish the influence of the traditional centers of power, most notably that of the TAF. Thus, reformism at this stage highlighted an undeclared commitment, on the part of the JDP, to curtail the ability of the military bureaucracy to prevail over civilian decision-making. More significantly, the JDP leadership did not seem to confine itself to simple inaction with regard to national security as well as the foreign policy matters, such as the EU, Iraq and Cyprus. While predecessors of the same ideological ilk were intimidated into inaction by the expansion of military prerogatives in national security during the 1990s, the JDP leadership followed a deliberate strategy of trying to increase its influence over national security and foreign policy.

The strategy of trying to reduce the military's sphere of political influence manifested itself in a number of ways. Because the Foreign Ministry and its diplomats are seen as bastions of the secular establishment, the government attempted to retire diplomats over the age of 61 and asked the Turkish diplomatic missions abroad to improve links with National Order (*Milli Gorus*) groups (which is, at present, the name for an ultra-conservative religious Turkish community in Europe).⁴ In addition, by not submitting the drafts of the 6th and 7th Harmonization Bills to the NSC before it came to the parliament, the government violated an unwritten tradition. It also overrode in parliament the veto by the president of the republic on the changes to the Anti-Terror Law.⁵ When, in May 2004, the government's higher education reform plan—which, among other provisions, eased restrictions on graduates of religious vocational schools entering universities—came under fierce criticism by the general staff, Prime Minister Tayyip Erdogan, implicitly addressing the military high command, reiterated the superiority of the parliament's will. He went on to say that that “if the organs, institutions and societal actors do not stay within their legal roles, that would mean that they would step out of the legitimate framework of the system” (Radikal 2004).

It should be immediately noted that this strategy was not the only one that the government used. Parallel to its significant engagement with circumscribing the military's political influence, it simultaneously tried to build consensus with the military and the secular establishment to dispel fears in the civil and military bureaucracy that the government would inject Islamism into the bloodstream of the secular system in Turkey.⁶ Given the historic collision between the NSC and JDP's predecessor, the Welfare Party, in 1997, the government's strategy is understandable. However, there is also nothing innovative about the promotion of the appearance of harmony with the military. Since the inception of multi-party politics in 1946, most civilian leaders have followed a pragmatic strategy toward the TAF which takes the political preeminence of the military as a given and seeks safety in a conciliatory discourse in case of a backlash to the deployment of a proactive one. The pursuit of two contradictory discourses, one which

portrays the military in such a way as to almost justify its supervisory role and another which exalts the supremacy of the national will and parliament, is a familiar feature of the Turkish civilian political class (Cizre-Sakallıoğlu 1997). The leader of the opposition party, Deniz Baykal, provides one of the best examples of Turkey's civilian tradition when he hailed the criticisms made by the high command of the constitutionally incumbent government as "democratic, timely, natural and useful,"⁷ or when he attributed a disproportionate share of policy success to the military while downgrading the contribution of the civilian authority.⁸

Symptomatic of the desire to reassure the TAF high command of its good intentions, the government publicly denied any discord between the general staff, the foreign ministry and the government. In initiating the major breakthrough of resuming talks on Cyprus to end the 30-year division of the island before the Greek Cyprus joined the EU on May 1, 2004, the prime minister and his team are known to have given in to the establishment's concerns and withdraw from the negotiations at the end of 2002. However, when the talks were restarted between Greek and Turkish Cypriot leaders on 13 February 2004, in order to boost Turkey's chances of receiving a date to start accession talks with the EU, the military's expression of 'serious concerns' rose to a peak (Yetkin 2003b). On both occasions, the prime minister repeatedly denied the open secret that there is substantial rift between his government and the nationalist hard-liner stance of the secular establishment. Instead, he emphasized complete harmony and cooperation between both sides over Cyprus (Hürriyet 2003, Yüksek 2004).⁹

At this juncture, that is, in the first three years of the JDP in office, two windows of opportunity have changed the 'strategic calculus' of both the JDP and TAF, which has had a knock-on effect on the civil-military balance. They are the JDP's embrace of the EU project and the Cyprus question and the implications of the war in Iraq. In many ways, these have encouraged the public to start genuinely debating what constitutes Turkey's national security, who should take the decisions on it, and what should be the link between democracy and security. Moreover, the JDP's position and policies on the first two issues have created a momentum of their own, autonomous from the will and actions of the party, for change and reform, which had been gathering some momentum over the last two decades.

What prompted the party leadership's appropriation of the EU cause is, in part, strategic choice:

the sort of moderation that has brought the JDP to government is also crucial to keeping the party in power. In other words, if the JDP begins to challenge secularism, it will lose its political battle to govern Turkey by alienating most of its voters as well as the secularist bloc

(Cagaptay 2002)

As Soli Ozel (2003: 92) puts it:

the only way for this party to survive in power ... is through a liberal transformation of the Turkish polity and its civilianization. This explains why the JDP's drive for EU accession is genuine: it is a matter of enlightened self-interest, and the party clearly knows it.

The August 2003 EU Harmonization Package: Demystification of National Security

The EU Helsinki Summit of 1999, which extended the candidate status to Turkey, provided the impetus for preparing a National Plan for the Adoption of the Acquis adopted in 2001, which was revised in 2003. Political reforms to align Turkey's laws and norms with the EU have been introduced through two major constitutional reforms in 2001 and 2004, and eight legislative packages between February 2002 and July 2004.

The democratic package of July 2003, which was formally put into effect on 7 August 2004, was also part of Turkey's commitment to align its civil-military relations with the EU's 'good practices.' The package contained an amendment to some Articles of the Act on the NSC and the General Secretariat of the NSC which, in effect, tipped the civil-military balance in the civilians' favor. The package:

- repealed the NSC's executive powers which overlapped or sometimes exceeded the executive branch and turned it into an advisory body
- increased the civilian members to a majority voting position
- reduced the scope of the Secretary General's role by repealing the old provision that ministries, public institutions, organizations and private legal persons shall submit regularly, or when requested, non-classified or classified information and documents needed by the General Secretariat of the council
- revised the procedure for the appointment of the Secretary General and made it subject to the approval of the President on the proposal of the prime minister. This change also allowed for a non-military person to serve as Secretary General. The views of the Chief of General Staff are to be taken into account in case a member of the TAF is to be appointed to the post
- cut down the number of departments under the authority of the Secretary General from eleven to seven, along with the transfer of surplus personnel to other state departments
- reduced the number of times the NSC meets from monthly to bimonthly¹⁰
- allowed if not full, at least greater parliamentary scrutiny of the military budget

- decreased the NSC's budget by 60 percent (Milliyet 2003)
- removed the confidentiality rule surrounding the activities of the NSC by stipulating that a new bylaw be passed on the rules and regulations of the NSC

The previous reform packages legislated by the JDP in October 2002 and June 2003 expanded freedom of expression; education and broadcasting in the Kurdish language; abolished anti-terrorism provisions that authorized punishment for propaganda against the unity of state; and established retrial rights for citizens whose court decisions are overturned by the European Court of Human Rights. All these reforms were put in place to increase the chances of membership talks with the EU after the European Council's meeting in December 2004. This package, however, represented a distinct legislative accomplishment by Turkey's historical standards as it targeted civilianizing the NSC, an institution which is considered the embodiment of the political role of the military and termed as "the shadow government," by the government itself.¹¹ In fact, at the stage of the preparation of the draft of the package, the general staff is known to have raised its objections to the reduction of the NSC's influence because this was not what the existing conditions in Turkey required.¹²

From many perspectives, this reform package makes a clean break with the past. To begin with, it 'shyly' reflects ideas associated with democratic governance of the security sector and its reform.¹³ The JDP's paradigmatic commitment to European integration already provides a catalyst for the democratic governance of the military, which is a fundamental part of the concept of democratic governance of a society in general and of security agencies in particular. Often, the norms are manifested as 'conditionalities,' articulated in the accession requirements of NATO, the EU and the Organization for Security and Cooperation in Europe's (OSCE)¹⁴ (Fluri and Cole 2003: 124). A related task of the reform of the NSC was to save the conventional mechanisms of perceiving 'threats' and formulating 'security policy responses' from the exclusive control of the military agents. Moreover, the reform of the NSC included a civilian 'empowerment' dimension: this entails building the will, information and expertise of civilians (Forster 2002: 78) regarding defense, security, and strategy issues to be able to efficiently oversee the sector.

The current global emphasis on democratic accountability of the military and security sector was utilized by the incumbent government. Thus, for example, the new regulations governing the operations for the NSC Secretary General, which were made public on January 8, 2004, outlawed the old stipulation that appointments to the NSC shall not be published in the Official Gazette. Moreover, the NSC's department of "Relations with Society," the unit which evoked the most criticism in virtue of its mandate to carry out 'psychological operations' without accountability, was abolished.

Secondly, the JDP government's reform showed some implicit awareness that the reform package could not achieve substantive changes in the power equation unless the conceptual morass defining national security was demystified and opened up to civilian participation. This thinking went against the 'secret' of the political influence of the TAF, which has traditionally involved not just its political autonomy but also monopoly of the concept, knowledge and expertise on defense, strategy, threats and security issues. It is from this position that the military institution has been able to confront left-wing ideologies, reactionary Islam and ethnic secessionism in the multiparty era. However, post-Cold War thinking had already proposed an alternative framework, in which the principles and policies of defense and security should be connected with a wider process of democratization and new political priorities requiring civil society, citizens, the media and representative institutions to play a greater role in their formulation. Also, security would have to cease to be a military-oriented reading of threats (Turkish Daily News 2003a) in order to save it from being a 'control' problem (Cizre 2003).

It is true to say that since the 7th Harmonization package, there is more public interest and debate on the respective roles of military and non-military players. Some civil society organizations and the media have now started to devote considerable time, energy and space to rethinking the military's political role and the problems that exist within the military institution. A significant development in this direction has been the shift of the terms of the public debate. The main question discussed is whether the argument between the government and the military derives from TAF's radical doubt about the anti-secular roots of JDP or its concern that the EU-inspired reforms would transfer political power to the elected civilians (Berkan 2003; Keskin 2003; Zeyrek 2003).

The JDP leadership reportedly put some effort into reformulating the National Security Policy Document (NSPD)¹⁵ in 2005, in accordance with the warning of the EU Commission's *Regular Report* of 2004, that Turkey's civilians should start to take a more active role in the formulation of the national security strategy and its implementation (EC 2004a: 23). During the preparations of the NSPD, a document which is considered to be 'the secret constitution' of the country and which is indeed not disclosed on any platform to the public, the government was observed as being actively involved.¹⁶ However, the NSPD which came out in October 2005 was not much different from its predecessors: it is reported to cite religious reactionism, separatism and the extreme left as the major threats to security while removing the extreme right from its agenda (Hürriyet 2006b). Whatever the main incentives of the JDP were, however, some progress was made in raising the public's awareness about the need to demystify the issue in a way rarely seen in the past (Cizre 2003).

The 8th package of constitutional amendments, which increased civilian influence over the defense budget, was passed on 21 May 2004. That package

also removed military representatives from the Council on Higher Education (Yüksek Öğretim Kurumu – YÖK) and the Supreme Board of Radio and Television. It also abolished the State Security Courts, a legacy of the period after the 1980 military coup, which tried crimes against the state.¹⁷ Finally, the amendments narrowed the competence of military courts to try civilians for offences related to criticizing the military. According to press reports, the government also expressed its plans to spend more energy in 2005 to increase the parliamentary review of defense spending (Sarıbrahimoglu 2004: 24).

That the JDP government was able to go beyond the threshold of traditional civilian inertia was due to a combination of changes in the political context. Those changes may also account for the surprising lack of saber rattling by the TAF in reaction to the contraction of its ability to influence politics by way of the NSC reform since July 2003. If we accept the central proposition that “the military policy is always conditioned by political factors outside the civil-military relations,” which specifies the proper role of the military, the relationship between the civilian and military leaders, the rest of the major actors, thus determining the range of possible relations among them (Finch 1998: 162), then the JDP’s capacity to reset the civil-military balance depended on whether the JDP government was politically secure, if not from the threat of a military intervention, then from the threat that the military leaders will publicly, if not formally, disrupt the effectiveness of civilian policies, or contest, warn or veto the constitutionally elected authorities. The safer the government felt from a show of political muscle by the military—by attaching itself to a project about which there was a consensus at that stage, “the greater was [is] their [its] potential margin to attempt reforms even at the cost of antagonizing the armed forces” (Finch 1998: 162). The question was what counter-strategy by the military made the government safe to go ahead with the most radical reform in the Republican history on the military’s political role.

The Military: Why the Untypical Restraint?

All in all, the TAF high command’s approach towards the new government was, in the first phase, detached and yet ready to step in when it considered that secularist principles were violated. Active responses ranged from the refusal of the president of the Republic, the leading figure of the secular establishment and a close ally of the military, to invite the head-scarf wearing wives of the JDP leadership and deputies to official receptions and using his veto power against legislation that he considered detrimental to the secular tradition. Indeed, in the two weeks after its election to office, the JDP was reminded three times that the ‘February 28 process’ continued.¹⁸ Nevertheless, the question remains as to why the Turkish military was so reticent in response to the NSC reforms implemented by a government it regards as being engaged in a hidden Islamic agenda.

A close analysis of government and military interactions in the initial years after 2002 suggests that the high command realized that to continue its traditional pattern of wielding political influence might damage its own corporate interests as the interplay of domestic and external dynamics created a state of affairs in which the choices available to the military establishment was either confrontation with a popularly-elected government and its popularly-backed project or the acceptance of some curtailment of its own power. There was a certain degree of survival instinct at play in the calculations of the military, which perhaps offers the best explanation for the lack of contestation in the face of civil-military reforms.

The next argument that might explain the TAF's restraint in countering the reforms was the fissures that started to exist within the officer corps. Indeed, the Turkish military's impressive unity, which had previously helped the institution to keep a distance from civilian control, seemed to be under strain. The then Chief of the General Staff (2002–06), General Ozkok, was known to be surrounded by some force commanders with strong support from 'young officers,' who wished him to be more assertive against the JDP government (IISS 2002/2003: 139). Therefore, the main line of division within the military could be said to be between those on active duty as well as retired officers who questioned the credibility of the government, which they considered to be a "sinister assault(s) against the secular republic,"¹⁹ and some generals led by General Ozkok himself who were more willing to engage with civilian reforms to democratize civil-military relations due their subscription to democratic norms and role-beliefs.

The EU Issue Undercutting the Military's Credibility

Another line of division in the army surfaced with regard to the question of accession into the EU. The widespread suspicion within the military that the EU dynamics will break up Turkey's unity and that the EU will never accept Turkey as a full partner anyway led to the formation of an influential group within the army, informally called the 'Euroasianists', who favored the idea that Turkey now needs new allies, such as Russia and Iran.²⁰ Scaling down the role of the military as part of the process of entering into the EU augured badly for this group's traditional concept of guarding the republic against anti-secular internal enemies. Against this clique, there is a strong body of officers who still cherish the vanguard role of the TAF as part of staying in the Western culture and alliance structures, provided that the separatist Kurdish and Islamist threats are kept under control by a politically active and watchful military.

On the whole, the EU issue, developments on Cyprus and the political situation that arose after the US invasion of Iraq compelled the military establishment to become engaged in a "strategic action perspective" (Pion-Berlin 2001), or "calculus approach," as it is sometimes termed (Vink 2003), that regards any "military assertiveness as too costly, outweighing the

potential benefits” (Finch 1998: 147). The TAF’s ambivalence to its own historical project of Europeanizing grew larger as it put greater weight on securitizing the Republic against Islamic activism and Kurdish separatism in the last two decades. That is, its ‘guardian’ role, which involves protecting the regime from what it defines as threats, overtook its ‘vanguard’ role of propelling change in a Western direction. The JDP’s commitment to the EU by taking over the TAF’s ‘vanguard’ role has caused embarrassment for the TAF. EU membership was supposed to be the intended endpoint of the republic’s vision of generating sufficient modernization to eliminate the Islamist threat. That also explains why the party’s appropriation of the military’s vanguard mission has also produced moderation on the part of the high command on the EU issue, despite the initial resistance. In keeping with his more flexible and democratic image, the then Chief of General Staff, General Ozkok, made a sincere admission of the grounds for a positive U-turn in the army’s discourse: “70 per cent of the people want the EU membership. Nobody can resist this kind of majority,” further adding that “we are ready to compromise and undertake risks to harmonize with the EU values” (Radikal 2003c). This admission vividly shows the importance of the political context—particularly the huge external and domestic support for the JDP’s pro-Europe approach—as the driving force behind the changing shape of Turkey’s civil-military relations.

The Cyprus Problem Europeanized

The Cyprus issue also contributed to the TAF’s restraint in the first phase. Soon after the November 2002 elections, the JDP government made a clear attempt to move in the direction of finding a negotiated resolution to the Cyprus problem. The move aimed to please the EU to integrate a united Cyprus into its folds by 1 May 2004, when the Greek Cypriot side was due to join the Union.

Cyprus is conceived as a vital security issue for Turkey. In the words of General Hilmi Ozkok, “Cyprus is situated on a strategic line that starts from Britain and extends to Gibraltar, Malta, Cyprus, the Suez Canal, India and Singapore” (Turkish Daily News 2003b). Consequently, the General Staff and Ministry of Foreign Affairs, which together have dominated the policy initiatives concerning the island, have historically shown no spirit of compromise over the presence of Turkish soldiers in Northern Cyprus and in the international attempts to reunify the island (Tiryaki 2004).

From the first round of negotiations, which failed in early 2003, to their restart in February 2004, the government faced the most difficult challenge to its policy of Europeanization. It came from a strong lobby of conservative groups opposed to a solution in Cyprus that is comprised of opposition parties, conservative-nationalist businesses, the notoriously hard-to-bend leader of the Turkish Cypriot community leader Rauf Denktas, the military and

civil bureaucracy and the president. Against this concerted opposition, and indeed precisely because of it, Cyprus became a critical test of the government's resolve to reverse the traditional conviction that Turkey's civilian political class is too weak and self-absorbed to solve the key domestic and international problems effectively.

Turkey supported the final plan presented by the UN Secretary General in March 2004, which was approved in a referendum by the majority of the Turkish Cypriot community in the north but rejected by the majority Greeks in the Republic of Cyprus in the south. On 1 May 2004, the Republic became a member of the EU as a divided island. In acting against the forces of the status quo around the issue of Cyprus, which "had come to symbolize all that was narrow-minded, uncooperative and hectoring about Turkish diplomacy and transform it into an eye-catching high point," Philip Robins (2004) concludes that "Erdogan has succeeded in neutralizing a perennial obstacle to Turkey's aspirations for European Union membership." Once more, however, that brinkmanship would not have been possible without changes in international and regional contexts. US military diplomacy played a large part in assuring Turkey that her gains in strategic terms would be larger than any losses incurred if Cyprus is reunited. The US decided to put its weight behind the Cyprus peace process and would welcome Turkey receiving a date for the start of accession talks to the EU because the JDP government served as a 'democratic Islamic' model for the US's Greater Middle East Initiative.²¹ The European Council of Brussels on 17 and 18 June 2004 acknowledged the positive contribution made by Turkey to the peaceful unification of the island. When the European leaders met on 17 December 2004, they set 3 October 2005 as the date to begin formal accession negotiations with Turkey.²²

As an insightful student of the region's politics puts it, it might very well be that the "Cyprus problem has reached a point of conflict ripeness" because the Helsinki European Council decisions in 1999 "have effectively Europeanized the Cyprus problem by virtue of creating a set of overlapping contingencies which linked Cyprus's accession outcome, Turkey's candidacy path, and Greek-Turkish rapprochement" (Prodromou 2000: 1, 10).

The Iraqi Crisis

As part of its strategy to undermine the JDP government, the military hierarchy refrained from committing itself to a firm support when the government sought parliamentary approval for the US to launch an attack on Iraq via Turkish territory. The government asked the parliament to postpone voting on the deployment issue until the NSC meeting on 28 February 2003. However, not wanting to share the responsibility for a risky and unpopular decision, the NSC ended its meeting with no recommendation to the Council of Ministers over whether the deployment question should be resolved by parliament. It was ironic that the TAF, with half a century of

collaboration with the US defense establishment, left the decision to make or break its affinity with its key ally to the politicians.²³ The public, however, was given the impression that the JDP leadership could not form a speedy, effective and coherent set of policies and that it tried to off-load the decision to the high command who, in turn, simply returned the problem back to the civilians.

Although the military high-command subsequently extended its full support to parliament's decision not to grant the US troops access, after years of being comfortably protected by the Pentagon and being dependant on the US for weaponry and training, the question arose as to whether the military was really in a position to risk losing the support of its key strategic ally. Judging by what subsequently occurred, the answer is no. Not only did the armed forces suffer setbacks in a number of cases,²⁴ it appears that the US's preferential backing of the JDP, on the basis that it serves as geo-political 'Muslim democratic model' in the region, has also undermined the military's ability to challenge a popularly backed Islam-sensitive government. Weakened in its ability to operate on the political process as competently as it did before, the TAF's ability to express outright opposition to the process of civilianization must now be held in check.

The Second Phase: The Reversal of the Government's Reform Momentum

For much of 2004, the popular zeal and the government's commitment to the EU project continued. There was genuine progress made to align Turkey's laws with the EU²⁵ and an unquestionable international support for the JDP as was shown by the former President of the EU, Romano Prodi. In his historic visit to Turkey, Prodi praised the government's adoption of radical reforms and expressed his surprise in "the decisiveness and progress in Turkey's performance" (Milliyet 2004a). He also noted that Turkey had never achieved as fast a progress as it did under Erdogan and that he was "very proud of Erdogan's leadership" going in this direction at this juncture (Milliyet 2004a). The European Commission's evaluation in October 2004 of Turkey's progress in accession laid out that "The Commission considers that Turkey sufficiently fulfills the political criteria and recommends that accession negotiations be opened" (EC 2004b). Then the historic decision of the European Council of Heads of State of 25 member countries in December 2004 came to open accession negotiations with Ankara on 3 October 2005. This was an open-ended resolution and carried the stipulation that Turkey must sign the Adaptation Protocol extending its existing Association Agreement with the EU to all new member states, including the Republic of Cyprus.²⁶ On 3 October 2005, the accession talks opened and EU-Turkey interaction entered 'a new phase' (EC 2005: 4).²⁷ Although the European right found the prospect of a large Muslim nation not 'European enough' to join the bloc alarming, no doubt, the EU's reach to Turkey was

facilitated by considerations that Turkey could help stem Islamic terrorism and promote stability in the region which, after September 11, has turned into a security threat for the Transatlantic alliance.

Whatever the depths of the EU's and the JDP's commitments to each other, in the aftermath of the August 2003 reform and the beginning of accession negotiations in October 2005, the military acquired an increasingly vocal voice in the political calculations of Ankara and the vitality of the EU bid slipped. Likewise, the democratic restraints, which the struggle for the EU process exerted over the conservative-nationalist instincts of the JDP, seemed to disappear. The democratic openings that came with the ascendancy of the reformist cause in the first phase took a downturn and the JDP's rights-based discourse gave way to a preoccupation with traditional issues and mundane politics. The momentous changes in the civil-military balance brought by the August 2003 package 18 months previously did not seem to be internalized and accepted by the military as final. The ruling party made a further contribution to it by abandoning its proactive policy toward the military question. Its strength and confidence seemed to flag and falter in the coming months so that if it took two steps forward, then it would take one step backward, providing the armed forces with the opportunity to play a central role in politics and enjoy a high degree of autonomy.

That the government stepped up its policy of accommodation with the TAF's interests raises questions as to whether this turnaround in fact means that the JDP leadership has compromised its strategy and policies as part of a crisis management or as the substance of a new agenda it adopted regarding civil-military balance. Can we really talk about a disconnection between a first phase of democratic reform in the civil-military equilibrium and a second period of minimal or no engagement with the democratic management of the military? If there is a disconnection, how can we explain it?

Features of the Increasing Assertiveness of the Military

In this phase, the TAF high command has reiterated its traditional position as the sole guardian of the 'secular' republic against reactionary and separatist activities more vocally than in the first phase. The process accelerated, beginning especially from the appointment of General Yasar Buyukanit, a political hard-liner and the head of the land forces from 2004 to 2006, to replace General Hilmi Ozkok as the new Chief of the General Staff on 31 July 2006. That the Islamist reactionary threat in Turkey has risen to a worrying level²⁸ has become a common constant in his and the other commanders public statements. Although being cautious about not characterizing the government as Islamic or reactionary, the high command has since then been expressing openly and emphatically its belief that Prime Minister Erdogan's party undermines the fundamental separation between state and religion. In addition to the government, the hierarchy has leveled harsh criticisms against the speaker of the parliament, Bulent Arinc, who

suggested that secularism should be redefined; against an Istanbul based NGO, which is actively engaged in promoting the cause of democratic oversight of the security agencies, including the military;²⁹ and even the former representative of the European Commission, Hansjoerg Kretschmer, who said at a meeting that the armed forces do not respect the legal and constitutional order.³⁰

It is true that the reform packages in the first phase represent a major move towards weakening the military's role in politics and that the trend of civilianizing national security has definitely gathered a considerable momentum of its own. However, this has not really led to a significant disengagement of military officers from politics nor led to a rethinking of their role in areas that should be under civilian control. In other words, it would be misleading to suggest that the TAF's political role has been automatically degraded and military leaders have taken up a position analogous to that of their counterparts in EU member states. More correctly, the military institution has been able to "maintain its influence whilst altering its political profile," (Koonings 2003: 138) in terms of adopting modified forms of military's political involvement, proving the general point that unless a government's political determination continues unimpeded, a reduced military influence in legal terms is not equivalent to democratic control over the armed forces (Hunter 1997: 142).

Indeed, the Regular Report of 2004 acknowledges that "civilian control of the military has been strengthened" in Turkey, confirming that the momentous legal and institutional reforms have moved the civil military relations out of a black zone where the military retained a broad and effective political role (EC 2004a). However, the Report also reiterates that this relationship has not yet entered the white zone where it is fully aligned with EU standards: "there are still provisions on the basis of which the military continues to enjoy a degree of autonomy ... [as] there are legal and administrative structures which are not accountable to civilian structures" (EC 2004a). Indeed the Report singles out five such strategic obstacles to the full exercise of civilian oversight.³¹

Although Ankara received the green light to start accession talks with the EU on 3 October 2005, the Regular Report of November 2005 puts forward, more or less, the same arguments of its predecessor document:

since 2002, Turkey has made good progress in reforming civil-military interaction, but the armed forces continue to exercise significant political influence ... and Turkey should work towards greater accountability and transparency in the conduct of security affairs in line with member states' "best practices"

(EC 2005: 14)

The Report cites the same five strategic obstacles to the full exercise of civilian control with the addition of the need to strengthen "the control

of the Ministry of Interior, governors and district governors over the Gendarmerie ... in order to allow full civilian oversight on internal security policy” (EC 2005: 14). The latest Annual Report of 8 November 2006 highlights the remaining deficiencies in the realm of civil-military interaction rather than the lingering effects of reforms:

overall, limited progress has been made in aligning civil-military relations with EU practices ... the civilian authorities should fully exercise their supervisory functions in particular as regards the formulation of the national security strategy and its implementation, including with regard to relations with neighbouring countries

(EC 2006: 8)

Likewise, the EU's Common Position Paper issued after the Turkey-EU Partnership Council meeting on 12 June 2006 notes the slowed down pace of change and recommends significant further efforts regarding the implementation of reforms in human rights; civil-military relations; security affairs; fundamental freedoms; torture and ill-treatment; non-violent expression of opinion; freedom of religion; cultural rights; protection of minorities; domestic violence and honor killings and normalization of relations between Turkey and EU members, including the Greek Cypriot government.

These reports capture the emerging features of power relations between the military-led secular camp and the JDP after the momentous NSC reform in 2003 and after the start of the accession negotiations in October 2005. The important point to note is that in the new balance of power between the civilians and military, the latter no longer passively exercises political power solely by taking advantage of legal and mental biases built into the political system. In the second phase, the armed forces are on the offensive, counterbalancing its partial loss of political influence by actively creating new instruments which can be used to perform the same functions. Many of the functions of the NSC which were rescinded have been shifted, for instance, to the general staff headquarters itself. Although monthly meetings of the NSC have been reduced to bimonthly meetings, the headquarters have started to hold monthly press briefings expressing the views of the high command on the political issues of the day. Similarly, it is possible to observe that the Supreme Military Board (*Yüksek Askeri Sura*), a body which is ordinarily confined to making decisions on internal promotions, dismissals and retirements, has been activated to voice the concern and determinations of the top brass about what they consider Turkey's major internal threats.³²

There is also a growing perception on the part of the armed forces, since the military's last intervention in 28 February 1997, that popular 'respect' for the armed forces has to measure up against a backdrop of growing popular 'support' for the JDP. A major shift has taken place in the TAF's

strategy toward society in terms of moving from invoking passive reverence, fear and indifference to producing active popular consent. The JDP's existence as the ruling party has accelerated the tendency of the military institution to address everyday relations and symbolic practices that shape the citizen's acceptance of the military's political role as the single most important force against religious rule, political chaos and disunity.

This new concern with reaching out and aligning with organized and unorganized sectors of the society represents a shift of focus from the TAF's state-centered strategy to establish hegemony to a more decentered, individual-based and informal practice of power in society. More importantly, it is also a shift to a political party-like institution, which is in direct and immediate relationship with its targets, the citizens, civil society, academia, think-tanks and the media to produce effects. In March 2007, a prominent Istanbul weekly, *Nokta*, published the alleged diaries of the former Navy commander, retired Admiral Ozden Ornek, which revealed that the force commanders in 2004 conspired and aborted two coup attempts against the government. One significant aspect of the alleged coup plans is the pointed emphasis being made by the writer of the diaries on the need to build up public support among the key figures of the media, business world, trade unions and rectors of universities to undermine the power of the government (*Nokta* 2007).³³

Notwithstanding the fact that this strategy delivers a blow to the assumption of civil societal groups acting as true expressions of grassroots dynamism, it has worked effectively in enabling citizens to juxtapose their self-identity with the collective meaning of the social body without a problem. Reportedly, the largest demonstrations in Turkish history were held on Saturday, 14 April 2007, in Ankara, against the potential candidacy of Recep Tayyip Erdogan for president and on Sunday, 29 April 2007, in Istanbul, against the anti-secular tendencies of the JDP threatening the regime. Over 300 NGOs from across the country were involved in the organization of these meetings. But one of the most prominent ones was the Association for Atatürkist Thought, an NGO established to promote Atatürk's ideals and chaired by Sener Eruygur, a retired former commander of the Turkish gendarmerie, who is currently under investigation for allegedly plotting a coup against the JDP government in 2004. It is a well-known fact that most secular NGOs, which are considered in theory autonomous *vis-à-vis* the state have, in reality, been defined, structured and mobilized as the secularist frontline partisans in the ongoing war against the anti-secular 'enemies' of the regime. President Sezer's last minute warnings, before his term ended in May 2007, that the secular republic faced its biggest threat since its foundation and that the "ideology of the modern Turkish Republic contained in Atatürk's principles is a state ideology that all citizen's should take as their own" (Birch 2007), attests to the enveloping, totalizing, ordering, structuring, infiltrating and mobilizing power of the state ideology as the ideology of 'all.'

Defining Factors and Moments of the Military's Adversarial Strategy

The presidential elections in May 2007, looming large, has played the most crucial role in the military's adoption of a pointedly assertive and polarizing political profile to prevent the likelihood of an Islamic-oriented party being able to control the government, the presidency and the parliament simultaneously. To put it differently, 'secularists have been looking to the military to block any presidential bid by the JDP to keep a secular president in place as a barrier to the Islamization of the state, or what Menderes Cinar calls in this volume "the communitization of state" machinery.

The position of the president seems to the outsiders to be a symbolic one. In reality, it is both symbolic and real: the president of the republic can appoint university rectors, many high-court judges, bureaucratic administrators, and veto important pieces of legislation. What nurtures the fears regarding the presidential designs of the JDP is the deeply held secular perception that if a JDP candidate is elected, the secular state will slide into a covert Islamic agenda and an Islamic world view away from the West and more importantly, Western ways of life. However, there is another major consideration that must have shaped the military bureaucracy's thinking towards the May 2007 elections. Just as it had demonstrated its capacity to be able to do so in the previous phase, if it secured the presidency, the JDP could return to its policy of challenging the political role and prerogatives of the Turkish military and take steps to complete the establishment of a systematic democratic oversight over it.

That is why, in the run-up to May 2007 and during the process of the selection of a candidate and the voting rounds, politics in Turkey were locked into the presidential elections. The prime minister himself wanted to become the president and the anger and concern of the TAF became almost visible, even as the JDP leaders continued to deny any tensions between the high-command and the government. The example that can be given is from the press conference on 13 April 2007, by General Yasar Buyukanit, fourteen days before the first round of elections started in the general assembly and when the potential candidacy of Prime Minister Erdogan was still an unresolved issue. The Chief of the General Staff defined the acceptable profile of the next president as "faithful to the republic not in words but in deeds" (Radikal 2007a), a statement which many took as a rejection of the Prime Minister as the next president. But Recep Tayyip Erdogan, following his party's tradition of 'appearing' to keep harmonious relations with the military leaders at all costs, interpreted General Buyukanit's remark as "reasonable ... positive" (Radikal 2007a).

In the same press conference, General Buyukanit also expressed the necessity of launching a major offensive into Northern Iraq to combat the Kurdish forces, saying that all he needed was the political approval by the government. His appeal to the government to take a harder line against the Kurdish forces was taken by the press as another way of embarrassing the Prime

Minister at a stage when he could not afford to risk a violent confrontation in Iraq for a number of reasons. This operation could alienate Turkey's own Kurds and thus jeopardize his popular base of support just when he needed it on the eve of presidential and general elections (Kuser and Dinmore 2007). Also, a cross border operation would raise an international outcry not least from the USA, straining further the relations which had already been stretched very thin over Washington's reluctance to control the Kurdish terrorists in Iraq.

The establishment's strategy was centered on considering the secularist-Islamist divide as a zero-sum game in which the prevention of the election of a JDP presidential candidate was a matter of a life and death for the secular cause. The JDP also closed the space for debate over the names of the candidates the party would produce. Nor did it choose a compromise candidate, defined as the one without Islamic roots and with a non-head-scarf wearing wife. Nevertheless, being made aware of these deeply-seated concerns and fears and being pressured by the party's rank and file that if he became the president, the party could suffer in terms of leadership, the prime minister decided to step down in favor of the foreign minister Abdullah Gul, one of the founders and major figures of the National Outlook movement but who has a wife who wears a headscarf. Although a mild-mannered and moderate man, his candidacy did not allay the doubts, distrust and fears of the secular front regarding the capture of the presidency by one of the leaders of a political movement considered anathema to the republic as well as to the status quo.

There are reasons to think that there is a foreign policy dimension to the excessively confident tone of the TAF's voice after 2005. The change in Turkey's importance for the West after September 11 rested on "promises and possibilities rather than on an accomplished fact" (IISS 2001/2002: 164). In the new strategic environment, international sympathy and support for the Islam-friendly government of Turkey reduced the military high command's ability to challenge the government. However, from February and March 2005, international criticism of the government escalated on the grounds that it failed to act expeditiously on the reforms to get a start-date for negotiations on 3 October 2005. There was also criticism that the JDP had allowed the Islamist agenda to creep into the amendments to the Penal Code in September–October 2004 and in June 2005.³⁴ At the same time, the State Department and the Pentagon expressed their displeasure with the resurgence of anti-American sentiments and policies in Ankara, which they believed had begun souring the relationship between the two countries since the advent of "subtle yet insidious Islamism of the Justice and Development Party ... and a combination of old leftism and new Islamism" (Pollock 2005). This reversal of support for the government triggered the establishment to sharpen its attempt to shape the public discourse against the JDP policies and agenda. The criticisms of the EU, since October 2005, that the government has faltered in its implementation of reforms and that its

enthusiasm for the EU seems to have faded, has legitimized the reassertion of military power into politics in defense of secular order more vocally than ever.

However, domestic dimensions not only play a more prominent role in shaping the highly polarized and aggressive discourse, but they also tell a slightly different story. The JDP, has, by all accounts, succeeded in staying in power since 2002, without going through the kind of crises that Ankara's politics endured in the past decade. The secular establishment's speculation that the JDP would fail to meet the expectations of the populace simply by sheer inefficiency, or by virtue of the huge gap between political promises and the curtailed capacity of an overburdened state, did not really come true. The government managed to make a big policy performance score by managing to receive the green light to start accession talks with the EU in December 2004, and by succeeding in limiting its Islam-friendly agenda to issues on morality and alcohol selling, which were blocked by the lawmakers themselves. The fact that the JDP government established a new durability record for Turkey's civilian governments has contributed positively to the democratic legitimacy of 'elected' civilians. However, combined with some elements of the party pushing hard to enhance the position of religious schools and, particularly, to relax the ban on headscarves, especially in universities, the staying power and performance record of the party has caused insecurities and prompted an inflammatory discourse about the failure of the government to act effectively at least in one area, that is, to protect the secular system.

The appointment of General Buyukanit as the Chief of the General Staff in July 2006 marks a watershed in civil-military interaction. Compared to the more democratic and moderate views of retired General Ozkok, General Buyukanit's ideological position since his days as the Land Forces' Commander was known to be shaped by the belief that guarding the republic against anti-secular and separatist activities provides the single necessary rationale for a complete trade-off between secularism and an array of individual rights—connected with popular sovereignty, plural democracy and the EU. In fact, the captions in the news coverage of the speeches made by Generals Ozkok and Buyukanit, at the inauguration ceremony of General Buyukanit as the new head of the armed forces, capture the essential difference between the predecessor and successor commanders succinctly: General Ozkok's speech was titled "The Guarantee of Secularism Is the Nation Itself," whereas General Buyukanit's was titled "To Protect the Republic Is Not Being Engaged in Politics, It Is a Duty" (Milliyet 2006b and 2006c). Despite the prime minister's claim that General Buyukanit is an "esteemed general," perfectly welcomed by the government, it was a well-known fact that the JDP's rank and file members would rather see General Hilmi Ozkok continue to serve as the chief of the army than see Buyukanit replace him.³⁵

Indeed, since the appointment of General Buyukanit, an important feature which marks the Turkish military's increasing political involvement in this period is the repeated emphasis the high command makes on the protection

of the republic as a 'duty,' stripped from any political connotation. Senior officers regard the increased political autonomy of the TAF as being in defense of secularism, not in defense of a political stand. In the memorandum the high command issued on 27 April 2007, the expression that the TAF is a 'side' in the debate over secularism is a reiteration of the TAF's wish to be openly involved in choosing a candidate for president as an apolitical duty.

Moreover, the 'Semdinli incident' highlighted a number of new developments in Turkish politics regarding the civil-military balance as well as the politicization of the judicial system. On 9 November 2005, a bookshop in the mainly Kurdish town of Semdinli, was bombed. The assailants who were caught by the public turned out to be two gendarmarie non-commissioned officers and an informer of the Kurdish terrorist organization, the PKK or KADEK.³⁶ The indictment prepared by the city of Van's public prosecutor, Ferhat Sarikaya, specifically accused the then Land Forces Commander, General Buyukanit, of being involved in the incident (Zaman 2006).³⁷ The subtext of the indictment was the charge that the high command was actively involved in the bombings³⁸ and in the political management of the Kurdish conflict by way of provoking tensions in the region and blocking peaceful civilian progress. In a press statement, the general staff lashed out at the prosecutor, describing him as being under the influence and persuasion of certain religious communities and aimed at undermining the military as well as blocking the promotion of General Buyukanit to Chief of the General Staff. It called the 'relevant authorities' i.e., the government and the ministry of justice, to prosecute the prosecutor (Hürriyet 2006a). The Justice Ministry, controlled by the Supreme Council of Judges and Prosecutors, dismissed Ferhat Sarikaya from office in April and, in a final review in November, it barred him from the legal profession. Later, the Justice Ministry's own investigation committee on Sarikaya found that the charges against General Buyukanit did not provide the required basis of evidence to proceed further with the prosecution.³⁹ The end result was that the government failed to protect the public prosecutor from verbal attacks, threats and insults and allay the public suspicions that the Semdinli incident was a covert underground operation of the 'deep state' to prevent a peaceful political settlement in the region.

From the perspective of democratic civilian control of the military, since the advent of General Buyukanit, the EU conditionality on the limitation of the political role of the military was pointedly and repeatedly defied and the guardian role of the military was expanded and intensified to include day-to-day politics. This situation undermined the authority and prestige of the government. The fact that there were no instances of openly acknowledged civil-military conflicts provides evidence that the military successfully pushed the JDP government to accept this state of affairs as 'normal.' The only factors that have played a restraining role on the leaders of the armed forces—in terms of not staging an open coup—were their concern for not

being responsible for an economic downturn and for a breakdown in the EU-Turkey relations (Yetkin 2006).

Erosion of the JDP's Oversight over the Military: Adaptation to Politics of Adversity or a Negative Peace to Avoid a Coup?

It is important to note that in this era, there is a genuine disconnection between the components of the double discourse of the initial days, which comprised a search for a consensus with the military while proactively extending civilian oversight over it. As a result, the JDP's politics have backslid into pure and simple confrontation avoidance in a power balance which greatly favored the military sector. True enough, the government made some attempts to counteract the military leaders' public calls to rally around the armed forces to keep up anti-JDP campaigns and protests in defense of secularism.⁴⁰ Similarly, when, within hours of the failure of the presidential candidate Abdullah Gul to win enough votes in the first round of ballot on 27 April 2007, the military issued a statement invoking its role as the defender of the country's secular traditions and hinting at moving against the government if Gul's name is kept, the government spokesman and Minister of Justice, Cemil Cicek, read a written statement addressing the secularist critics with unprecedented defiance: "it is inconceivable in a democratic state that the general staff would use any phrase against the government on any matter. . . . the Chief of General Staff, in terms of his duty and authority, is accountable to the prime minister" (Tavernise 2007b).

However, these examples of meeting the general staff's daring challenges are exceptional. The term that can be used to characterize the government's overall military policy in the second phase is 'denial' of any tension, to avoid any open collision with the secular establishment and, especially, with General Buyukanit. In this phase, characteristically, the JDP has shown little interest in airing its ongoing problems with the TAF, thinking that public acceptance of any conflict with the secular state would make the JDP government appear weak. To this end, it has spent a considerable amount of energy smoothing over the sharply critical tone of the public statements of the high echelon; to pretend to read these statements in a positive light; and to keep the military out of the limelight by constantly placating it. Another typical discourse has been to continue to suggest that secularists should target 'extremism,' not the JDP government as it defined itself as a conservative-democratic centered party by all measures. This was precisely the same policy stand that Turkey's right-wing leaders adopted when the NSC defined Islamic reactionism as a security threat after the 28 February 1997 intervention. More significantly, the failure of the government to get to the bottom of the Semdinli incident and protect the prosecutor against the wrath of the military on the pretext that it would be against the public interest "to show weaknesses in the TAF, especially through the esteemed commanders of our country,"⁴¹ reaffirms that the government was adamant

on a policy of entente with the powerful military after the initial period of robust reforms in the first era. The question is: why?

Since the JDP's latitude to initiate radical changes in civil-military interaction—through legislation—in the first phase depended on a strong performance in non-military policy domains, the most significant one being the EU membership, it is clear that some slips in this direction have caused the JDP government to lose the margin of freedom necessary to resist the constraints imposed by the military. Therefore, to understand the JDP's shift to a defensive strategy towards the military in this phase, we need to combine the analysis with the government's policy performance. The party's failure to address the principle of democratic governance over the TAF goes along with the fall of its democracy discourse; mounting hostility toward the EU cause; going with the flow of 'street nationalism'; and convergence with the military bureaucracy on all issues, as well as on the primacy of 'security' considerations regarding the Kurdish question, both domestically as well as with respect to Northern Iraq. This last point also explains the tension and resentment in Turkish foreign policy concerning the relations with the USA. These policies represent a u-turn away from the JDP's commitment to politics of change and reform.

The Snowball Effects of the Fall of the EU Project

It is clear that once the EU-driven democracy agenda faltered, effective democratic alterations in the civil-military equation were postponed, if not abandoned forever. The important point to note here is that the JDP government has considered the civil-military equation as a subset of wider political reform, which includes democratization. The civilian leadership is neither intellectually nor politically committed to changing this causality the other way round and sustain the primacy it gave in the first phase to altering the traditional notion of national security as protection of the state from external and internal threats to 'human security' (Kaldor and Salmon 2006: 19–34). In other words, the JDP's policy-making cadres are not particularly interested in or knowledgeable about the idea that unless they continue to attach priority to empowering and entrenching civilian centers to oversee the armed forces democratically, in all likelihood, they cannot be expected to achieve deepening democracy. This is another way of saying that the JDP is not intellectually oriented to problematize the hypothesis that democratization as a check-list reform is itself a guarantee for establishing "democratic accountability" of the TAF (Wulf 2005: 17). It is fair to conclude that the JDP attaches a higher premium to avoiding a possible political threat of a coup from the military than on establishing democratic civil-military relations.

Despite the momentous legal and constitutional changes the JDP has made in its bid for EU membership since 2002, soon after the start of the entry talks in October 2005, the government's commitment to the core

values of the EU was called into question. The EU Commissioner for Enlargement, Olli Rehn, in an international symposium in Ankara on 2 October 2006, warned that unless Ankara stepped up democratic reforms and fully conformed to the protocol for Customs Union, which calls for Turkish ports to be made available to Cypriot planes and vessels, Turkey would face a 'train crash' (turkishpress.com 2006). The EU summit meeting of 14–15 December 2006 accepted the EU Commission's recommendations to suspend negotiations on eight of the remaining thirty-four chapters. Although eight months later, membership talks were restarted, the government has felt compelled to reshape its discourse toward the EU as a mixture of counter-criticism and reaffirmation of Ankara's resolve to continue the process. This new discourse aims to protect the government from a negative decision by the EU. After the rejection of the EU constitution in referenda in France and the Netherlands in late May 2005, which many observers attributed to the European public's opposition to Turkey's membership, the JDP leadership has refused to see its policy reversals on the EU as products of its own failures. Instead, it has blamed the EU.

What was extremely unsettling for Turkey's pro-EU liberals and democrats was the JDP government's backslide into an undemocratic discourse to limit the freedom of expression. The Prime Minister acknowledged, in the Kurdish city of Diyarbakir in August 2005, that there was a 'Kurdish problem' as a problem of democracy, and that the Turkish state had made mistakes in its dealings with the Kurds (Zaman 2005). The Chief of the General Staff, General Hilmi Ozkok, immediately lashed out at the prime minister: "the biggest problem facing Turkey is that of separatist movements which resort to terrorism as a means to achieve their objectives" (Awad 2005). The establishment rallied around General Ozkok in protesting against the prime minister and reiterating that the Kurdish problem is one of terrorism. The opposition party leader, Deniz Baykal, went further: "terrorism in Turkey is politically planned and cannot be resolved by democratic means" (Ozkok 2006).

The government's concession to the armed forces and the secular establishment was so complete that from that point on there was no Kurdish policy thought out, debated and implemented by the government itself. A restrictive anti-terror bill was introduced by the government, on the grounds that the mounting threat posed by the Kurdish rebels since they ended a five-year truce in June 2004 made this amendment necessary. Many articles of the new law passed on 29 June 2006⁴² fell behind the amendments made by the past governments and the ruling party in the Anti-Terror Law on two occasions,⁴³ regarding free speech, dissemination of ideas, press freedoms and human rights. More importantly, from the view of civil-military balance, the warnings of General Ozkok that democratization reforms by the JDP government, in its bid for the EU, have hampered the fight of the security forces against Kurdish terrorism played a critical role in the total convergence of the government with the TAF on the primacy of state security over freedoms.

The government, in other words, endorsed the traditional security understanding of the military that the fight against Kurdish terrorism is a zero-sum game to be played under the military's directives. The consensus was so complete that it was not only the prime minister who warned the JDP's Kurdish deputies not to oppose the bill, but the Foreign Minister, Abdullah Gul, made no qualms about the superiority of 'state' over 'human' security: "Don't forget that freedoms cannot be enjoyed without feeling secure" (Balci 2006). The prominence of Justice Minister Cemil Cicek, a well-known conservative-nationalist figure in the government, heightened the fears and concerns of pro-EU liberal circles that the JDP's political discourse was shifting to a point where the traditional national security definition, as locked into a military solution to all political problems and threats, once more seriously undermined the democratic authority of the civilian government.

Moreover, throughout 2005 and 2006, prominent journalists, intellectuals, publishers and renowned novelists, one of whom was the Nobel Prize winning novelist Orhan Pamuk, the other Elif Safak, were charged with 'denigration of Turkishness,' under Article 301 of the Penal Code, which stipulated up to three years in jail. Hrant Dink, editor of the Turkish-Armenian newspaper *Agos*, was among those charged and tried under the same crime. Five eminent intellectuals and journalists who criticized the court-ordered cancellation of an academic conference on the Armenian issue, which was finally held in Bilgi University in Istanbul on 24 September 2005, were charged under the same article before Hrant Dink was slain by a gunman in Istanbul on 19 January 2007. Showing an extraordinary resistance, the Justice Minister Cemil Cicek could succeed in rejecting⁴⁴ the pressure on the removal of the article coming from inside and the EU⁴⁵ on the grounds that it violates the EU standards and keeps freedom of expression under threat. This unforeseen resistance to keep the article unchanged attests to a conservative right-wing shift in the party's discourse in accordance which EU-backed liberalizations were no longer the centerpiece of its achievements.⁴⁶

Loss of Government's Security, Euro-Fatigue and Going with the Flow of Xenophobic Anti-politics

The record of the party since 2004 stresses two major factors as shaping the growing strategy of maintaining a 'negative peace' in its relationship with the military at all costs. They are, first, its loss of security and self-confidence stemming from a realigned and stronger coalition of secular forces locked in their 'radical doubt' over the JDP's 'Islamic' aspirations. The unfettered strength of this coalition causes a loss of a sense of normalcy within the JDP's political leadership in its relationship with the military. The second force is the less than favorable signals coming from the European Commission about Ankara's membership. Combined with the reactions to the

Kurdish question, these dynamics open up a space for the decline in the democracy discourse and its replacement by some repackaged conservative nationalist reactions.

Converting the NSC into an advisory body that has little effective influence over national policy in the first phase was a radical move. That the JDP government knowingly took the risk of a confrontation with the military leadership shows that it felt that it was in a secure enough position to attempt to establish civilian supremacy. On the other hand, the retreat from democratic reforms contains elements that represent the JDP's fear and insecurity emanating from a sense of being under siege by court decisions, public speeches and behavior of the high command, the heads of the high administrative courts and a significant body of secular citizenry.⁴⁷ The sense of loss of normalcy by the ruling party sapped its confidence, put up the costs of antagonizing the secular front and imposed sharp limits to any further reform-like changes regarding the fundamental issues like the Kurds, Cyprus, minority rights and democratization of civil military balance. Rather than renewing its resolve to hold on to the democratization issue as a means to erase the state elite's grip on politics, the government has slid backwards in that resolve and compromised with the 'strong' side. The final blow to the self-confidence of the government in its ability to manipulate politics was delivered by the website memorandum of the general staff during the presidential election process in April 2007. This memo manifests the total failure of the government's military policy which rested precisely on the avoidance of this possibility.

The idea of the EU defies divisive nationalism. For a candidate country that has started accession talks with the EU, the armed forces' open challenge of the EU demands to establish democratic oversight over the military and the escalation of nationalist and chauvinist themes in the ruling party discourses represent two major paradoxes. However, there are a number of explanations: a key reason for the upsurge of this chauvinist wave is the doubts, insecurities and defensive positions surrounding the EU issue and which have been articulated in a nationalist discourse. This discourse underpins the rise of security-first considerations in politics, as well as the consequent fall of a rights-based policy line by the JDP. It is true that the rise of resentment and disenchantment with the EU is a form of 'Euro-fatigue,' stemming from the 'shaming' rhetoric the country has been subjected to for a very long time.

The government maintains that the EU has placed 'tough new conditions' on Turkish entry, in response to Europe's own domestic fears and concerns about the Turkish membership, and devised the new formula of a 'special membership' rather than full member status.⁴⁸ As the commitment to enlargement suffered a blow with the strong 'no' votes to the EU constitution in France and the Netherlands, the JDP government has further hardened its rhetoric (Fraser 2005).⁴⁹ It has emphasized not only that Ankara has fulfilled the requirements of entry, but also that the EU increasingly

applies double standards and uses Turkey's individual, cultural and human rights records "to mask its anti-Muslim prejudices" (IISS 2002/2003). In a speech he made at the European Council's Summit meeting in Warsaw three years after he came to power, Prime Minister Erdogan condemned the efforts to define terrorism on the basis of "cultural and religious" coordinates and expressed his concern on the resurgence of anti-Islamic sentiments in Europe as a means to define 'the other' (Hürriyet 2005). The EU officials, in turn, are vexed by what they consider a reversal in the government's discourse towards the EU. But, missing from this fury has been a serious analysis of the incentives that caused the government to shift from a deep commitment to the EU towards a position which reflects insecurity, bitterness and impatience.

The survival instinct of the government has told it to go with the flow of xenophobic outrage rather than address the insecurities feeding nationalism. Escalating into a politics of hatred, this particular brand of nationalism, which was built on a polarized rhetoric and was marked with hostility towards leftists, democrats, liberals, EU supporters, human rights activists, anti-militarists and conscientious objectors, have been making streets and courtrooms unsafe. The prime minister's desire (if not sympathy) to ride on his paranoid nationalism is related to his plans to win the conservative-nationalist support in the upcoming parliamentary elections in 2007. Basing his argument precisely on this plan, the former head of the EU Commission's delegation in Ankara, Hansjoerg Kretschmer, attributed the government's reluctance to carry on with the EU-driven reforms to the nationalist constraints of the double-elections the government would have to face in 2007 (presidential and general) rather than to Euro-fatigue (Demirelli 2006).

Interestingly enough, in adopting a protest discourse about the emerging ambivalence of the EU to Turkish entry, the JDP government has increasingly been converging with the establishment's position regarding the EU intentions on Turkey. The JDP government also shares the prevalent threat conception in Turkey which perceives the autonomy of a Kurdish entity in Northern Iraq as a serious threat to national security (turkishpress.com 2005). The government and the military agree that the American government has failed to take any steps against the rebel groups launching attacks from Northern Iraq into Turkey, apart from carrying out intelligence work.⁵⁰ The general staff, the prime minister and the foreign minister seem to have arrived at a consensus on Turkey's legitimate right to stage cross-border pursuits into Northern Iraq without the consent of the Iraqi government or the USA, if the Iraqi government fails to fulfill its obligations to prevent the attacks the Kurdish rebel groups launch into Turkey from Northern Iraq.⁵¹

However, the reemergence of the war against the Kurdish separatist movement and the renewed importance that has been attached to internal security threats have once more promoted the position of the military as being pivotal in the internal security crackdown as well as in foreign policy.

In line with its general strategy towards the military in the second phase, which emphasizes an absence of tensions or rows in civil-military relations, the government has sustained a concordant relationship with the army on the Kurdish issue too.

This consensus was broken in February 2007 when the Prime Minister and the Foreign Minister expressed their readiness to open talks with Iraqi Kurdish leaders to find ways of curbing the rebels in the north. The Chief of the General Staff, General Buyukanit, used a visit he was making to Washington to respond that he would not sit down and talk with those who provide support for Kurdish rebels (Milliyet 2007a). In one of his rare confrontational statements regarding the military, the Prime Minister said that the remarks of the army chief were the personal views of General Buyukanit and did not represent the military institution. However, the general staff immediately responded in a curt statement that quite the contrary, the views expressed by General Buyukanit were not his but that of the general staff as an institution (Milliyet 2007b).

The Breakdown of the JDP's Military Policy

The most extreme manifestation of the 'breakdown' in the civil-military equation came in an ultimatum-like statement put on the website of the general staff, hours after the first round of the presidential vote on 27 April 2007, in which the only candidate, Foreign Minister Abdullah Gul, marginally failed to receive what the opposition considered to be the quorum to be elected.⁵² The opposition parties boycotted the election and took it to the constitutional court on the procedural grounds that the necessary quorum was absent for the first round of voting to be held. At the time of this writing, the constitutional court's decision had just come out in favor of the opposition's challenge that the first round of voting was invalid. This means a new general election, which may or may not—depending on the reconfiguration of parties before the elections—give the JDP another parliamentary majority. If it does, Turkey's problematic civil-military relations would gain extraordinary importance for the JDP in the new parliament. The government's response in the interim period is to appeal to the country to safeguard the economic advances and social stability that the JDP government has provided after decades of uneven development and, at times, all-out political conflict.

The tone and substance of the TAF's statement, which was put on the general staff's website on 27 April 2007, was extremely harsh; its timing was unprecedented in terms of being issued on the night of the controversial first round of presidential elections, which were already in the hands of the constitutional court. Besides, in a regime which has seen two full-blown (1960 and 1980) and two memorandum-linked military interventions (1971 and 1997), the latest one of which was also addressed to an Islamic-oriented party in 1997, this midnight statement was extraordinary in the sense of being the

first explicitly worded warning to a democratically elected government in Turkey after the country had already been ‘officially connected’ to the EU as a potential member. The blatant tone of the warning, reiterated in somewhat incoherent and unconnected sentences,⁵³ that “the problem during the presidential election has focused on secularism discussions” and hinted that it might act against the government, i.e., if it continued to keep Abdullah Gul’s name as its candidate for president (Radikal 2007b). It reemphasized the general staff’s conventional stand that “the TAF maintains its firm determination to carry out its legally specified duties” to protect the secular republic and that “it should not be forgotten that the TAF is a side in this debate and a staunch defender of secularism” (Tavernise 2007a).

That the TAF went beyond its own conventional wisdom of incorporating soothing messages in the memorandum/ultimatum to preempt any damage to Turkey’s bid to join the EU⁵⁴ shows that the EU project is a lost cause for them. Combined with the lack of sensitivity this memorandum shows for the markets and foreign investment, it is a fact that in the power contest between the two sides, the military’s rage against the JDP obscures the officers’ capacity for rational choice. However, it is also quite logical to say that the memorandum is the outcome of the JDP’s management of the military, which has put the armed forces permanently on the offensive while keeping the government constantly on the defensive.

Conclusion

Given the fact that the self-assigned political role of the Turkish military to protect the secular tradition of the republic has assumed an existential importance since the JDP’s ascent to power, it seems clear that civil-military relations have turned into the centerpiece of the fundamental power struggle about who holds ‘real’ and who wields ‘nominal’ political power in Turkey. Against a backdrop where the JDP’s Islamic and democratic credentials coincide with its usefulness for the Western alliance in the region, it seemed ‘feasible’ for a political party—which was considered an absolute anathema to the secular establishment and the military—to attempt in earnest to alter the balance of power that sustains the ‘guardian’ role of the armed forces only nine months after its rise to power. The reform package aimed at introducing some semblance of normalcy to the civil-military equation by way of reducing the military’s overt political role and extending civilian authority to national security policy making. However, it was placed on the table, not as part of the JDP’s program but as part of meeting the democratic criteria of the EU. Although this was a government with more self-confidence and popular support than any government since 1983 and it did have a positive international support behind it, it introduced a fresh strategy towards the military only via the EU project about which there was a consensus within the civilian circles. This was a manifestation of the requirement that ‘political security’ is an essential condition for a civilian government in

Turkey to be able to substantially reconfigure civil-military equilibrium. Driven by the concern to protect its corporate and political interests in the long-run, the TAF can be said to have balked at prioritizing its security-first 'guardian' discourse over an agenda of democracy and peace.

It seems that there is a serious disconnection between 'reformist' and 'defeatist' phases of the government's policy regarding the military. Soon after the accession talks began in October 2005, however, a number of structural and conjectural factors, notably the growing ambivalence of the EU to Ankara's membership, together with an upgraded and more vocally-organized secular establishment, have contributed to the *JDP's own* policy reversals from its democracy-driven direction. The EU issue has served as a symbol for the ruling party to release itself from the insecurity of its predecessor parties' and challenge the political role of the military. Once it regressed from that line, that constituted the most formidable cause for falling back into a sense of its own inadequacy and a policy of accommodation with military interests.

The ruling party's loss of vigor in its approach to the Europeanization project and EU-connected democratization policies has therefore led to the disappearance of a margin of security it could derive from successful policy performances to resist any potential political threats by the TAF. Thus, the JDP leadership was forced to abandon its proactive military policy. The result was a policy of taking the prominence of the military as given and adopting a conciliatory position in order to avoid tension and conflict. The price was being publicly vilified, threatened, challenged and warned by the military leaders. The 'benefit' side of this calculation was the double elections in 2007 to be won successfully without putting the country through any crises.

From the JDP's military policy perspective, the 'statement of warning,' issued on the general staff's web page on the midnight of 27 April 2007, can be considered a blessing in disguise: as this pronouncement has brought the generals from the level of waging a 'war of words' to the actual battle ground of 'all out war' with the ruling party, it demonstrates beyond further proof that the JDP's policy of non-confrontation at all costs turned out to be self-defeating. The JDP government, at one stroke, is now forced to abandon its policy of sustaining a negative peace with the TAF and reposition itself toward a more realistic, constructive and democratic strategy which would prioritize establishing democratic oversight over Turkey's military. It is also required to return to the accession process to end once and for all the prominence of military power "behind the formalities of civilian and democratic governance" (Luckham 2003: 14; Luckham 1996: 127-28).

Are there grounds for optimism? The analysis presented in this chapter lends support to the view that there can be ground-breaking reform packages of the kind the JDP government passed in August 2003 as the cornerstone of a broader move to shore up the supremacy of constitutionally elected civilian organs in Turkey. A new strategic context, created by external circumstances and the gathering momentum of the deliberate policies of a

popularly-backed government, can help to extend the boundaries within which civilians can operate without fear of drawing a response from the military. This supports the view that ‘critical junctures’ or ‘turning points,’ i.e., political factors outside the civil-military interface, can play as powerful a role as the sheer political will of a civilian government in making significant changes in the role of the military in the Turkish system.

There is, in other words, much more dynamism in the history of JDP and military interaction than historical, institutional and cultural frames can account for. The Turkish case may help add another piece of evidence to the wisdom that established institutional balances are not automatically resilient and that no matter how deeply entrenched the civil-military equilibrium appears to be, those institutions that are favored by the historical balance of forces ‘may not’ be able to preserve the status quo. As a result, the choices available to the TAF high command can be reduced to either confrontation or the acceptance of some curtailment of its own power. As seen in the first phase, it can opt for the latter option in order to preserve its power base and corporate interest, without which it cannot preserve its political preeminence.

When we look at the broader picture there is also a genuine trend towards a more democratic civil-military equilibrium. The seeds of doubt have been sown in the Turkish public mind over whether the real motive behind the military leadership’s resistance to further political liberalization and integration with the EU is its radical doubt about the anti-secular intentions of the JDP or its concern that Brussels-imposed reforms would transfer political power to a government which may refuse to remain within the parameters drawn by the military. Despite the rise of xenophobic anti-political sentiments, there is a newfound resolve that the precepts that shape threat perceptions, national security, national interests and the role of the military are neither above politics, nor permanent, nor technical and bureaucratic processes, transcending civilian governments, politicians, parliaments, media and civil society. The EU project has made clear the conditions and possibilities for change in the civil-military balance: without dismantling the state-centered security rationale for an expanded military role in politics, democracy cannot be expected to grow. This is so mainly because democracy cannot flourish in a setup which denigrates democratic politics and civilians. A context of political dignity, in other words, is what is needed.

Notes

- 1 The grand-predecessor of the JDP was the Welfare Party, which was founded in 1983 and closed down by the Constitutional Court in January 1998, on the grounds that it had become a focal point of anti-secular activities. It was succeeded by the Virtue Party in 1997, which, again, was closed down in June 2001. The movement was eventually split into the traditionalist Felicity Party, founded in July 2001, and the reformist Justice and Development Party, founded in August 2001.

- 2 On four occasions during the 1960s, 1970s, and 1980s, the military intervened in some fashion to reshape Turkish politics, always returning control, however, to civilians after a short interval. The fifth intervention, on February 28, 1997, marked a qualitative change in the situation, when the military-dominated National Security Council (*Milli Güvenlik Kurulu*, NSC) brought down a constitutionally elected coalition government headed by Prime Minister Necmettin Erbakan, leader of the pro-Islamic Welfare Party.
- 3 I borrow the term from Anthony Giddens, who uses it as a paradoxical notion entailed by the Enlightenment's claims to certainty. See Giddens (1994: 56–61).
- 4 A circular was issued by the ministry, on 16 April 2003, asking the Turkish embassies abroad to include in their network of support the organizations of Islamist oriented National Outlook Movement. When the circular leaked out, it caused an uproar among the organs of the secular establishment, forcing the government spokesman to defend it as covering organizations of all political views. See Yetkin (2003a) and Radikal (2003a).
- 5 President Sezer vetoed the crucial provision of the package which annulled Article 8 of the Anti-Terror Law on the grounds that removing the article would leave anti-secular activities unpunished. But parliament overrode his veto by not changing the provision. The president was constitutionally obliged to sign it on 18 July 2003.
- 6 Thus, for example, in October 2003, Kemal Gürüz, the former head of the Council of Higher Education (YOK), a strong arm of the secular establishment, issued a statement accusing the government of introducing anti-secular principles in its proposed reform draft on the universities. The debate dragged on and ended in the government withdrawing the draft and resubmitting it later with its content significantly diluted. See Koylü (2002).
- 7 This statement was made by the leader of the main opposition Republican People's Party, Deniz Baykal, upon the chief of the general staff's interjection during deliberations over the parliamentary motion which allowed the deployment of American troops access to Iraq via Turkish territory. Zaman (2003).
- 8 An example of this comes from the Republican People's Party leader, Deniz Baykal, again after the capture of Abdullah Ocalan, the leader of the Kurdish terrorist group, the PKK, in 1998. He denied any credit to the government and the civilian intelligence forces for the arrest of Ocalan and instead emphasized that the process had started with a speech by the Army commander, General Atilla Ates, in which he warned Syria to deliver Ocalan to Turkey. See, Eleveli, (1998).
- 9 More to the point, during the days in which parliament passed the watershed reform legislation that curbed the executive powers of the NSC, Cemil Cicek, the Minister of Justice, in order to placate the high command, came up with a statement the accuracy of which is doubtful from the point of view of the secular establishment: "not only do we not see any problems in keeping the NSC, but we have not envisaged radical reforms (to it either)." See Sazak 2003.
- 10 In accordance with this new provision, the October 2003 monthly meeting of the NSC was not held for the first time in 41 years.
- 11 Foreign Minister Abdullah Gul used the term in a speech he made in New York. See Milliyet (2004b).
- 12 Although not objecting to the appointment of a civilian as the NSC's Secretary General, the general staff headquarters demanded that the government should take into consideration the military's view if it plans to appoint a general to the post. Thus, the chief of general staff and the prime minister agreed on appointing another general as the Secretary of the NSC for 2004.
- 13 In the post-Cold War Euro-Atlantic region, the concept and practice of security sector reform (SSR) aims to provide stability and security through an efficient

and accountable provision of security by those tasked with the perception of threats, and the formulation and implementation of security policies. SSR must also ensure that those elected and non-elected civilian bodies with the responsibility to oversee the sector “can effectively” do so. Reform in this sector is implemented largely via the communication of particular values and norms from Euro-Atlantic organizations in the form of conditionalities expressed as accession requirements for these same organizations.

- 14 The *NATO Study on Enlargement* specifies military reforms to promote armies to Western standards. See www.nato.int/docu/basicxt/enl-9502.htm. The EU does not specify SSR items, but the 1993 Copenhagen European Council resolution, the ‘Copenhagen Criteria,’ draws guidelines for candidate countries to realize reforms in the security sector consistent with the stability of institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities. See, <http://europa.eu.int/comm/enlargement/intro/criteria.htm>. Additionally, the Agenda 2000 resolution of the European Parliament included more specific norms for the accountability of the police, military and secret services, and the principle of conscientious objection, as conditions to meet for accession to Europe. See www.europarl.eu.int/. OSCE’s Code of Conduct of Politico-Military Aspects of Security signed in Budapest, CSCE Summit, 5–6 December 1994, is the strongest document in this regard. See, www.osce.org/docs/English/1990-99/summits/buda94e.htm. Nato (2000) ‘Study on NATO Enlargement.’ Available online at: www.nato.int/docu/basicxt/enl-9502.htm.
- 15 The latest NSPD came in October 2005 without much radical change from the preceding document of 29 April 1997, which identified Islamic activism and Kurdish separatism, in that order of priority, as the key security threats while the (November 18) 1992 NSPD had singled out Kurdish terrorist acts as the foremost security threat to the state.
- 16 It seems clear that the JDP’s concern was particularly focused on preventing political Islamists from being considered as an internal security threat.
- 17 Established in 1982 and commencing operations in 1984, the State Security Courts have been civilianized since June 1999, after the European Court of Human Rights passed a verdict in 1998 that its composition—with one military judge among two civilians—was against the European conventions. To prevent criticism of the trial of Abdullah Öcalan, the PKK leader, the military judge sitting on the bench was removed and replaced with a civilian one. The EU Commission’s *Regular Reports* have repeatedly specified that the powers and proceedings of these courts should be brought further in line with the EU standards. The first round of democratization reforms passed by parliament on 6 February 2002 dealt with the issue only procedurally by reducing the custody period for crimes tried in the State Security Courts. The scope of its functions is being transferred to the Heavy Crimes Courts that are being set up.
- 18 ‘The 28 February process’ describes the military’s plan to refashion Turkey’s political landscape along Republican secular lines without actually having to take power directly. See Cizre and Cinar (2003).
- 19 From the speech by commander of the 1st Army, General Cetin Dogan, on the occasion of his retirement. See Radikal (2003b).
- 20 The speech made by General Tuncer Kiliç, former secretary general of the NSC, at the Ankara War Academy in 2002 is representative of this group’s ideas. See Gorvett (2002).
- 21 Eric Edelman, US Ambassador to Ankara, was reported to have stated this to *Radikal*, 10 March 2004.
- 22 However, the leaders stipulated Turkey’s recognition of the Greek Cypriot Republic of Cyprus as one of the conditions for the accession talks to begin. As a full diplomatic recognition of Cyprus Republic was regarded as ‘redline’ for the

secular establishment, including the military which has 30,000 troops in northern Cyprus, a compromise was reached in which Turkey agreed to sign its 1963 association accord with the EU's forerunner, the customs union, extending it to cover all the EU members, including Cyprus.

- 23 Ertugrul Ozkok, the pro-deployment chief editor of the popular *Hürriyet* newspaper and an ardent supporter of the army, published an editorial mocking the resolution of the NSC meeting as 'sterile:' "the NSC issues a sterile resolution which amounts to saying 'take your own decision, don't involve us' ... So, it becomes clear that when very important decisions are to be taken regarding the future of Turkey and the region, we can no longer rely on the NSC's recommendations." See Ozkok (2003).
- 24 One such incident was the Turkish military's decision to pull back from its time-tested wish of deploying additional Turkish Armed Forces to northern Iraq in order to contain the outlawed PKK (Kurdish Workers' Party (also known as the Kurdish Freedom and Democracy Congress or KADEK) because it was not supported by Washington. See Sariibrahimoglu and Hughes (2003). The TAF high command also suffered further humiliation when the US military captured eleven Turkish soldiers suspected of plotting to assassinate a Kurdish governor in the Iraqi city of Kirkuk.
- 25 Through two major constitutional reforms made in 2001 and 2004 and eight legislative packages passed between February 2002 and July 2004, three areas of structural issues of reform, as indicated by the EU except the position of the chief of the general staff (he is still responsible to the prime minister rather than the defence minister), have been tackled.
- 26 Full diplomatic recognition of the Cyprus Republic was regarded as the 'redline' for the secular establishment, including the military which has 30,000 troops in northern Cyprus. A compromise was reached in which Turkey agreed to sign its 1963 association accord with the EU's forerunner, the customs union, extending it to cover all the EU members, including Cyprus.
- 27 It was declared to be "an immensely significant day for Europe," the then Dutch Prime Minister Jan Peter Balkenende and the chairman of the European summit, said in a news conference on 17 December 2004.
- 28 Three speeches made on different occasions by the leaders of the Army and the president of the republic can be given as 'selected' examples from among the many sharing the same theme. The first speech was made by General Ilker Basbug, commander of the Land Forces, on 26 September 2006; the other was made by the Chief of the General Staff, General Yasar Buyukanit, marking the beginning of the new academic year at the Military Academy on 2 October 2006; finally, the third was the President's address to the parliament marking the new legislative year.
- 29 A leading NGO, The Turkish Economic and Social Studies Foundation (Turkish acronym TESEV) has actively been promoting the cause of democratic oversight of the security sector in collaboration with the Geneva Center for Democratic Control. It has single-handedly been playing a pioneering role since 2003 in sensitizing the public to security issues; creating a security-conscious community capable of monitoring and overseeing the sector; and in establishing the norms and principles of the issues of the democratic governance and oversight of the security sector. Its line of activities cover publication of studies, reports, organizing conferences, workshops, book-launching meetings; and holding training seminars for target groups. In October 2006, on the occasion of launching the English edition of its publication of *Almanac Turkey 2005 Security Sector and Democratic Oversight*, edited by the author of this article, the chief of the General Staff, General Buyukanit, publicly attacked TESEV, the Almanac and its contributors on the grounds that the attempt was directed at undermining the military.

- 30 Kretchmer made this remark as a keynote speaker in the launching of the English edition of *Almanac Turkey 2005* on 18 September 2006.
- 31 They are: 1) Articles 35 and 2) 85/1 of the TAF Internal Service Code which define the duties of the Armed Forces as the protection of territorial integrity and secularism of the republic; 3) Article 2 a of the Law on National Security Council Secretariat which defines national security in such broad terms that it could, if necessary, be interpreted as covering almost all aspects of policy; 4) the inability of civilian authorities to fully exercise their supervisory functions over the formulation of national security strategy; 5) lack of full control over the defense budget. (EC 2004a).
- 32 See, for instance, the communiqués issued after the 30 November 2004 meeting.
- 33 The alleged writer of the diaries, retired Admiral Ozden Ornek, later denied having kept a diary. The weekly, *Nokta*, was closed down by its publisher two weeks later, most probably due to threats and warnings made by those whose interests were hurt by *Nokta's* publication of sensitive and secret news and information leaked out of the military, damaging to the reputation of the armed forces.
- 34 Just before the EU Commission issued its annual report on Turkey in October 2004, the government, in an amendment clause to the Penal Law, criminalized adultery. After a wave of protests by the Union and internal opposition, the clause was withdrawn. The second controversy arose in the next round of amendments to the Penal Code in June 2005 on the clauses constraining the freedom of the press and decreasing the maximum sentences against those who run illegal educational institutions. Impelled by the fear that this provision would encourage the opening of illegal Koran courses that would infringe on the secular foundations of the educational system, the President vetoed the amendment.
- 35 However, due to the age limit of 65, General Ozkok's period of service could not be extended.
- 36 The chief of the police intelligence, Sabri Uzun, maintained the view that Semdinli bombing was carried out by the gendarmarie. Sabri Uzun was suspended of duty and his allegations were not investigated.
- 37 General Buyukanit commented on the incident by saying that he knew one of the non-commissioned officers named Ali Kaya and that he was a "good man." The commander also added that if Kaya committed a crime, he should pay for it. This statement was interpreted in the media as being aware of the actions of the accused non-commissioned officers who were presumed to have undertaken the bombings with the blessings of the military high command.
- 38 Prior to Semdinli, 18 bombings had taken place in Hakkari, Yuksekova and Semdinli.
- 39 *Hurriyet*, 29 March 2006.
- 40 After a gunman opened fire, killing one judge and wounding four others of the High Administrative Court on 17 May 2006, for instance, the Prime Minister came up with a sharp response to the call made by the then Chief of the General Staff, General Ozkok, that the mass reaction to the incident should not be limited to a single day but must continue all the time. Erdogan reminded the high command of its responsibility on "what and how" to advise the public and attacked the opposition leader, Deniz Baykal, who characterized the incident as a 'coup' against the military. See BBC (2006); 'Erdogan Condemns Efforts To Bring Government and Army Up Against Each Other', *Zaman*. Available online at: www.zaman.com.tr/webapp-tr/haber.do?haberno=286957&keyfield. (accessed 21 May 2006).
- 41 'Erdogan Condemns Efforts To Bring Government and Army Up Against Each Other', *Zaman*. Available online at: www.zaman.com.tr/webapp-tr/haber.do?haberno=286957&keyfield (accessed 21 May 2006).

- 42 The new articles increase penalties for terror offences, remove the upper limits for penalties, reintroduce jail sentences for journalists accused of propagating terrorism, and allow judges and prosecutors to stop the publication of periodicals.
- 43 In 1995 and 2003, amendments were made to clarify the definition of terrorism in line with international norms, which require specific rather than broad definitions. Also, in 2003, Article 8 of the Anti-Terror Law, which penalized crimes against the state, was removed.
- 44 The justice minister defended the article on the grounds that the upsurge in Kurdish terrorism in the southeast made it very hard to impinge on the other charge that freedom of speech was also breached in the EU countries.
- 45 See the debate in the European Parliament on Turkey on the report (Eurling's Report) in Strasbourg on 26 September 2006. <http://europa.eu/rapid/press-releaseAction.do?reference = SPEECH/06/536&format>
- 46 The signals had already come earlier in the aftermath of the publication of the EU Commission's *Regular Report* for 2004, which defined minorities in Turkey both ethnically and in terms of Muslim and non-Muslim religious communities. Converging with the secular establishment, the government emphatically rejected that definition, emphasizing that neither Turkey's ethnic Kurds nor Alevites, a Muslim minority sect, were to be considered as minorities.
- 47 The ruling by the High Administrative Court on 8 February 2006 on two issues is a prominent example: female schoolteachers who covered their heads outside the school premises but opened them inside were declared unemployable by the state. Next, graduates of Preacher and Orator Schools would not be entitled to receive another diploma from Open Air High schools. In April 2006, the head of the Appellate Court made fierce speeches lashing out at religious communities and religious reactionism, the Semdinli incident and the intervention of the Minister of Justice and the EU into the affairs of the judiciary. See *Milliyet* (2006c).
- 48 Erdogan insisted that Turkey would agree to no compromises, would only accept full membership and expects 'honest politics' from European leaders in terms of sticking to their word to start negotiations on 3 October 2005.
- 49 The decision of the European Court of Human Rights in May 2005 that Turkey should retry the imprisoned leader of the separatist Kurdistan Workers Party (PKK) added fuel to the difficulties of the government, caught between its priority cause of joining the EU and the nationalist reflex in the country.
- 50 Prime Minister Erdogan said during his state visit to Washington in June 2005 that the US administration is focused on getting the Iraqi administration in Baghdad settled and does not show sufficient commitment to fighting against the PKK in Northern Iraq. See Pickler (2005).
- 51 At a press conference on 19 July 2005, General Ilker Basbug, the Deputy Chief of the General Staff, said that Turkey has the right to make military incursions into Iraq to pursue the militants of the outlawed Kurdish Workers' Party (PKK), which called off the truce on June 1, 2005. For the report on the General's press conference, see Bila (2005). For the Prime Minister's convergence on the issue see Idiz (2005). For the Foreign Minister Abdullah Gul's concurrence see *Milliyet* (2005).
- 52 The opposition claimed that only 361 members were present at the vote which they claimed was short of the constitutional requirement of 367, two-thirds majority, for a quorum. Many constitutional experts and the JDP argue that only 184, one-third of the deputies, were required by the constitution for the vote to be valid.
- 53 The amateurish wording raise doubts about its true authors: there are rumours circulating that this is a product of the disunity in the army as it was put on the web site by a small group of officers led by a General without the full knowledge of the general staff.

54 The EU Enlargement Commissioner, Ollie Rehn, reacted by saying that this is a clear test case of whether the TAF respect democratic secularism and the democratic values of the EU.

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