

THE GENERAL, THE PRIME MINISTER AND THE IMAM: CIVIL-MILITARY RELATIONS IN TURKEY TODAY

The Turkish government has won its power struggle with the General Staff. Now that the primacy of politics has been established, democratic control of the military has improved. However, the government now faces a challenge of a different nature. Behind the scenes, conservative Islamic movements are exercising strong influence on parts of the security sector. Now Turkey needs to strengthen oversight of the government by state bodies, an independent judiciary, free media, and civil society. Such oversight can only be successful under the rule of law. If Turkey does not transform itself now into a fully-fledged democracy, it will slide backward toward authoritarian rule.

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Every year on 30 August, Turkey celebrates its 1922 military victory against Greece. Victory Day highlights the role of the military forces in Turkey's modern history and the value that Turks attach to their army. To use Goltz Pasha's phrase, this day portrays Turkey as a "nation in arms".¹ Celebrations include military parades, the promotion of officers, torchlight processions and jet fighters painting the sky crimson and white. Additionally, many leading figures of government and society used to visit the Turkish General Staff (Genel Kurmay Başkanlığı, or GKB) and pay their respects to its chief on this day.

All of this, however, changed in 2011. On 29 July, the four chief commanders of the Turkish armed forces resigned in order to protest the arrest of officers accused of plotting against the government. They said those arrests were illegal and based on fake documents.² Within a few days, General Necdet Özel had been appointed as the Chief General Staff commander and promptly suggested that President Abdullah Gül should receive the country's congratulations on Victory Day. This became the new protocol.

So now, Turkey's top-ranking soldier goes to pay tribute to the President of the Republic, who is also his Commander in Chief. A press photograph taken on Victory Day in 2011 showed General Özel bowing to the man whose election to the presidency the military had objected to four years earlier.³ It was a sign of the times.

During the past few years, the Turkish government has increasingly asserted its authority over the Turkish Armed Forces (TSK), whose political influence has waned. The TSK's role in decision making through institutions such as the National Security Council has diminished. The TSK has stopped pronouncing its opinion on foreign policy issues, ethnic minorities, education and secularism. Its role as an autonomous player in Turkish politics is over.

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Today, hundreds of senior officers are in jail, waiting to be tried for alleged crimes against the state. If the rule of law was firmly established in Turkey, innocent officers would have little to fear. What has been happening in reality, though, is that soldiers,

¹ Wilhelm Colmar Freiherr von der Goltz was a German Field Marshall; in 1883, at the request of Sultan Hamid, he came to reorganize the Ottoman army. In 1883, he published *Das Volk in Waffen*, <http://www.britannica.com/EBchecked/topic/238118/Colmar-baron-von-der-Goltz>, 13 April 2012.

² Constanze Letsch, "Turkey military chiefs resign over Sledgehammer 'coup plot' arrests", *The Guardian*, 13 April 2012, <http://www.guardian.co.uk/world/2011/jul/30/turkey-military-chiefs-resign-sledgehammer>

³ "New rules in place: President receives Victory Day greetings", *Today's Zaman*, 30 August 2011.

journalists and other critics of the ruling party (or its political friends) risk being held in detention for a long time before they are tried or released without explanation. The charges against them often sound vague and contrived. Finally, the courts with “special powers” which are trying these people are widely suspected of not being impartial. Two prominent cases come to mind.

The investigative journalist Ahmet Şık was arrested and jailed in March 2011 as he was preparing to publish a book called *The Army of the Imam* about the influence of the Fethullah Gülen movement over the Turkish police. One year later, when an Istanbul court ordered his release, Şık was freed without any explanation.⁴ However, 100 more journalists remain in prison. Both the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe recently issued reports expressing their concern about the imprisonment of journalists in Turkey.

Retired general İlker Başbuğ, Chief of Staff from 2008 to 2010, is currently on trial, accused of being a leader of the “Ergenekon terrorist organization” while he was the head of the TSK. He also faces charges of spreading anti-governmental propaganda on the Internet.⁵ Turkish commentators, foreign diplomats and the author of this article find the terrorism charges hard to believe. If they are accurate, this would raise embarrassing questions about the role of Prime Minister Erdoğan who was General Başbuğ’s political superior when the latter was supposedly leading a terrorist organization. But the accusation is too odd to be taken seriously. This article certainly does not intend to prejudge the outcome of this case. Not even a chief of staff is above the law. However, this case seems like a political settling of scores.

The Şık and Başbuğ affairs are two in a series of legal cases that are causing concern about the rule of law and the independence of the judicial system in Turkey. Gareth Jenkins is among the analysts who have highlighted serious mistakes and bad practices in the handling of the criminal investigations concerning the Ergenekon affair. “This is not to say,” he adds, “that the Ergenekon investigation is simply a politically motivated fabrication.”⁶

It is not hard to imagine the anger of the Turkish military when senior commanders are arrested and prosecuted. No one expects, however, that the TSK will topple the government, as it did four times between 1961 and 1997. On 29 July 2011, when they could no longer live with the decisions of their political superiors, Turkey’s leading military officials did not attack the government. They resigned – the correct thing to do in a democracy.

⁴ *İmamin Ordusu* is available in Turkish at <http://theopinions.info/tr/imaminordusu.pdf>
Summaries in English are at <http://www.tuerkeiforum.net/enw/index.php/>

⁵ “The Başbuğ Case”, *Hürriyet Daily News*, 28 March 2012.

⁶ Gareth Jenkins, *Between Fact and Fantasy: Turkey’s Ergenekon Investigation*, (Washington D.C. and Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program), 2009, p. 11.

EU Accession and Civil-Military Relations

It is often assumed that the main incentive behind Turkey's civil-military reforms was the prospect of EU accession and the need to fulfill the EU's political requirements which are known as the Copenhagen Criteria.

The annual reports of the European Commission and the European Parliament on Turkey's progress towards accession always contain detailed observations and recommendations on civil-military relations. There is no doubt that the policy makers in Ankara take these reports into serious consideration. This article claims, however, that these reports may not have been the main factor behind the reforms in civil-military relations.

Turkey's government has consistently proclaimed that joining the EU is a top priority, though many in Turkey would say that Mr Erdoğan was never sincere in his commitment to accession. In any event his government shows less interest in accession today than it did several years ago. Now that accession negotiations are blocked, Turkey is getting used to the idea that it may never be a member of the Union.

If civil-military reforms were primarily a concession to Brussels, one would have expected them to have ground to a halt by now. But this has not happened. They are continuing or even accelerating. The Turkish government is following its own political reform agenda which does not necessarily correspond to that of Brussels. This shows that civil-military reforms have not been mainly driven by Turkey's quest for EU accession. EU accession requirements have, however, helped and encouraged the Turkish government to push through difficult reforms it wanted for its own reasons.

This author still remembers a conversation he had with the eminent scholar Üstün Ergüder of the Istanbul Policy Center at Sabancı University back in 2006. In those days most of us believed that we would one day see Turkey joining the EU. Professor Ergüder argued that the accession process was important not because Turkey absolutely needed to become an EU member state but mainly because this process would enable Turkey to carry out several difficult and much-needed reforms.

The Turkish General Staff is also in favor of EU accession, but not for exactly the same reasons as the Turkish government. Following Atatürk's path, the Turkish military views itself as the vanguard of Turkey's march towards Europe. It expects that European integration will safeguard, or at least help preserve, the secular and Western orientation of the country. It also believed EU accession would prevent the establishment of an Islamic republic.

The Turkish military may have expected too much from EU accession. Justified or not, these expectations led the TSK for some time to strongly support the pursuit of EU-inspired reforms. However, despite this support, the march towards Europe halted. Additionally, it seems that there is no end in sight to the rule of the conservative Justice and Development Party (AKP) while the influence of conservative Islamist movements in Turkey is growing both in society and in state bodies. Under these conditions, one might expect TSK to take up its role as the guardian of Atatürk's legacy with fresh vigor and determination. However, the military seems less and less able to perform its traditional role as the guardian of secularism in Turkey.

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Metin Heper of Bilkent University in Ankara, a leading academic expert on civil-military relations in Turkey, believes the military stepped back deliberately. In his analysis, the military seeks democracy as a goal, not as a means to pursue its Kemalist agenda. According to Heper, Atatürkism is no longer a fixed ideology to the TSK, but rather a kind of critical thinking. What is more, says Heper, the military's "recent stance of being open to change brought the civil-military relations in Turkey close to those relations in liberal democracies. It seems from 2002 onwards, the High Command has arrived at the conclusion that the military should no longer play a guardian role even if in its view civilians made a 'mess of things'."⁷

How the Primacy of Politics came about

The first big step meant to re-assert the power of the government and to diminish the political influence of the military was taken by a coalition government led by Prime Minister Bülent Ecevit of the Democratic Left Party (DSP). In 2001, Mr Ecevit's administration amended the Constitution on a considerable number of points, changing among other things the composition of the National Security Council (MGK). Thus, civilians gained the majority of seats in the MGK while the status of the MGK's recommendations was downgraded. In 2002, Recep Tayyip Erdoğan's Justice and Development Party (AKP) came to power and further reduced the MGK's influence. Its executive powers were abolished. Its chair was no longer reserved for a four-star general. Soon a civilian took over as Secretary General of the MGK.

Therefore, the landscape of Turkey's defense establishment has changed since 2004, shifting decision-making power away from the military. Previously, the MGK

⁷ Metin Heper, "Civil Military Relations in Turkey: Toward a Liberal Model?" *Turkish Studies*, Vol. 5, No. 2, p. 252.

had shaped national security policy under the TSK's strong influence. Nowadays, however, the political responsibility for national security policy lies entirely with the Prime Minister to whom the Chief of Turkish General Staff reports in times of peace. In Turkey, the Ministry of National Defense is not the center of policy-making on defense and security issues. Nor does it provide political direction to the armed forces or appoint military commanders. This arrangement, unique in the Western world, is supposed to avoid the politicization of the military.

The MGK's restructuring has probably been the most important reform in terms of enhancing the power of the government at the expense of the military. However, it was not the only one. Other measures such as the removal of TSK representatives from the Council on Higher Education (YÖK) and the Supreme Board of Radio and Television (RTÜK) the abolition of State Security Courts composed of civilian and military judges responsible for trying soldiers and civilians charged with certain crimes. They were replaced by civilian Special Courts, which are also authorized to try soldiers for certain crimes.

According to the Constitution, the government appoints senior military commanders nominated by TSK. For a long time the government followed the choices put forth by the general staff. During the past few years, however, the government has rejected to appoint some candidates proposed by the military.

General Özel's bow to President Gül marks the end of the power struggle between the government and the military in Turkey. The military has lost. The declarations and the actions of leading generals show that the TSK has acknowledged the primacy of politics.

This does not mean that all Turkish officers have embraced civilian supremacy. Nor does it mean that the military leaders and the Turkish government will never clash again. Such clashes occur from time to time everywhere in the world. Occasionally, these conflicts will lead the Turkish government to make some concessions to the military, but most probably the politicians will not lose the upper hand. We will hear fewer declarations by the military on matters outside the domain of defense. This trend had already begun under General Başbuğ, who was chief of staff from 2008 to 2010.

Despite the fact that Prime Minister Erdoğan has defanged the army (as *The Economist* put it),⁸ he is now facing a growing challenge from the conservative Islamic movement led by the imam Fethullah Gülen. The question is no longer whether the Gülenists influence the police, the prosecutors and other state bodies

⁸ "Military Meddles: The Battle with the AK Government continues", *The Economist*, 28 April 2012.

behind the scenes. The relevant question now is how pervasive and strong their influence is. Wikileaks revealed a 2009 cable in which the then U.S. Ambassador to Turkey James F. Jeffrey said that claims about the alleged control of the national police by the Gülenists' are "impossible to confirm, but we have found no one who disputes it."⁹ Ahmet Şık, who has studied the Gülen movement in depth, admits he does not fully understand its role. In a letter from prison, he wrote: "'Something' has

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come to power in Turkey, but not sharia. I can't name that 'thing' properly."¹⁰ Prime Minister Erdoğan's next power struggle is likely to be with his former allies, the Gülenists. This could lead to a clash between Erdoğan and Turkish President Abdullah Gül who is believed to be close to the Imam's movement.

In the meantime, the government will undoubtedly continue consolidating its authority at the expense of the military which will eventually cease to be an autonomous actor in Turkish politics. This means that no more military coups d'état will take place in Turkey.

These are fundamental changes that affect Turkey's political system. Ersel Aydınli, a liberal scholar at Bilkent University, has described it as follows: "Society always has had a direct relationship with the army (which came to represent the 'state'), and maintained a more fragile, secondary relationship with its politicians and politics (represented as the 'government'). For most of Turkish society, the state took priority over the government."¹¹

This probably still applies, to a significant extent, today. Deep-seated beliefs and attitudes do not change rapidly. But while the Turks maintain their affection and respect for their army, they do not want it to overrule the elected government.

Sweeping Changes Announced and Deferred

On 1 September 2011, two days after Victory Day, the deputy chairman of the ruling AKP, Hüseyin Çelik, gave an interview to the newspaper *Radikal*. Mr Çelik summed up the government's plans concerning the military in nine points. The first two were the subordination of the General Staff to the Defense Ministry and the

⁹ "Turkey feels Sway of Reclusive Cleric in the U.S.," *The New York Times*, 24 April 2012.

¹⁰ Quoted in Justin Vela, "Behind Bars in the Deep State" *Foreign Policy*, 11 January 2012.

¹¹ Ersel Aydınli, "A Paradigmatic Shift for the Turkish Generals and an End to the Coup Era in Turkey", *Middle East Journal*, Vol. 63, No. 4, p. 585.

abolition of Article 35 of the Internal Service Code of the TSK, commonly seen as a tool for the military to intervene in politics.¹²

The European Commission has repeatedly urged Turkey to carry out these reforms. It is indeed desirable to do away with Article 35 of the Internal Service Code, not so much because it is dangerous, but because it is obsolete. It refers to a military and a Turkey that no longer exist.

The General Staff's integration with the Ministry of National Defense would make a significant difference. Several Western European scholars are in favor of this reform. They argue that it would bring greater efficiency, better integration of civilian and military expertise, better consistency in security policy, and alignment with common practice in the EU and NATO states.¹³

Indeed, there is much to be said for placing the Turkish military under the authority of the Ministry of Defense. However, this is not obligatory for EU accession.

The political requirements for EU membership, laid down in the Copenhagen Criteria, do not prescribe any particular structure for the organization of defense. Instead, they require stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. If Turkey can show that its civil-military relations are institutionalized in a democratic and durable way, that is good enough for the Copenhagen Criteria.

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The *acquis communautaire* does not apply here. As a candidate country, Turkey must conform to EU practice and rules in many areas, but not in defense. It is not obliged to adopt what EU states consider best practice in civil-military relations.

Nonetheless, Turkey would do well to follow international best practice in this regard, and it seems a pity that the government has not yet carried out the integration of the General Staff with the Ministry of National Defense announced on 1 September 2011.

¹² As reported in *Today's Zaman*, 2 September 2011.

¹³ Jos Boonstra, "Higher Organisation of Defence: a Comparative Overview of Six European States: The Case for an Integrated Defence Organisation" in Sami Faltas and Sander Jansen, editors, *Governance and the Military: Perspectives for Change in Turkey*. Groningen: CESS, 2006, Chapter 6.

The way Turkey has currently organized the formulation and execution of defense policy has several disadvantages. One of them is that it does not provide good conditions for civil direction of the military.

The Prime Minister has many pressing responsibilities and has neither the time, nor the expertise and staff to give the General Staff daily political guidance, as Ministers of Defense do in Europe and NATO.

The Prime Ministry has a Secretariat General for Security Affairs that coordinates the making of security policy among the TSK, the Ministry of the Interior, the Ministry of Foreign Affairs, the Prime Ministry itself, and other government agencies. However, even now that it has lost its political power, the TSK continues to shape Turkish defense policy, virtually alone, under the political authority of the Prime Minister. No more than a handful of civilians, mostly in the Prime Ministry, are engaged in the formulation of defense policy. This means that the politician responsible for defense policy, i.e. the Prime Minister, is still heavily dependent on the expertise of the General Staff. This is all the more unfortunate considering the power struggle that went on for many years between the Premier and the military.

This also means that the development of a consistent approach to defense and security for the government as a whole is even more difficult in Turkey than in other countries. Defense, law enforcement, and diplomacy are separate stovepipes. These limitations may be partially overcome if the General Staff is placed under the authority of the Ministry of National Defense, and if a significant core of civilian officials is recruited, employed and trained by this very Ministry to work shoulder to shoulder with the military officials. Thus the Ministry of National Defense may finally become the main locus of defense policy making. Additionally, for the purpose of political coherence, these civilians may bridge the various agencies engaged in the implementation of defense and security policies.

This would lead to greater effectiveness, efficiency, consistency, transparency and accountability in Turkish defense policy.

A Lack of Democratic Oversight

Democratic control of the military has two main pillars. The first, already discussed in this article, is the establishment of the civilian authority of a democratically elected politician over the armed forces. The second is parliamentary control of all military and defense expenditures, which brings about the supervision of the government and the military by the parliament as well as by some other actors such as the media and civil society.

Turkey has also made progress on this second pillar. Parliament has significantly increased the power of the Court of Accounts, (Sayıştay), to monitor how the TSK and the Ministry of National Defense make use of their budgets. .

These improvements also enhance the power of the Turkish Grand National Assembly to exercise its power of the purse. This is the only area where parliaments can truly be said to control the executive and in this case the defense establishment. Unless the defense establishment receives extra-budgetary funds, it cannot spend a single lira, euro or dollar without specific authorization from the parliament.

So far, the Turkish parliament has not used this control tool very actively. Other democratic parliaments consider the debate on the defense budget as the best opportunity to review defense equipment plans in detail but the TGNA does not.

Furthermore, the Turkish parliament has not been very active regarding other aspects of defense policy. An unpublished research by Bilkent University's scholars shows that the standing committee of the Grand National Assembly began posing questions to the government and the TSK less than ten years ago, and its queries are still few and far between.

Very few media and civil society groups in Turkey show an active and sustained interest in defense and military policy. Unfortunately, they are not always able to do their work without harassment and intimidation. When the Turkish think tank TESEV published a detailed almanac of the Turkish security sector in 2005, charges were brought against some of the authors, though they were later dropped.¹⁴ In the same year, the Dutch-based Centre for European Security Studies, working with the Istanbul Policy Center and Bilkent University in Ankara, postponed the publication of a task force report on civil-military relations in Turkey because of hostile responses in Turkish media.¹⁵

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Unless soldiers, journalists, scholars and others are able to speak freely, when they believe that their country is at risk, the democratic oversight of the security sector will remain inadequate. Democratic oversight depends on the rule of law.

¹⁴ <http://www.tesev.org.tr/en/working-area/security-and-democracy>

¹⁵ For CESS publications on Turkey, see www.cess.org/publications

Turkey has many legitimate reasons to encourage and strengthen the oversight of the security sector by the Parliament, the media and civil society. It is only then that Turkey will have full democratic control of the security sector, which is essential for democracy and security. As we have seen, the Turkish military are under civilian control today, but there are some doubts about political control of the police and other parts of the security sector. If police officers, acting under whatever influence, violate the rights of Turkish citizens, then the Minister responsible for the police must be made to answer for such wrongdoing in parliament. He will be required to explain how it could happen, what he has done about it, and how he intends to prevent the police from breaking the law again.

Democratic oversight of the security sector will also send the message to the European Union and the world that Turkey is completing its transition to full democracy. Finally, democratic oversight of the security sector will prevent the emergence of a new form of authoritarian rule that is based not on the power of the army but on the alliance of elected politicians with oblique, unelected, and unaccountable social movements.