The decline of the military's political influence in Turkey

By Anwaar Mohammed

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ABSTRACT

The political role of Turkey's military has been declining with the strengthening of the civilian institutions and the introduction of new political factors. Turkey's political atmosphere has changed towards civilian control of the military. The research focuses on analysing the various political factors and their impact on the political role of the military. The military's loss of political influence in handling political challenges will be assessed against the effectiveness of the military's political ideology. The shift in civil-military relations will be detected through the AKP's successful political economy and popular mandate. The EU as an external factor in dismantling the military's political prerogatives will be assessed. Greece's route toward democratization of its civil-military relations compared to Turkey. The fair implementation of the rule of law will be analysed by looking at how the AKP dealt with the corruption cases against its own ministers and how it dealt with the military in the Ergenekon and Sledgehammer cases. In showing how the AKP has definitively overpowered the military but has politicized the democratic institution of the rule of law in the process. Upon completion of the research one will put forward the results to what extent the military's political influence has declined.

ACKNOWLEDGEMENTS

CONTENTS

LIST OF ABBREVIATIONS

AKP   Justice and Development Party

CGS   Chief of General Staff

DEP   Democratic Party

DISF   Defence Industry Support Fund

DLP   Democratic Left Party

DTP   Democratic Society Party

EC   European Commission

ECHR   European Courts of Human Rights

EU   European Union

FDI   Foreign Direct Investment

FGM   Fethullah Gulen Movement

HEP   People's Labour Party

HSYK   Supreme Board of Judges and Prosecutors

IMF   International Monetary Fund

MND   Ministry of National Defence

MP   Motherland Party

MUSIAD   Independent Industrialists and Businessmen's Association

NAP   Nationalist Action Party

NATO   North Atlantic Treaty Organisation

ND   New Democracy Party

NSC	National Security Council
NSP	National Salvation Party
NSPD	National Security Policy Document
OYAK	Army Mutual Fund
PASOK	Pan-Hellenic Socialist Movement
PKK	Kurdistan Workers Party
RPP	Republican People's Party
RTUK	Radio and Television Supreme Council
SEE	State Economic Enterprises
SMC	Supreme Military Council
SSC	State Security Courts
TAFF	Turkish Armed Forces Foundation
TGS	Turkish General Staff
TPP	True Path Party
UDI	Under-secretariat for Defence Industry
UMND	Under-secretariat of the Ministry of National Defence
WP	Welfare Party
YOK	Higher Education Council

INTRODUCTION

The aim of the research is to verify the decline in the military's political influence in Turkey. Turkey's political system has historically accommodated the military's role in politics. The military has always been used as a tool for political stability during times of political instability. The political role of the military was largely based around the failures of Turkey's civilian government with every failure expanding the political role of the military. Samuel Huntington, a political scientist, argues that 'the extent to which military institutions and individuals become politicized is a function of the weakness of civilian political organisations and the inability of civilian political leaders to deal with the principle problems facing the country.'[1] The consistent failures of the civilian governments resulted in consistent military interventions in politics increasing the military's political influence. For example the 1980 military coup enhanced the political role of the military with the military writing up a new Constitution in 1982 legally justifying its political role. Nevertheless, the political climate has changed in Turkey in the last decade with political conditions no longer suiting the military. The present civilian government led by the Justice and Development Party (AKP) government elected since 2002 has strengthened civilian control of the political system. Turkey's military for the first time has seen itself playing a secondary role in politics to the civilian government. The military is also feeling domestic and external pressure for the first time from failed plots to overthrow the government and the European Union (EU). Thus, one proposes Turkey's changing political atmosphere and the introduction of new political factors has led to a decline in the military's political influence.

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[1] Huntington 2006 : 221

Civil-military relation theories

The vast amount of interest taken in attempting to establish the key factors taking away the political role of the military has made it a topic of discussion. The wider secondary literature on the topic will be reviewed to adopt an approach to the topic. Civil-military relation theories from around the world will be touched on in attempting to find a theory applicable to the Turkish case of civil-military relations. Peter Feaver claims the key challenge facing one studying civil-military relations is 'how can you reconcile a military that is strong enough to do anything that the civilians ask of them, with a military subordinate enough to do only what the civilians authorize them to do'[2] The study of civil-military relations is approached in different ways but the goal is one, which is finding a solution to subordinate the military to civilians. The theories on civil-military relations have developed overtime with various explanations as to how a country could maintain civilian control over the military.

The first recognised study on the theory of civil-military relations is Samuel Huntington's work titled: 'The soldier and state' (1957). Huntington's theory is based around America's experience of civilian control of the military in 1789-1940. Huntington argues that the best way to maintain civilian control of the military is through professionalization.[3] Huntington argues that that if the military is given sufficient autonomy it would separate itself from civilians, naturally reducing the military to intervene through the means of the civilian government. This would politically weaken the military without demeaning its ability to defend society. Huntington classified two styles of civilian control over the military, which are

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[2] Feaver:1996 150
[3] Huntington 1957:3

objective control and subjective control. Objective control 'maximizes military subordination and military fighting power; guaranteeing the protection of civil society from external enemies and from the military themselves.'[4] Subjective control is 'the antithesis of objective control is military participation in politics: civilian control decreases as the military become progressively involved.'[5] Huntington argues that 'objective control' is the best way to maximize civilians control over the military because it promotes an understanding of the military mind. Huntington believes the tension rooted between civilian leaders and military officers can be controlled through 'recognition' of the military's autonomous politically ideology by civilians.[6] Therefore, it is important for civilians to understand the military's ideology in order to establish political influence.

Morris Janowitz theory concurs with Huntington's theory in his work titled: 'The professional soldier' (1960). Janowitz theory reviews international relations during the Cold War in defending a professionalized military approach to empower civilians over the military. Furthermore, Janowitz attempts to build on Huntington's theory in converting the role of the military to a constabulary force in society. Janowitz states 'the military establishment becomes a constabulary force when it is continuously prepared to act, committed to the minimum use of force, and seeks viable international relations, rather than victory.'[7] Janowitz tries to promote the idea of the military acting professionally like a police force so it behaved modestly towards civilians. Janowitz theory does not add alternative theories into the topic in being largely dependent on Huntington's theory. Janowitz maintains that professionalization is the best

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[4] Huntington 1957:3
[5] Huntington 1957:5
[6] Huntington 1957:71
[7] Janowitz 1960:418

means to establish civilian control. Unlike Huntington he fails to develop his theory with no mention of the alternative types of civilian control of the military.

Samuel Finer develops an alternative dimension on civil-military relation theories in his work titled: 'The Man on Horseback:' (1962). Finer's theory is influenced by military dictatorships that have existed in Chile and Argentina. Finer discredits Janowitz and Huntington's theory of professionalism in arguing that the military's increased independence from civilians would make it closer to the state than the civilian government, allowing it to act more decisively.[8] Finer argues that the military can be prevented from intervening in politics if one can eliminate the potential motives for intervention. Finer emphasizes that an unstable civilian government increases dependence on the military, and the popularity of the military.[9] Finer makes his theory more clearly in putting forward the different types of motives that promote military intervention in politics. Finer divides them into the manifest destiny of soldiers, national interest, sectional interest and motives of the military.[10] Finer recognises two precise factors that could deter the military from intervening. These two are a lack of political legitimacy and inadequate ability to govern.[11] Thus, Finer upholds the view that a strong civilian government with a popular mandate over the military can block the military from intervening in politics.

Amos Perlmutter introduces the military playing the role of a praetorian military in his work titled: 'Political Roles and Military Rulers' (1981). Perlmutter centres his theory on the praetorian military in Latin America and the Middle East. Perlmutter in defining the role of the praetorian military is influence by Huntington's and Janowitz theory of professionalization of the military. Moreover, 'the military is given political power independent of the

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[8] Finer 1962:63
[9] Finer 1962:67
[10] Finer 1962: 37
[11] Finer: 89

civilians.'[12]Perlmutter largely builds on Finer's theory in using military coups as evidence that when a civilian government is weak the military intervenes in politics. Perlmutter adds to the theory in arguing how military intervention leads to an increased political role of the military through Constitutional changes, which are monitored by the military.[13] Perlmutter argues 'the praetorian army tends to replace weak and unstable political groups and regimes.'[14] Furthermore, Perlmutter states the military consistently intervenes in politics due to it being the most cohesive and politically organised group with no political opposition.[15] Perlmutter interestingly notes through his study the variation in the political role of a military. The variation consist of a less intrusive, arbitrator army, which respects civilian order and lacks an ambition to consolidate their political power; and a praetorian army that rejects civilian rule with political ambitions.[16] Therefore, Perlmutter's theory adds insight to understanding how the military's role in politics can vary in a positive way to restore civilian control, and in an authoritarian way to completely remove civilian control.

Rebecca L. Schiff provides a complete alternative theory to previous theories on civil-military relations in her article titled: 'Civil-Military Relations Reconsidered: A Theory of Concordance' (1995). Schiff's study is unique in covering a range of countries over a large period. Schiff studies civil military relations in U.S. Post-Revolutionary Period (1790–1800), Israel (1980–90), Argentina (1945–55), India (post-Independence and the 1980s) and Pakistan (1958–69). In contrast to previous theories that encourage the separation of the civilian and military institutions, Schiff encourages civilian and military partnership. Schiff's alternative

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[12] Perlmutter 1981:5
[13] Perlmutter 1981:16
[14] Perlmutter 1981:28
[15] Perlmutter 1981:28
[16] Perlmutter 1981:27

concordance theory, proposes 'three partners consisting of the military, the political elites, and the citizenry in aiming for a cooperative relationship' that does not require separation.[17] Schiff's concordance theory 'highlights dialogue, accommodation, and shared values or objectives among the military, the political elites, and society.'[18] Schiff claims that 'the ability of the three partners involved to agree on four indicators: the social composition of the officer corps, the political decision-making process, recruitment method, and military style' is enough to keep the military out of politics.[19] Schiff' theory also takes into account how an individual countries historical and cultural experience can affect the mutual relationship between civilians and the military. Thus, Schiff's concordance theory provides an interesting alternative that works on the basis of cooperation between military and civilians in order to gain civilian control.

Andrew Cottey develops a broad theory that takes into account neglected areas of research on civil-military relations in his article titled: 'The second generation problematic: Rethinking democracy and civil-military relations' (2002). Cottey's theory examines civil-military relations in post-communist central and Eastern Europe in the 1970s and 1980s. Cottey queries Perlmutter's theory of praetorian army as a narrow and confused approach.[20] Cottey 'shifts focus away from control of the military in domestic politics towards wider problems of the democratic management and implication of defence and security policy.'[21] Cottey's theory is not influenced by previous theories in tackling the fundamental issues that hinder consolidating democratic civilian control over the military. Cottey bases his theory on three obstacles faced

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[17] Schiff 1995:7
[18] Schiff 1995:12
[19] Schiff 1995:12
[20] Cottey 2002: 31
[21] Cottey 2002: 31

by civilians, which are defence policy, parliamentary oversight and accountability in defence and security matters.[22] Cottey gives a valuable understanding to the reasons why civilians continue to face problems to maintain control over the military. Cottey points out the absence of detailed information on defence spending, and the lack of civilian expertise in this area. A key development that is detected in Cottey's theory is the role of international organisations in the form of NATO and the EU. Moreover, Cottey emphasises the importance of EU and NATO accession offering political, economic and military incentives for a country to civilianize.[23] The political role of the military is ultimately controlled if civilians are willing to engage in defence policy. The pressure of international organisations also adds pressure on the military and civilians to democratise their relations in order to promote a positive international image.

Peter Feaver interacts back to the work of Huntington and Janowitz in challenging their theories in his study titled: 'Armed servants: Agency, oversight and civil-military relations' (2003). Feaver's theory challenges Janowitz and Huntington theory of professionalism. Feaver takes a different approach to Huntington in reconstructing civil-military relations in America with a more up to date perspective. Feaver's theory treats civil-military relations as principal (civilian) –agent (military) relationships, with the civilians' executive monitoring the actions of military agents.[24] Feaver assesses 'how civilians anticipate military behaviour, how military obedience is not foreordained, and how the likelihood that civilians will detect and punish military behaviour shapes interaction.'[25] Moreover, Feaver's theory focuses on what kind of punishment the military would expect in interfering in politics. Feaver explains his agent theory of civil-military relations as working and shirking. Feaver defines working as 'doing things the

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[22] Cottey 2002: 32
[23] Cottey 2002:55
[24] Feaver 2003:9
[25] Feaver 2003:9

way civilians want', and shirking as 'doing things the way those in the military want.'[26] Feaver's agent theory proposes ways that a civilian government can punish the military through socio-economic and legal consequence for interfering in the political domain.[27] Thus, according to Feaver the military has to be dependant like an employee is to their employer in expecting to be punished if it acted against its employer (civilians).

Theory applied to the Turkish case

The theories that have been discussed in wider secondary literature exemplify how complex the relationship is of the military and politics. The theories are all valid in their own way in being unique to a specific country's historical and political conditions. Turkish civil-military relations cannot be related to a theory on its own. The factors contributing to the decline of the military's political influence are much more diverse, which means a diverse approach to the topic has to be taken.

The research will take an open approach to most of the theories previously mentioned in tackling the decline of the military's political influence from more than one angle. Huntington's theory emphasizes the importance of understanding the military's mind and political ideology. This can be linked to the Turkish case with the military's dominant state ideology of Kemalism, and its application in politics. Finer and Permullter's theories will also be applied in assessing the motives of the military, and how it has maintained political control through popular mandate over weak governments. Moreover, the AKP has proved to be a strong civilian government since 2002 decreasing the political role of the military. Cottey's theory will also

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[26] Feaver 2003:62
[27] Feaver 2003:92

be used to make sure the research does not neglect wider international influences on Turkish civil-military relations. The level of success the EU has had in strengthening civilian control over the military. The AKP government has used the EU as a key tool towards implementing parliamentary oversight. Feaver's theory will also be applied in testing the strengthening of the civilian AKP government to being able to punish the military for intervening in politics. The recent military plots of Ergenekon and Sledgehammer to overthrow the AKP government will be used to show if Turkey possesses an employee and employer relationship. Therefore, it is important to take more than one theory into account because one is prone to neglect important developments in the topic.

Research questions

The research questions that have arisen whilst investigating the topic show how complex and dynamic the military's relationship is within politics. The change in Turkey's political climate demands one to ask the following question. What are the political challenges faced by the military's political ideology to maintain popular political support? What is the importance of a successful political economy and a popular mandate to prevent the military from intervening in politics? How has external pressure introduced political reforms to take away the military's political prerogatives? What are the implications of a powerful civilian government on the military? Only after answering these questions can one confidently claim that the military's political influence has declined.

Methodology

A broad approach has been adopted to detect the decline in the military's political influence in Turkey. The time period the research will focus on is from 1980 to the present because the 1980s experienced the military's political influence at its highest and the present at its lowest. The sources that the research will rely on are of a vast variety of both primary and secondary sources. The research questions will be tackled individually so that one can gather sources specific to that area of the topic. An ample amount of research journals and online articles will be used that touch on the themes of the topic. The research will evaluate secondary sources published in the 1990s and recent publications to show how the topic has evolved and changed direction over time. One has to be very objective and selective of the sources used to form an accurate and fair interpretation of the topic.

The 1982 Turkish Constitution is used as a key primary source in order to emphasize the significance of the political role of the military. Moreover, to understand how the Constitution has been amended to reduce the role of the military in politics overtime. The Constitution will be analysed to test the initial configuration of the Constitution in securing the military's political ideology and political prerogatives. The Constitution will be tested against up to date secondary literature and European Commission Progress reports measuring the impact of internal and external pressure to reduce the military's political influence.

The AKP's strong political performance to provide a successful political economy to overcome the military will be detected in comparing the AKP's performance with previous governments. This will require the use of secondary literature and detailed economic data showing the

strengthening of the economy since 1980. The research will also critically gather opinion polls and surveys, detecting the decreasing popular mandate of the military putting it in an unpopular political position. Moreover, election results will also be used as a key indicator that civilians are gaining the upper hand over the military through majoritarian governments. The changing narrative of secondary sources overtime will also strengthen this argument.

The military's decline and the civilian government's strength to punish the military will be established using national websites and newspaper articles from the political right such as *Todays Zaman* and the political left such as *Hurriyet*. However, one has to be very critical whilst selecting sources from a political viewpoint. The research will involve cross examining sources and distilling the truth to avoid a politically biased interpretation. The research will make use of foreign sources such as the *BBC* and *The New York Times* in areas of research where domestic sources are not independent. The reason behind using newspaper article is that an event of political significance always makes the headline. The military has traditionally punished the civilians until recent, which would naturally attract national and foreign media.

The research has been divided into five chapters tackling the four research questions that have arisen. The first chapter, titled 'The influence of the Turkish military's political ideology on popular political support', will evaluate the level of political appeal and durability of the military's political ideology against political challenges. The means and methods adopted by the military's political ideology of Kemalism to maintain its political credentials are discussed. The second chapter, titled 'A government's successful political economy and high electoral support deters Turkey's military from intervening in politics', will investigate the relationship between the political economy and electoral support and whether these two factors affected the

military's political behaviour. The chapter will draw a comparative analysis of the successful single party AKP government and the Motherland Party (MP) against less successful coalition governments. The third chapter, titled 'Turkey's military democratizes its political prerogatives for EU membership', aims to examine the effects of external pressure upon the military's political position. The political prerogatives secured by the military through the 1982 Constitution and the level of change induced later through EU pressure in empowering civilians. The fourth chapter, titled 'Greece's route towards democratization', will compare Greece's democratization of civil-military relations compared to Turkey. The chapter will aim to shows how each country's civil-military relations differ due to their individual experience of the military's role in politics. The final chapter, titled 'The prospects for democratic consolidation of civil-military relations through the rule of law in Turkey', will investigate if the empowerment of civilians has brought about the fair implementation of the rule of law in the legal cases of the military and civilians. Moreover, one needs to investigate whether the unprecedented power of the civilian AKP government has stamped out the military's political influence in the legal process. It will also give one a sense of direction as to where Turkey's democracy is heading with a political system becoming dominated by civilians. The research will then be concluded giving an overall assessment of the four research questions and the key factors validating the decline of the military's political influence.

I

THE INFLUENCE OF THE TURKISH MILITARY'S POLITCAL IDEOLOGY ON POPULAR POLITICAL SUPPORT

Turkey's political ideology gained its roots in 1923 centred on the thoughts and ideas of the new republic's leader, Mustapha Kemal Ataturk, a renegade general who defeated the Greeks in Anatolia. Ataturk formed the state ideology of Kemalism, which consisted of six fundamental principles - republicanism, populism, secularism, revolutionism, nationalism and statism. The military have been historically referred to as Kemalists due to their loyalty to the state ideology appointing themselves as the guardians of Kemalism. Moreover, on five occasions (1960, 1971, 1980, 1997, and 2007) the military has interfered and challenged civilian political leaders who happened to stray from the ideology. Each coup introduced new legal and institutional changes in line with Kemalism. The 1980 coup determined the 1982 Constitution, which was drawn up by military generals and strictly embedded with the Kemalist principles in order to avoid future violation of the ideology. The 1982 Constitution promoted a single Kemalist identity not identities. Therefore, the constitution, law and the threat of military interference have been used as a political tool to keep the ideology intact and effective.

The 1982 Constitution rejected a major premise of pluralistic democracy, explicitly rejecting the representation of groups diverging from the Kemalist principles. The level of success and popular political support of the Kemalist ideology will be measured by evaluating the military's approach in handling different segments of Turkish society. The military continuously monitored the population listing Kurdish nationalism and political Islam as the primary

domestic threats to the Kemalist principles of secularism and nationalism.[1] There are three types of social institutions that influence popular political support in modern Turkish politics: education, media and political representation. This chapter will assess how effective the legal and institutional changes introduced after the 1980 coup have been in controlling Kurdish nationalism and political Islam in line with Kemalism. Furthermore, in exploring these changes, it seeks to find out whether they are compatible or incompatible with the changing Turkish society. In order to attain a balanced judgement the chapter will be divided into two sections looking at Kurdish nationalism and political Islam individually. Thus, Kemalism's influence, durability and political dynamics in tackling the Kurdish nationalists and political Islamists will be assessed.

Kurdish nationalism in context

The Treaty of Lausanne (1923) is where the Kurdish nationalist problem arose. The peace treaty after the Turkish war of independence obligated Turkey to no longer grant Kurds the autonomy that they enjoyed under Ottoman rule. The Treaty of Lausanne is largely blamed for not recognising the collective rights of Kurdish people, such as identity, language, culture and political rights.[2] The Kurds were forcefully assimilated into the Turkish population. The Kurdish population is located mainly in the southeast of Turkey representing the largest linguist minority comprising of approximately 15-20 percent of Turkey's population.[3] Turkey's historic policy influenced by its ideology has made the Kurds more aware of their ethnic identity. The 1980s energized the Kurdish problem as an issue that could no longer be overlooked due to it becoming an organizational strength through violent political organisations such as the Kurdistan Workers' Party (PKK). The PKK wanted an independent

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[1] Jenkins 2001:48
[2] Yegen: 2010:72
[3] Ozbudun 2000: 143

Kurdish state in the southeast of Turkey. The demands by the Kurdish people to the state went as far as demanding an independent Kurdish state to as little as cultural rights. This questioned and challenged the national and cultural unity of the state, which went explicitly against the principles of Kemalism.

Education

The military placed various checks on the Kurds in the area of education to curb the growth of Kurdish nationalism. Kemalism formed the ideological core of the educational curriculum in Turkey especially the principle of national unity. A survey carried out on a class of Turkish students asked them to identify the most important value in their life with the majority replying loyalty to their national identity.[4] The 1982 Constitution explicitly stated that 'the Turkish state, with its territory and nation, is an indivisible entity its language is Turkish.'[5] Primary school children are taught that Turkish society is like one huge united family. The 1980s and 1990s put great strain on the Kemalist principle of nationalism. The subject of 'threat' became a subject of study introduced into the state curriculum, which focused largely on the dislike of a divided Turkey.[6] Hence, the military took legal and practical measures in the Turkish education system to unite the people against any expression of Kurdish identity.

However, the restrictions imposed by Kemalism produced mixed results in curbing the influence of Kurds in education. The Constitution succeeded in dismissing the existence of Kurds by emphasising that Kurds are Turks and that there is no Kurdish language.[7] The use of a language other than Turkish in education was considered illegal in Turkey. Nevertheless, the textbooks introduced by the Kemalist state promoted racial discrimination, which enhanced

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[4] Dodd 1990: 113
[5] *The 1982 Turkish Constitution*, Article 3
[6] Kanci and Altinay 2007: 60
[7] Yegen 2010 :87

Kurdish national consciousness.[8] The Kurdish population held a number of demonstrations demanding the government to grant them the rights to public education in the Kurdish language. In 2010 Kurdish students boycotted Turkish schools demanding their mother tongue in education. A threat from the Prime Minister and the National Education led to claims that the 'school boycott is a constitutional crime.'[9] The pressure exerted from Kurdish students reflected their discontent at state policy. In 2012 there were further protests by Kurds in demanding the use of Kurdish language in education, which resulted in clashes with riot police.[10] However, the Kemalist ideology was unshaken by the demands made by the Kurdish population with its static and limited approach. Therefore, there was no question of changing the 1982 Constitution to fully accommodate the Kurdish language in education.

On the other hand, the state accommodated the Kurdish language within the educational system to avoid further deterioration to the state ideology. In 2001 a constitutional reform was introduced to allow Kurdish education in private schools.[11] Turkey's third private Kurdish language school was opened in 2004 in the south eastern province of Van.[12] The fact that the 1982 Constitution remained in effect made little difference to the conditions of the Kurds notwithstanding the 2001 constitutional reform. Consequently, the state only introduced small changes to temporarily remedy the problem while keeping its ideology intact. A textbook in Kurdish to help diversify the approach in the educational system was introduced in 2010.[13] This marked a change of tactics compared with 20 years ago to contain the Kurdish problem through educational textbooks. In context of Kurdish protests in 2013 it was announced by Prime Minister Recep Tayyip Erdogan that teaching in Kurdish language and other non-

[8]Kanci and Altinay 2007: 61
[9]*Hurriyet,* 20 September, 2010: 2
[10]http://rt.com/news/turkey-kurds-protest-police-605/ (accessed 20 June 2013)
[11]Yegen 2010 :82
[12]*Todays Zaman,* 28 July, 2009:11
[13]*Todays Zaman*, 19 December, 2010:5

Turkish languages will be allowed in private schools.[14] However, the failure to fully accommodate the Kurdish language within the state's educational system made it an ongoing Kurdish struggle. Thus, Kemalism, with its static approach, using the 1982 Constitution as a strict guide, is inflicting further damage to itself.

Media

The military used the media as a means to unify the Turks under one nation with one language. The limited media coverage given to the Kurds made sure that the Kurdish language did not attract attention. The 1982 Constitution explicitly states that 'no language prohibited by law can be used in publications.'[15] The PKK, with their violent tactics, were depicted as a terrorist organisation by the state. Moreover, article 6 of the Anti-Terror law was introduced in 1991, declaring that 'those who print or publish leaflets are terrorist organisations that need to be punished and fined with heavy fines between 50 and 100 million TL.'[16] For example in 1993 the Kurdish newspaper *Yeni Ulke* (New Nation) was fined 8.6 billion TL.[17] The state penalized Kurdish media for the simple reference to the words 'Kurds' and 'Kurdistan'. A basic contradiction of the state ideology was enough to punish or close down newspapers, television or radio broadcasts by the Kurds. Hence, the state put great pressure on the Kurdish media to deter it from stirring up nationalist sentiment.

However, the repression of Kurdish rights in Turkish media through extreme measures would eventually catalyse a natural force against the military's approach. Media coverage may have been banned inside Turkey, but not outside. A group of Kurds in London set up a Kurdish channel named Med TV. The channel was granted a ten year licence in 1994 attracting ten

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[14]http://www.bbc.co.uk/news/world-europe-24330722 (10 October 2013)
[15]*The 1982 Constitution*, Article 26
[16] Muller 1996:179
[17] Muller 1996:183

million Kurdish viewers. Nevertheless, Turkey put pressure on Britain to issue warnings to Med TV in 1998 for encouraging incitement to crime and succeeded in having the licence revoked.[18] The efforts of the Turkish state to silence the Kurdish media from functioning outside Turkey would further encourage Kurd efforts to gain media rights. The Turkish military insisted that the PKK was using the media as a stepping stone towards establishing an independent Kurdish state. Each time the military tried to silence the Kurds they would grow much stronger. A Kurdish channel named ROJ –TV was set up in 2004; broadcasting from Denmark. ROJ-TV was fined 2.6 million kroner in 2012 for promoting PKK terrorism.[19] Thus, the Kurds were encouraged not deterred by the negative approach adopted by the military in consequently enhancing their determination for increased media coverage.

Furthermore, the increasing strength of the Kurdish media overpowered the military's rigid political ideology. The 2002 constitutional reforms amended the limitations of the Kurdish language in media. Moreover, in 2004 Turkish Radio and Television Corporation broadcast documentaries and news in Kurdish for thirty minutes each week, which was very limited but a move in the right direction.[20] The huge influence of ROJ-TV upon the Kurdish population forced the state to introduce a state 24 hour Kurdish channel named TRT 6 in 2009. Nevertheless, TRT 6 was a tactic employed by the military to combat the influence of ROJ-TV and maintain Kemalism.[21] The military has gradually shown positive signs to fully accommodating the Kurdish language in media. In 2010 there was the introduction of Turkey's first private Kurdish channel, referred to as *Dunya TV*.[22] Therefore, this demonstrates how the

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[18] Romano 2006:162
[19] http://cphpost.dk/news/kurdish-station-fined-2-6m-kr-for-promoting-terrorism.488.html
 (accessed 7 July 2012)
[20]*Sundays Zaman*, 8 August, 2010:16
[21]Ayata 2011:530
[22]*Sundays Zaman*, 8 August, 2010:16

Kurdish media gained strengthened in putting the Kemalists in a vulnerable position to adopt a more liberal approach.

Political representation

Turkey's principle of national unity would unquestionably be threatened if an extreme political party representing the Kurdish rights for an independent state was formed. The 1982 Constitution explicitly states that 'political parties should not be in conflict with the independence of the state, its indivisible integrity with its territory and nation.'[23] In several articles the Constitution has hindered the political representation of an extreme Kurdish party, which would simply mean the party being prohibited from participating in Turkish politics. The electoral system in Turkey further hindered the political representation of Kurds with a ten percent threshold required in order to claim parliamentary seats.[24] This would mean that roughly more than 50 percent of the Kurdish population would have to vote for a Kurdish party to gain political representation. Moreover, the Kurdish population, whilst it is spread all over Turkey, resides mainly in the big cities such as Ankara and Istanbul. The population of Istanbul consists of 13.3 percent of people with Kurdish roots, but only 3.9 percent consider themselves Kurds.[25] Therefore, the military were safe in leaving no room for Kurds to manoeuvre politically.

The strict restrictions imposed by the military had the potential to frustrate the Kurdish minority. The PKK introduced political violence and terrorism to gain political attention in 1984, and the military was convinced that it could crush the PKK, and any challenge threatening the state's national unity.[26] The PKK became a political force in Turkey fighting

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[23]*The 1982 Constitution*, Article 68
[24]Altunisik and Tur 2005: 44
[25] Kaya 2004:70
[26]*Kurdish Human Right Project* 2006

for Kurdish rights, declaring ceasefires in 1999 and 2009 seeking to negotiate with the military. The PKK leader, Abdullah Ocalan, spoke about the possibility of political negotiations with the Turkish government provided that Kurdish rights were granted to the Kurdish people.[27] In 2010, in a Turkish newspaper article, the PKK explicitly stated that it wanted to negotiate with the Kemalist state (military) not the government. Moreover, the PKK justified this by arguing that 'I can make peace with only with those whom I fight.'[28] The PKK's open approach to the issue enhanced their support whereas the military's refusal to countenance a compromise on the issue deteriorated the political situation.

Nonetheless, the changing political environment in Turkey was understood by the military which stood aside when Kurdish political parties emerged within the Turkish political system. The People's Labour Party (HEP) became the first legal Kurdish party in Turkey. The party believed the Kurdish issue could only be resolved through peaceful political means. Nevertheless, the militants fighting the state believed the party was a waste of time and a political tool used by the state. The military's sense of fear from the PKK's violent tactics had HEP banned because of its alleged links to the PKK and its activities endangering national unity. HEP was replaced by the Democratic Party (DEP) whose agenda was a peaceful solution for the state to recognise the Kurdish identity.[29] The state would not allow a Kurdish identity in the Turkish state, and in 1994 the DEP was accused of being an extension of the PKK.[30] The military banned six Kurdish political parties based on similar accusations up to 2009. Furthermore, the ten percent threshold has also been successful in preventing small Kurdish parties from being represented in parliament. For example, in the 2007 elections the Democratic Society Party (DTP) received 5.3 percent, and in 2011 the pro- Kurdish Peace and

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[27] Marcus 2007: 282
[28] *Todays Zaman*, 27 December, 2010:15
[29] Barkey and Fuller 1998:86
[30] Barkey and Fuller 1998:86

Democracy Party received 5.8 percent of the vote. In 2013 there has been much discussion of the 10 percent threshold to be reduced to 5 percent.[31] Hence, Kemalism was successful in accommodating and at the same time suppressing the Kurdish rights for political representation.
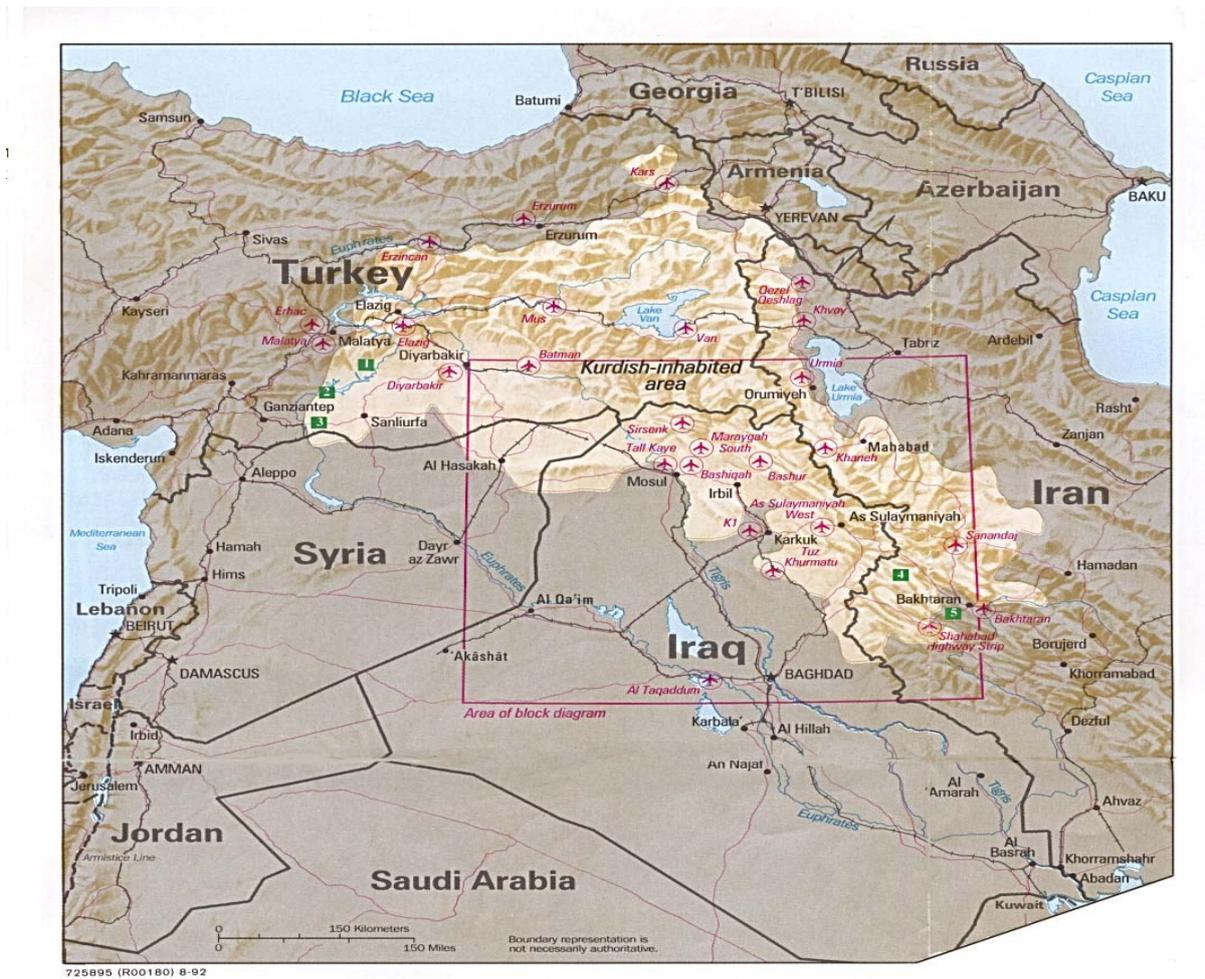

Figure 1 Map of Kurdish inhabited area

http://www.lib.utexas.edu/maps/middle_east_and_asia/kurdish_lands_92.jpg
(accessed 20 August 2013)

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[31]*Todays Zaman,* 1 October, 2013:6

Political Islam in context

Ataturk viewed Islam as an outdated ideology, which had to be replaced with modern secularism. The Kemalist project in its approach implanted secularism by limiting the traditional public and political role of Islam to a private and spiritual role. Kemalism excluded any sort of religious expression in public posing a threat to the secular character of the state.[32] The 1980s experienced a rapid rise in the influence of political Islam in Turkey. The supporters of political Islam ranged from those that demanded an establishment of the state based on *Sharia* (Islamic law) to others who wanted their basic religious rights to be publicly expressed. The military had the task of changing the attitude of individuals whose self-identity was dependant on Islam. Therefore, political Islam was a threat to the principle of secularism that could not be inherently removed, but controlled through the policies of the secular state.

Education

Islamic religious education was something that had been an ongoing policy problem of the state. Religious education was banned during the lifetime of Ataturk and then reintroduced in 1949. Ironically, the secular military, in drawing up the 1982 Constitution, made 'religious education compulsory in the curricula of primary and secondary schools.'[33] The Constitution also mentioned that 'additional religious education and instruction shall be subject to the individual's own desire.'[34] The military believed that religious education under state control would help them control Islam in being less politically active. However, the Constitution also stated that religion had to be restricted to the individual's 'conscience.'[35] The Higher Education Council (YOK) was designed in 1981 by the military junta to coordinate and control

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[32]Cizre 2003: 193
[33]*The 1982 Constitution*, Article 24
[34]*The 1982 Constitution*, Article 24
[35]*The 1982 Constitution*, Article 24

universities in Turkey. The YOK defended secularism in reducing the role of religious symbols in the public sphere. Moreover, the YOK required all students 'to wear clothing which was compatible with Ataturk's revolution and principles inexplicitly stating that students "must not cover their heads while inside the education institution."[36] The military increased the role of the *Diyanet* (Directorate of Religious Affairs) in 'functioning in accordance with the principles of secularism.'[37] The *Diyanet* ensured the separation of state and religious affairs. Therefore, the Kemalists gained state control over Islamic education to preserve secularism, but at the same time their policies showed inconsistency.

The 1982 military Constitution failed to define the boundaries of religious education, in weakening the emphasis on secularism. The rise in *imam-hatip* schools (preacher and orator schools) was a direct consequence of the inconsistencies in the Constitution. For example, from 1982 up to 1997 the number of *imam-hatip* schools increased from 374 to 612.[38] The *imam-hatip* schools offered additional courses, such as the reading of the Quran, Islamic law and religions. The military wanted to limit the influence of the schools and in 1997, as a result of the coup, introduced compulsory secular education from five to eight years. This change would close down the sixth through to eighth grade of *imam-hatip* schools. The military was successful in the short-term in closing down a number of *imam-hatip* schools. Nevertheless, the damage of the early years had already been done as direct result of the contradictions in the Constitution. Moreover, Turkey's current Prime Minister is a graduate from an *imam-hatip* school. Had the military adopted a more strict and consistent approach via the Constitution this could have been avoided. Furthermore, Islamic movements, such as the Gulen movement, led by the Islamist business tycoon Fethullah Gulen, set up hundreds of secular private schools

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[36] Jenkins 2008:148
[37] *The 1982 Constitution*, Article 24
[38] Kuru 2009: 192

in Turkey with additional Islamic education. For example, a Gulen school named Fatih Koleji had a prayer room and no student was forced to pray.[39] In 2007 89 out of the 415 private schools belonged to Gulen.[40] Thus, the adjustments made by the military were a little too late; the popular demand for a religious education could be attained, studied and observed privately.

In fact, religious education could be studied privately until it was publicly expressed. The YOK and the *Diyanet* were two institutions the Kemalists used to promote secular policies. The *Diyanet's* position was that the use of the headscarf was not a high priority in terms of religious duties.[41] Consequently, thousands of female students, many of them several years into their courses, were expelled overnight. The Islamists demanded a Constitutional amendment to eradicate all discrimination in education and the removal of the headscarf ban. Nevertheless, Kemalist Professor Celal Sengar, who was president of YOK, condemned the amendment, and warned parliament that if headscarves became legal the professors would close the universities.[42] In 2006 only 22 percent of Turkey's whole population supported the ban on the headscarf with 78 percent strongly against it.[43] A Constitutional amendment in 2008 removed the ban on headscarves due to public support recording an overwhelming 75 percent of the votes.[44] More recently, in 2013 PM Erdogan lifted the headscarf ban applying to teachers and other public servants.[45] Therefore, Kemalism failed with its negative approach towards the headscarf in failing to recognise that it was a natural right of Turkish females that could not be so easily concealed from the public eye.

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[39]http://www.theatlantic.com/international/archive/2012/05/inside-turkeys-secretive-islamic-gulen-school-movement/257120/ (accessed 21 February 2013)
[40]Kuru 2009: 182
[41]Larrabee and Rabassa 2008:12
[42] Jenkins 2008: 185
[43]Kuru 2009: 182
[44]*The National*, 13 October, 2010:5
[45]http://www.straitstimes.com/breaking-news/world/story/turkey-lifts-generations-old-ban-islamic-head-scarf-20131009 (accessed 18 November 2013)

Media

There was no explicit reference in the 1982 Constitution inhibiting Islamic media apart from restraining religion to the individual's 'conscience.' The military did not want Islam to be represented positively in public in any shape or form. Nonetheless, the military strangely laid down no legal or practical measure to control the influence of Islam in media. The Kemalists had taken a very lenient approach in using the media to convey their radical departure from Kemalist secularism in adopting a 'Turkish-Islamist synthesis' policy.[46] Moreover, this policy was introduced in 1984 influenced by the 'National Culture Policy'. The initial intention of the military was to eventually create a peaceful, controlled Islamic ideology. The military took a passive approach in winning the support of the Muslim majority. Thus, the military's approach in media was contradicting the principle of secularism.

Turkey's secular media controls large parts of Turkey's media in the form of influential newspapers such as *Hurriyet* and TV channels like *Kanalturk* and *Kanal D*. In 1997 a leader of a controversial Islamic order named Muslum Gunduz was arrested by the police in his bedroom with a woman. The secular cameraman and secular media had taken pictures of the leader half naked, which were all over the newspapers the following day.[47] The woman caught in bed with him later made public appearances on prime-secular channels becoming the first woman wearing Islamic attire to gain secular media attention.[48] The involvement of an Islamic leader and a female wearing Islamic attire depicted Islam as something to be kept private not brought out in public. In 2009 the Islamic newspaper columnist Huseyn Uzmez was sentenced to imprisonment for sexually abusing a minor, which gained exaggerated coverage by the

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[46]Elgur 2010:86
[47]Cinar 2005:91
[48]Cinar 2005:91

secular media.[49] Therefore, the secularist media propagated religion to be something that should be practised privately because it only brought bad news when broadcast in public.

On the other hand, Islamic media promoted a public role for Islam at the expense of secularism. The Islamists made sure they were not far behind the secularist media in controlling daily newspapers such as *Zaman* and *Yeni Safak*. The Gulen movement provided necessary funding in introducing Islamic media. Moreover, according to figures released in 2008, the Islamic daily newspaper, *Zaman,* was the bestselling daily newspaper with 860,000 copies sold daily with a secular title second.[50] The Islamists owned their own TV channels *STV* and *Konal 7*. The Islamic media exposed potential ties between illicit gangs and the secular establishment. In 1996 Islamist media gave broad coverage to a car crash involving a secular police chief, secular politician and a wanted assassin.[51] Furthermore, Islamic media in 2010 put great emphasis on secularism being 'disarmed' in giving wide coverage of failed plots by the military to overthrow the current AKP government.[52] The media was being used by Islamists to openly condemn the secular policies of the military, exposing them in every way possible. Hence, the military's approach seeking a Turkish-Islamist synthesis proved a complete miscalculation.

Political representation

Islam represented in the political sphere was the biggest threat to the secular establishment. The 1982 Constitution explicitly mentions the principle of secularism controlling religious freedom. Article 24 references that 'no one shall be allowed to exploit or abuse religion' for political means.[53] Moreover, society and government life is controlled by secular application.

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[49]*Hurriyet*, 16 September, 2010:3
[50] Haynes 2009: 95
[51] Hale and Ozbudun 2009:176
[52]*Todays Zaman*, 26 January, 2010:11
[53]*The 1982 Constitution*, Article 24

Islam was perceived by the military as a complete separate entity to politics with no understanding of state and world affairs. The change in law was mainly influenced by the influence of Islam in politics prior to the 1980 coup. Necemettin Erbakan led the Islamist National Salvation Party (NSP) in the 1970s. Erbakan was detained and sentenced to four years imprisonment in 1983 for violating the principle of secularism.[54] The 1980 military coup banned all political parties except those with secular leanings. The military's intention was to create a secular Constitution, which would only accommodate political parties with secular values, thereby, diminishing any sort of threat from parties with Islamic values.

The secular elected Motherland Party (MP) and its leader Turgut Ozal came under increasing pressure to remove the ban on pre-coup leaders following a referendum in 1987. Turkish people narrowly voted 50.2 percent to 49.8 percent for the ban to be lifted.[55] Erbakan came back into the political arena as the leader of the Welfare Party (WP) with a more secular inclined political agenda. The Islamist political parties began to adopt a secular agenda to satisfy the military. For example, after winning the 1997 election the WP formed an unprecedented secular coalition with the True Path Party (DYP). The WP leaders wanted further referencing of secularism in the 1982 Constitution.[56] The rise in political Islam with a secular agenda intact was unmatched by the secular parties. The Justice and Development Party (AKP), an Islamist party, in 2002 won 34.3 percent of the vote compared the secular Republican People Party's (RPP) vote of 19.4 percent.[57] In 2001 the AKP, in its political manifesto booklet, stated that it 'regarded Ataturk's principles and reforms the most important vehicle for raising the Turkish public.'[58] The AKP party, led by Prime Minister Recip Tayyip Erdogan, stressed that the AKP

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[54] Jenkins 2008: 142
[55] Jenkins 2008: 142
[56] Yavuz 2006:65
[57] Jenkins 2008:168
[58] Jenkins 2008:168

was not using religion as a political instrument due to its potential harmfulness to social peace. Hence, the rise of political Islam was fuelled by the Islamist political parties showing their commitment to secularism.

Nevertheless, the increased support of political Islam would loosen the control of secularism over Islam. The AKP was not afraid to criticize the definition of secularism put forward by the military as being anti-religious. In 2007 the Kemalists warned the AKP government against choosing Abdullah Gul as a presidential candidate because his wife wore a headscarf. The Kemalists threatened the government in stating they would not hesitate in using 'the power given by law to protect secularism', which was referred to as the e-memo coup.[59] However, the AKP were unmoved by the threat received by the military with Gul elected as the next President of Turkey. The AKP followed this up with the removal of the headscarf ban adding suspicion within the Kemalist camp that the AKP had an Islamist agenda. The increasing popularity of the Islamist parties could not be denied by the secular establishment. For example, Islamist parties' votes increased from 10.1 percent in 1987 to 66.2 percent in 2007. The gap between secular parties and Islamist parties increased with the AKP increasing its votes by 3 percent in 2011. The AKP achieved nearly 50 percent of the votes, which was twice as much support compared to its closest follower and secular party the RPP achieving 25 percent of the votes.[60] Thus, the rise of political Islam is at its peak in accommodating popular political support with secularism appearing vulnerable.

Summary

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[59]Jenkins 2008:182
[60]Cinar 2011:107

The policies and approach adopted by the military in maintaining Kemalism have been largely unpopular in controlling Turkey's 15-20 percent Kurdish population and its 99 percent Muslim population. The military began to lose its ability to control its social institutions largely after 2000 with Turkish society changing and not willing to tolerate fundamental Kemalism. The military adopted practical measures in stifling Kurdish language in education. Nonetheless, the measures became extreme with racial discrimination promoting a separate Kurdish identity. The military were stubborn in their approach in taking static and restrictive approaches guided by their own design of the 1982 Constitution. The military have shown little reservation in accommodating the Kurdish identity in education, media and political representation. The military failed to negotiate with the Kurds with the ten percent threshold further frustrating rather than supporting the military's political judgement.

Furthermore, the military failed to gain state control over Islam with their policies being inconsistent and contradictory in all areas of education, media and political representation. The military were very hesitant in tackling political Islam when it could be controlled by simply granting public religious freedom. The military were no doubt successful in controlling Islam in the short-term, but in the long-term their suppressive policies worked against them. The Kemalists, through their miscalculated policies, faced a potent challenge from Islam to preserve secularism as the dominant political ideology. The political dynamics of Kurdish nationalism and political Islam have now reached a point of no return with no attempts being made to update, modify or reconstruct Kemalism in order for it to appeal to the needs of the Turkish people. One can arguably claim that Kemalism has gradually become an anachronistic ideology with no appropriate means to control and accommodate Kurdish nationalism and political Islam. The military has simply relied on an authoritarian approach whereas the two challenges

demand a more democratic approach with consciences and minds to be set free in ways that

Kemalism forbids.
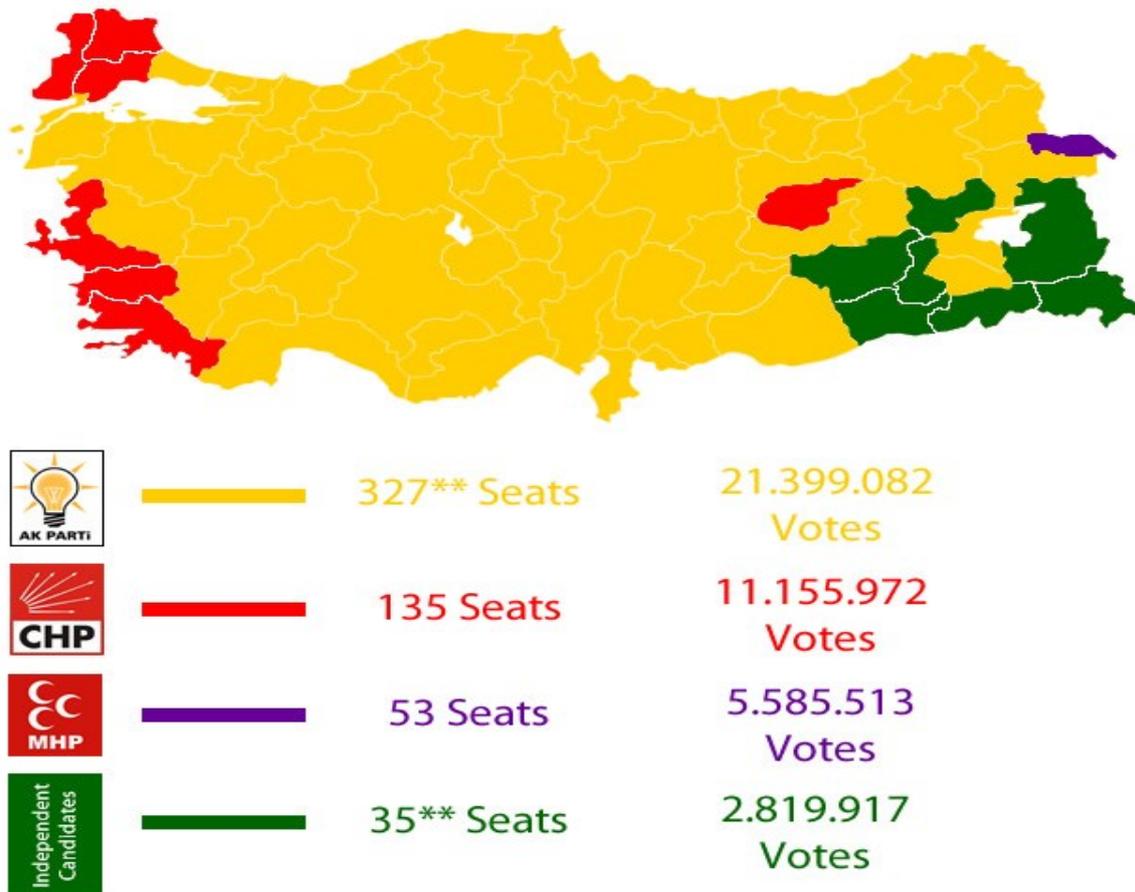
Figure 3 Map of the 2011 General election showing the Islamist AKP party dominating the election in comparison to the secular RPP (CHP) party.

.http://www.electoralgeography.com/new/en/countries/t/turkey/turkey-legislative-election-2011.html (accessed 5 December 2012)

II

A GOVERNMENT'S SUCCESSFUL POLITICAL ECONOMY AND HIGH ELECTORAL SUPPORT DETERED TURKEY'S MILITARY FROM INTERVENING IN POLITICS

A political economy and electoral support can naturally be viewed as two key factors placing a government in a comfortable or uncomfortable position. Modern Turkish history records how the political economy and electoral support of a government has related to the military's pattern of behaviour in politics. For example, the economic crisis in 1958 resulted in the 1960 military coup. Furthermore, a deeper economic crisis in 1978-79 was followed by another military coup in 1980.[1] The economy caused a continuous crisis atmosphere in the country. The poor political economy in 1970-80 meant that the average lifetime of governments in Turkey was only 10.5 months.[2] Each military takeover transferred key elements of the civilian government's political power to the military. The economic sphere remained the sole instrument where the civilian government retained almost complete freedom. Even so, the military made its intentions clear to the government that if there was to be any sort of economic corruption to expect military intervention. Turkey's unstable political economy gradually eroded public trust in the elected governments with further economic crises in 1994, 2000 and 2001. A significant proportion of voters in Turkey expressed the view that they were considerably disturbed by political

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[1]Onis 2012:51
[2]Guran 2011:31

incompetency resulting in economic instability.[3] As a result of being unable to produce a stable economy the Turkish population has lacked confidence in its own elected government.

Turkey's military acquired a reputation as the only political actor free of corruption. The military gained its legitimacy as the most trusted institution through popular public support. For example a Turkish public opinion poll in 1999 showed that only 21.6 percent of the population trusted politicians whereas 78.9 percent trusted the military.[4] The lack of trust in democratically elected politicians hampered the democratic process leading to coalition governments. Furthermore, political parties were being elected based on political patronage in serving sections of society rather than mainstream society causing electoral polarization. A high ranking military officer claimed that 'once the Turkish people begin to use the democratic system, then we won't want to intervene. Nor would we be able to intervene even if we wanted to.'[5] The period 1983 up to 2013 has consisted of two single party governments and seven coalition governments in which the single parties have ruled for nineteen years, and the remaining eleven years consisted of seven different coalition governments. Thus, high electoral support can be determined as vital in predicting and securing the future longevity of a government.

The chapter will be arranged by comparing two single party governments with two coalition governments. The approach that needs to be taken in probing the title impartially is to evaluate various governments' political economy and electoral support, and then weigh up whether the military deterred or progressed. One will consider taking a chronological approach in noticing any changes in civil-military relations over time. It will also be valuable to observe whether

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[3]Sarlak and Bali 2008:7
[4] Jenkins 2001:16
[5] High ranking officer, 26 February 2000, cited by Jenkins 2001:19

the successful political economy and high electoral support of a government would persuade the military to overlook a government's political ideology. The first part of the chapter will compare the single Motherland Party government (1983-1991) and the coalition government of the Welfare Party and the True Path Party (1996-1997). The second part will compare the tripartite coalition government of the Democratic Left Party, National Movement Party and the Motherland Party (1999-2002) with the single Justice and Development Party government (2002-2013).

The political economy of the Motherland Party (MP) government and the Welfare Party and the True Path Party (WP-TPP) government

The MP elected in 1983 was directly managed under the strong leadership of Turgut Ozal in restructuring Turkey's economy with an international populist economic focus. Ozal was aware of the fact that Turkey had to attract foreign investment in order to stabilize its economy from the severe debt crisis in 1979. There was a huge rise in Turkish merchandise exports from $2.3 billion in 1979 to $11.7 billion in 1988.[6] The MP's positive liberal approach led to foreign creditors trusting Turkey's political outlook in increasing their investment. The MP took an active approach in creating foreign economic ties with Europe and the Middle East as long as it benefited Turkey's economy. In doing so, foreign direct investment (FDI) increased from 4 percent in 1979 to 20 percent by 1986.[7] Public sector GNP rose from 32.7 percent in 1983 to 41.5 percent by 1988.[8] Ozal succeeded with his consistent economic policy in the opening up of the Turkish economy to wider world markets. Moreover, Ozal secured a record five consecutive loans from the World Bank because of his quality of being a successful negotiator with foreign creditors. The MP successfully increased its borrowing internationally from $25.5

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[6]Aricanli and Rodrick 1990: 236
[7]Aricanli and Rodrick 1990: 238
[8] Dodd 1990: 103

billion in 1985 to $49 billion in 1990, a growth rate of nearly 5 percent.[9] Hence, the MP maintained a clear-cut economic policy to open up the Turkish economy to world markets stimulating economic growth.

On the contrary, the WP-TPP elected in 1996 was managed under the leadership of Necmettin Erbakan (WP) and his deputy Tansu Ciller (TPP) in having opposing policies to run the economy. The WP's approach to tackle the economic crisis was aligned to its Islamist ideology. The WP wanted no interest on loans as this was forbidden by Islam with money diverted to pay interest to go to investment.[10] The WP's economic approach lacked vision in wanting to shift FDI from Western to Muslim countries. Erbakan was intent on increasing Turkey's share of only $3.2 billion in the total imports of $447 billion by the Muslim countries.[11] It was stated by Erbakan that he wanted to build a common market of Muslim countries and in doing so trade between Muslim countries must be raised from 5.4 percent to 40 percent.[12] The WP consistently attacked the Customs Union with Europe that promoted free trade with Western countries. This affected Turkey's FDI in 1997 because the Western business elite had lost confidence in the coalition. For example FDI accounted for an average 16 percent of GDP for developing countries, whilst for Turkey it stood at a mere 3.5 percent.[13] The WP took one step further in conveying its ideological economic policy in supporting the Independent Industrialists' and Businessmen's Association (MUSIAD). MUSIAD is the largest pro-Islamist economic organization in Turkey. MUSIAD favours economic union amongst the Muslim countries. However, the TPP diverged from the WP's economic policies. Ciller was a staunch supporter of strong relations with the West. Ciller opposed Erbakan in supporting the Custom

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[9]Mason 1997:160
[10]Hic and Gencer 2009: 175
[11]Dinc 2006: 10
[12]Dinc 2006: 10
[13] Rubin and Kirisci: 2001:196

Union with Europe as the basis for economic prosperity.[14] Thus, the coalition government had opposing economic policies in failing to compromise its ideology for the sake of national interest.

Electoral support for the MP and the WP-TPP government

The MP had a successful economy with the advantage of appealing to broad sections of society from the far right to the far left of the political spectrum. Ozal struck a balance for people representing the political views of liberals, religious conservatives and nationalists.[15] Ozal was successful in minimizing ideological differences in being a catch-all party. Turkey's successful economy from 1983 to 1987 led to the re-election of the MP. The MP maintained its majority support in 1983 in gaining 45 percent of votes and 211 out of 399 parliament seats.[16] In the 1987 election the MP gained 292 out of 450 parliament seats with only 36.3 percent of votes.[17] The majority in parliament maintained Ozal's centralist leadership so that the MP could pursue policies consistent with his economic policies. In Ozal's programme, politics was given a subordinate role to economics. For example all the promises made to the public were economical in agreeing to repay money to officials that they had contributed to a mutual fund, held down prices, and agreed to raise the minimum wage.[18] Furthermore, in refusing to touch on anything political Ozal succeeded in abandoning patronage politics and being associated too closely with a certain section of society. Thus, the MP had the political will to change economic conditions and behind that political will, engendering broad voter support was essential.

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[14]Onis 1997: 755, 757
[15]Kalaycioglu 2002: 41
[16]Kalaycioglu 2002: 42
[17]Kalaycioglu 2002: 48
[18] Ahmed 1985 : 222

In contrast, the WP-TPP represented two conflicting political views of a far right party and a centre right party. The WP was a far right Islamist party with its voters being mainly from eastern and central Anatolia.[19] The TPP was a centre-right conservative party with secular values. The 1994 economic crisis provided fertile ground for the WP's narrow majority to be the largest party in the 1995 elections with 21.4 percent of the vote and 158 out of 550 parliament seats. The TPP gained 19.2 percent of votes and 135 out of 550 parliament seats.[20] Nevertheless, the WP did not form a government until 1996 due to the breakdown of the TPP-MP coalition. The WP's Islamist political ideology made it dependent on a secular party to form a government. The WP-TPP coalition obtained only a narrow vote of confidence in parliament with 278 'yes' and 265 'no' votes to form government.[21] The WP failed to appeal to the broader society in indulging in political debate rather than resolving economic issues. For instance, Erbakan defended Sharia Islamic Law in Turkey, showing insensitivity towards its TPP coalition partner.[22] Moreover, Erbakan disregarded the fact that 78.6 percent of the electorate voted for secular parties.[23] The WP failed to signify a catch-all or mass party image to the electorate. The WP-TPP coalition government's narrow policy frustrated Turkey's population leading to political instability. There was a strong parliamentary opposition with the TPP's parliamentary deputies defecting in large numbers from 135 to 90.[24] Therefore, the WPP-TPP reflected a fragile coalition with a fundamental lack of vision to appeal to the broader society.

Pattern of military behaviour towards the MP and the WP-TPP government

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[19]Kamrava 1998: 276
[20] Cornell 1999: 209
[21] Hic and Gencer 2009: 170
[22] Cornell 1999: 216
[23]Kalaycioglu 1997: 180
[24] Cornell 1999: 220

The successful political economy and electoral support of the MP increased its autonomy in making decisions independent of the military. The military showed an obvious dislike of the MP in the 1983 elections. Turkey's population was tired of military rule (1980-1983) in making the MP a clear favourite. The MP started with a number of political advantages that deterred the military. The most important factor being its good majority in parliament; this meant an ineffective opposition to offer any criticism or any alternative. The MP became fully aware of its comfortable position with its re-election in 1987. The MP downplayed the NSC suggestion of the threat of Islamic revival in 1987. Ozal responded to the NSC by claiming that such fears were exaggerated. The MP delivered a blow to the military in opposing the military's nominee for the post of Chief of General Staff (CGS) in 1987. The CGS was traditionally appointed by the military, but Ozal successfully secured the appointment of General Necip Torumtay.[25] Ozal bypassed the military with the MP's majority in parliament in successfully engineering himself to be the first civilian President in 1989 since 1960. The presidency was traditionally given to an individual of military background. In 1990 CGS Necip Torumtay had a disagreement with Ozal resulting in Torumtay's resignation.[26] This was the first time a CGS resigned because in the past a CGS, when in disagreement with the government, either staged a coup or issued a memorandum rather than resigning. The military were reluctant to intervene because Ozal created a political environment that favoured the MP.

On the other hand, the WP-TPP coalition government proved to be a failure with an unstable narrow majority government for the military to be actively involved. The WP required a majority in parliament to comprehensively pursue policies against the wishes of the military. The narrow majority of the WP meant the coalition could break down any time with the secular

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[25] Dodd 1990: 114
[26]Ozbudun 2000: 119

TPP walking out.[27] The WP-TPP coalition faced criticism from a united military establishment, parliament and trade unions. In 1996 tension between the WP-TPP and the military occurred when the Interior Ministry restricted religious worship in the Gendarmerie units. The WP-TPP government sent a 'peace delegation' to the Ministry of National Defence in reassuring the military.[28] Moreover, the WP-TPP coalition was aware of its vulnerable position with the military. The military had a meeting with the WP-TPP government to deliver twenty points needed to change in government policy in order to 'curtail the tide of Islam.'[29] The military was largely successful in implementing these points to curb the influence of Islam especially in education. For example headscarf-wearing females were denied their rights to enter university campuses and to be employed in public institutions.[30] The WP's failing economy and its fragile coalition with TPP led to public trust in the WP decline to 16.6 percent whereas public trust in the military rose to 81.3 percent.[31] The volatile political atmosphere towards the WP-TPP coalition and the mounted pressure by the military forced its resignation from government. Therefore, the military displayed popular political intervention due to the coalition government's unpopularity.

The political economy of the Democratic Left Party, Nationalist Action Party and the Motherland Party (DLP-NAP-MP) government and the Justice and Development Party (AKP) government

The DLP-NAP-MP government elected in 1999 was managed under the dominant leadership of Bulent Ecevit (DLP), and his coalition partners Devlet Bahceli (NAP) and Mesut Yilmaz

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[27] Cornell 1999: 214
[28] Kamrava 1998: 292
[29] Lombardi 1997: 214
[30] Yavuz 2006:140
[31] Jenkins 2001:16

(MP). The DLP-NAP- MP government consisted of nationalist far left and centre left parties promoting economic policies preventing foreign investment, and a centre-right party promoting the opening up of the economy to foreign investment. The tripartite coalition government lacked consensus on its economic strategy to strengthen the economy. The DLP-NAP-MP worked out a compromise in listing a government economic programme in 1999. The programme mentioned the speeding up of privatization and a banking law to be passed to strengthen the banking sector.[32] Nevertheless, the targets towards privatization failed because the DLP and NAP opposed privatization, in particular sales to foreign customers. The DLP-NAP-MP disagreed with economic policies in finding it difficult to impose macroeconomic discipline and create an environment of economic growth.[33] Turkey's economy faced an economic crisis in 2000 due to its economic irregularities, which resulted in the IMF injecting 10 billion dollars of emergency aid to resuscitate the economy.[34] In 2001 Ecevit found it very difficult to overcome the poor economy resulting in a confrontation with President Ahmet Necdet Sezer who criticized the coalition's inability to cope with corruption. This contributed towards a deeper economic crisis in 2001 with the sharp depreciation of the Turkish Lira, and a banking crisis affecting a quarter of Turkey's 81 banks. Public debt almost doubled from 38.2 percent of GDP in 2000 to 74.1 percent of GDP in 2001.[35] Kemal Dervis was appointed new Economic Minister in 2001 to combat the crisis and restructure the economy. The Minister of Communications and Transport, a member of the NAP, objected to Dervis plan to privatize 45 percent of TELECOM, the public telephone company.[36] The NAP believed they were serving the national will but in reality they were serving their radical nationalist ideology. Time was lost in economic restructuring due to resistance from political circles with external debt

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[32]http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=the-future-of-the-dsp-mhp-anap-coalition-1999-06-13 (accessed 10 July 2013)
[33]Onis 2012: 56
[34]Macovei 2009: 11
[35]Macovei 2009: 6
[36] Hic and Gencer 2009:193

increasing from \$97 billion in 1999 to \$131.2 billion in 2002.[37] Therefore, the DLP-NAP-MP prioritized political differences over the economy, delaying positive economic reforms, causing economic crises.

In contrast, the AKP government, which assumed power in 2002, took a proactive approach in accelerating economic policies to stabilize the economy from the 2000 and 2001 economic crises. The AKP government, under the robust leadership of Recep Tayyip Erdogan, pursued a robust economy to weather future economic crises. The AKP's economic programme continued privatization and reforms of the banking sector, but at a deeper level. The AKP advocated sweeping privatization of State Economic Enterprises (SEE) in completing 20 billion dollars' worth of privatization projects, double the amount from the previous two decades.[38] Turkey's annual GDP growth during the first year of AKP government was 7.4 percent compared to 3.7 percent during 1991-2001.[39] The AKP stayed on top of inflation in adding to the strength of the banking sector. In 2007 Turkey's inflation rate had fallen to 8 percent after soaring to 68 percent in 2001.[40] However, the global economic crisis in 2008-2009 tested the strength of the Turkish economy. In 2008 Turkey's economic growth stood at 0.7 percent compared to 4.7 percent in 2007 with a sharp rise in unemployment.[41] The positive policies adopted prior to the crisis meant Turkey did not experience a single bank failure. The AKP delayed signing up for IMF aid as a sign of economic strength and national autonomy.[42] The AKP sustained economic growth at 10 percent in 2010.[43] Privatization of SEE reached 54

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[37]Hic and Gencer 2009:193
[38]Kumbaracibasi 2009: 179
[39]Baran 2010: 65
[40]Baran 2010: 65
[41]http://studies.aljazeera.net/ResourceGallery/media/Documents/2011/7/30/2011730121640216734Political%20economy%20of%20Erdogans%20success%20story%20in%20Turkey.pdf (accessed 12 August 2013)
[42]Onis 2012:60
[43]http://studies.aljazeera.net/ResourceGallery/media/Documents/2011/7/30/2011730121640216734Political%20economy%20of%20Erdogans%20success%20story%20in%20Turkey.pdf (accessed 12 August 2013)

billion dollars in 2013, sustaining the upsurge in economic growth in Turkey.[44] Hence, the

AKP strengthened the economy in being able to overcome an economic crisis and continue

with its successful economic programme.
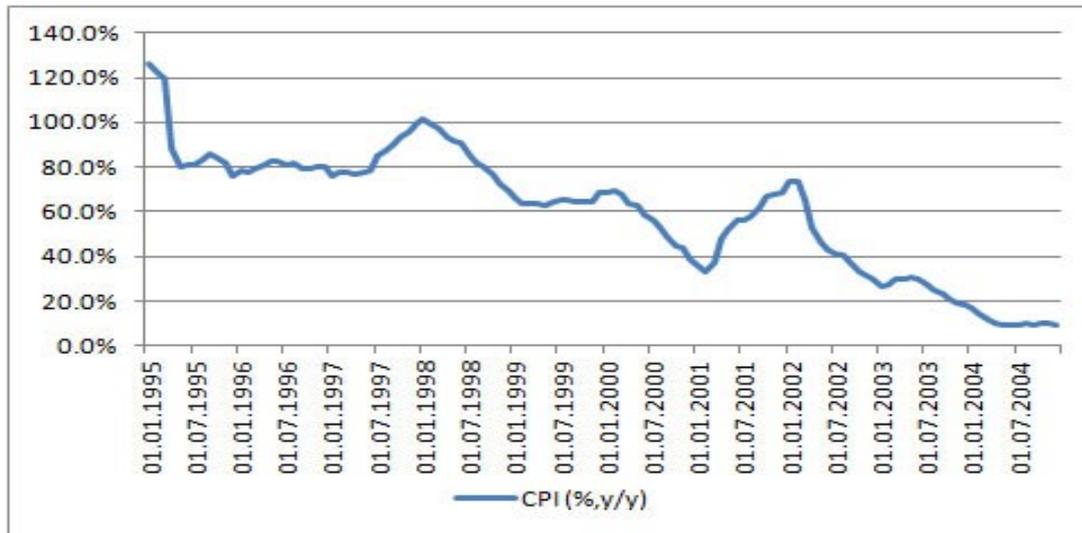
Figure 3 Graph shows that the rate of inflation increased in the 1990s up to 2002 with
coalition governments and decreased after 2002 with the single AKP government elected.
http://www.hurriyetdailynews.com/turkeys-coalition-experience-greece-and-game-
the.aspx?pageID=500&eid=51
(accessed 2 January 2013)
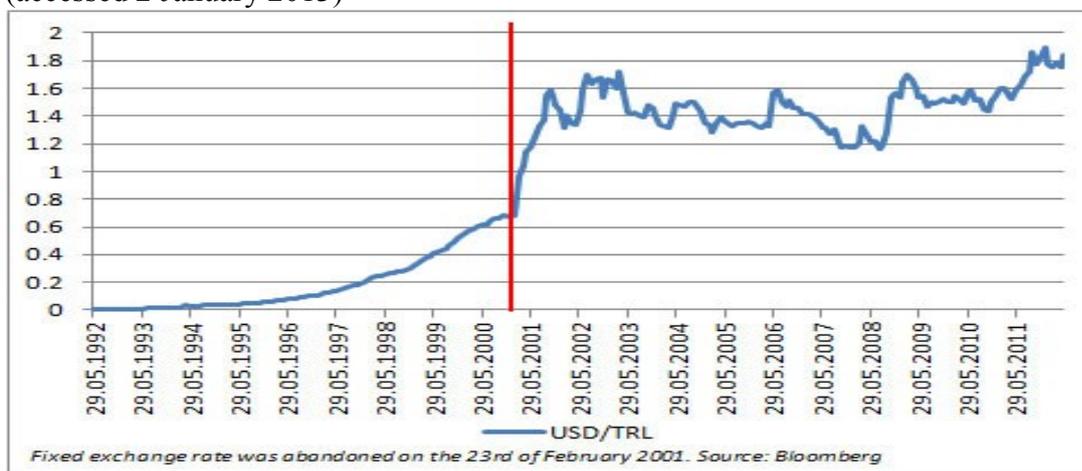
Figure 4 Graph shows the strengthening of the Turkish Lira compared to the US Dollar after
having a single party government elected.
http://www.hurriyetdailynews.com/turkeys-coalition-experience-greece-and-game-
the.aspx?pageID=500&eid=51
(accessed 2 January 2013)

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[44]*Hurriyet,* July 26, 2013:5

Electoral support for the DLP-NAP-MP and the AKP government

The failed political economy of the DLP-NAP-MP affected its electoral support. The DLP was a far left party gaining 22 percent votes in the 1999 election and 136 out of 550 parliament seats. The NAP was a centre left party with 18 percent votes and 129 out of 550 seats.The MP was a centre right party with 13 percent of the votes and 86 out of 550 seats.[45] The DLP-NAP-MP coalition had a popular majority in parliament in building a strong coalition with 53 percent of the votes and 351 out of 550 parliament seats. The majority in parliament was viewed by the public as a big advantage for the coalition in building a stable economy without serious opposition. However, the wide ideological spectrum of the coalition posed a serious problem in pursuing efficient economic policies without resentment from one of the coalition partners. The government's vulnerability was exposed during the 2000-2001 economic crises. The crises brought high unemployment, which meant even the highly educated and skilled, lost their jobs in large numbers.[46] The NAP drew its support from the rural poor in hampering the implementation of key aspects of the economic programme as it would jeopardize the NAP's future electoral prospects.[47] In 2002 the coalition was strained, bringing pressure for early elections in 2002 after eight ministers, including the Foreign Minister, resigned due to growing economic turmoil. The early election in 2002 reflected the epic failure of the coalition government. The elections displayed economic voting with the DLP achieving 1 percent of the vote, NAP 8 percent and MP 5 percent.[48] The coalition parties failed to gain a single seat in parliament with not one party crossing the 10 percent threshold required. In fact, the coalition

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[45]Berisand Gurkan 2001:3
[46]Onis 2003: 15
[47]Onis 2003: 11
[48]Carkoglu 2002: 30

lost 39 percent of electoral support, a record in Turkey's electoral history. Thus, popular discontent fuelled by economic failures was the major reason for electoral defeat.

On the other hand, the AKP's management of the political economy was the major reason for its continuous electoral success. The AKP was viewed by the Turkish electorate initially as a far right party with strong Islamic links. The failure of the previous secular political parties' handling of the economy in the 2000-2001 economic crises resulted in the AKP attracting a diverse array of voters. Moreover, the majority of AKP voters consisted of moderates and the minority were Islamists.[49] The AKP was successful in forming a single party government in 2002 with 34 percent of the vote and 363 out of 550 parliament seats.[50] Erdogan with his clear majority and an ineffective opposition pursued strong economic policies designed not to estrange the AKP's moderate majority voters. The AKP shrugged off its Islamist links in focusing on tackling the economy. In 2007 the AKP was re-elected with an increased voting share of 46 percent and 341 out of 550 parliament seats.[51] The reasoning behind the AKP's increased electoral support was expressed in a survey with 78 percent of AKP voters stating it was the improved economy.[52] Economic voting for the AKP can best be displayed by the global economic crisis in 2008-2009. The AKP, in the local elections in 2009, lost 8 percent of its votes.[53] However, the AKP government showed it was economically competent unlike its predecessor to combat an economic crisis. The AKP maintained economic growth after the economic crisis resulting in its third successive electoral victory. In the 2011 elections the AKP won a third term and became the only party in Turkish history to increase its votes to 50 percent

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[49]Carkoglu 2002: 31
[50]Cagaptay 2002 43
[51]Baran 2010: 66
[52]Bahar 2007: 17
[53]:Akarca 2010:10

and 327 out of 550 parliament seats.[54] Therefore, the AKP successfully maintained its strong

political economy, which related to its increased electoral success to an unprecedented degree.

Pattern of military behaviour towards the DLP-NAP-MP and the AKP government

Ironically, the military's relationship with the DLP-NAP-MP government was very friendly

even though the coalition failed economically and lost a majority of its electoral support. The

DLP-NAP-MP coalition was dominated by nationalists whose ideology favoured the

dependency of the military's political outlook. The prospect of European Union (EU)

membership after 1999 was a popular policy on the military's agenda. The military was

compliant with the DLP-NAP-MP coalition in democratically reforming its dominant political

position as part of EU conditionality for membership.[55] The economic crises in 2000-2001

warranted cutbacks in military expenditure, but the DLP-NAP-MP coalition gave the military

economic freedom with military expenditure increasing by 2.7 percent of GDP.[56] The election

results in 1999 supported the military's position in indicating that public support for the

Islamists was eroding. In 2000 Ecevit and President Sezer were in dispute over the coalition's

plans to sack hundreds of civil servants suspected of links with Islamic groups in advancing

the military's cause.[57] Therefore, the DLP-NAP-MP advanced the military's political

positioning in being aware of its rising unpopularity.

However, the AKP government, with its successful political economy and high electoral vote,

deterred the military from pursuing its political agenda. The military failed to consider the

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[54]http://www.gloria-center.org/2011/10/turkey%E2%80%99s-2011-elections-an-emerging-dominant-party-system/ (accessed 21 September 2013)
[55]Sayari 2012: 188
[56]Akarca 2010: 19
[57]http://www.hurriyetdailynews.com/default.aspx?pageid=438&n=the-chronology-of-disputes-between-president-sezer-and-ecevit-government-2001-02-20 (accessed 1 0ctober 2013)

AKP's electoral majority in intervening after the AKP nominated Abdullah Gul as its Presidential candidate. The military issued a warning to the AKP, provoking a reaction among voters who saw the AKP as a victim of the military. The AKP called for an early election in 2007 after playing victim to the military, backed up by popular public support including liberal secularists.[58] The AKP's electoral success in 2007 delivered a telling blow to the military's political role. The AKP were successful in manoeuvring Abdullah Gul to become Turkey's first Islamist president against the wishes of the military. In 2007 the AKP also decided to reduce the military's economic freedom in reducing military expenditure to 1.7 percent of GDP.[59] Erdogan took away the generals' political power to veto government policies that the military disliked. Moreover, a series of criminal investigations against generals conspiring against the AKP resulted in more than 15 percent of generals being sent to prison in 2011.[60] The AKP, after the election in 2011, imposed new restrictions preventing the promotion of generals hostile to the government.[61] The AKP's popular electoral support and successful economy has affected public trust in the military. A survey in 2010 suggested that 70 percent of the public trusted the military, decreasing from 89 percent in 2004.[62] Hence, the AKP has frustrated the military in overcoming its political interferences using its successful economy and popular electoral support to its advantage.

Summary

Turkey's experience draws attention to the inseparable link between a government's electoral performance and political economy affecting the behaviour of the military. Single party

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[58]Bahar 2007:72
[59]Akcarca 2010: 19
[60]Gursoy 2012: 28
[61]http://www.opendemocracy.net/gunes-murat-tezcur/akp-years-in-turkey-third-stage (accessed 5 May 2013)
[62]Gursoy 2012: 11

governments have been more successful than coalition governments in deterring the military from intervening in politics. The MP sustained economic growth in maintaining a majority single party government with ineffective opposition. The MP gave priority to the economy rather than political issues representing a catch-all party image. The MP, as a single party government meant it was managed under the strong leadership of Ozal. Moreover, Ozal, with an ineffective opposition, could maintain a clear-cut economic policy leading to economic growth. Ozal deterred the military from nominating the CGS and President in creating a political environment supporting the government's decisions over the military. In contrast, the WP-TPP had a fragile coalition with a fundamental lack of vision to appeal to the broader society. The WP-TPP had opposing political ideologies affecting the coalition's economic policies. Disagreement among the coalition partners on economic policies and the coalition government's narrow electoral support induced military intervention. The rising unpopularity of the WP-TPP gave the military the license to intervene and change government policy successfully. The military opposed the WP's Islamist political outlook forcing the coalition out of government in 1997. The military political role advanced in the case of the WP-TPP government with its increasing unpopularity facilitating military intervention.

However, the DLP-NAP-MP coalition government failed economically and was unpopular amongst the Turkish people yet faced limited military intervention. Each party in the coalition had different approaches to handle the economy. The differences amongst the coalition partners led to two economic crises. The DLP-NAP-MP coalition's poor economic performance was translated into its electoral support in the following election losing a historical 39 percent of its votes. The military's lack of political intervention was due to the DLP-NAP-MP largely favouring the military's political position with extra economic freedom and promoting its political ideology. The Islamist AKP single party government produced a robust economy in

being elected three times in a row. The AKP had a majority in government with ineffective opposition in parliament. The AKP's economic success overshadows its Islamic links in representing mainly moderate voters. Nevertheless, the military had overlooked the AKP's popular electoral support and economic success. The military unsuccessfully intervened in 2007 justifying its actions based on the AKP's Islamist ideology. The 2007 military intervention increased the popularity of the AKP and added to the unpopularity of the military. The military's actions went against the popular view of the Turkish people who for the first time perceived the military as being aggressors rather than defenders of democracy. Therefore, the military lost its former political influence to a government that has managed a successful economy and gained popular electoral support.

III

TURKEY'S MILITARY DEMOCRATIZES ITS POLITICAL PREROGATIVES FOR EU MEMBERSHIP

The Turkish military have always been referred as the great modernizers of Turkey.[1] The military maintained Ataturk's foreign policy direction which was directed by the principle of modernization along a westernized model. Moreover, Ataturk had set himself and the military the task of dragging a backward Turkey towards European style modernity. Joining the North Atlantic Treaty Organisation (NATO) membership in 1952, which consisted of twenty-eight member countries, mainly from the West, was a major step towards modernization along a western path. NATO membership was influenced by the Cold War (1947-1991) in promoting a military dominated political environment. Turkey possessed the world's second largest army, a key factor in gaining NATO membership.[2] NATO put no significant pressure on Turkey to democratically align its civil-military relations.[3] The military's political power crept into Turkey's Constitution and law. Consequently, Turkey's military secured extensive political prerogatives over its civil institutions with no external pressure creating a double-headed political system.

The military's foreign policy objective shifted its attention from NATO to the potential membership of the European Union (EU) in 1999. The EU then consisted of twenty-seven democratic European countries sharing a unique economic and political partnership. The EU had the perfect setup in realising the military's ultimate goal of a century long process of

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[1]Gursoy 2014:268
[2] Moustakis 2004: 207
[3]Aykan 2005:339

westernization.[4]   Nevertheless, EU membership required democracy, which principally demanded the military's political subordination to civilians. The Helsinki Summit in 1999 confirmed Turkey as a candidate for full EU membership based on meeting the conditions put forward by the Copenhagen criteria.[5] The EU explicitly challenged the absence of effective legal, political and administrative mechanisms to sustain democratic civilian oversight and accountability of the military. The EU criteria for membership demanded the military to reform its political prerogatives in producing a stable democracy by strengthening civilian prerogatives. The military chose to redress its undemocratic shortcomings through Constitutional amendments, overhaul of basic legal codes and harmonization packages. The substantial scale of political autonomy gained by the military over civilians made it essential for the military to voluntarily give up its prerogatives. The European Commission (EC) closely monitored Turkey's progress, publishing annual progress reports. The EU warned that 'if there were to be a halt, the negotiations could be suspended.'[6] Therefore, Turkey's military, for the first time, faced external pressure to renounce its political prerogatives to meet EU standards.

This chapter will investigate to what extent the military was able to compromise its political prerogatives for democratic civilian control of the military in Turkey's pursuit of EU membership. The prerogatives secured by the military through the 1982 Constitution and law will be closely examined in detecting the level of continuity and change induced through EU pressure. The EU initially listed civilian control of the National Security Council (NSC), the military's influence in the judicial system, accountability and transparency of the military budget and the status of the Chief of General Staff as political prerogatives restraining democratic civilian control of the military.[7] Therefore, the military's democratization of its

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[4]Gursoy 2013:268
[5] Kurt and Toktas 2010:390
[6]*European Commission Progress Report on Turkey 2004*
[7] Kurt and Toktas 2010: 389

political prerogatives for EU membership will be consistently calculated with the initial undemocratic configuration of each military prerogative.

Civilian control of the NSC

The NSC can be regarded as the most important political channel used by the military in communicating with elected civilians. The 1982 Constitution, after the 1980 military coup, enhanced the role of the NSC with the government giving 'priority consideration' to its decisions and recommendations over the civilian Council of Ministers. Moreover, the NSC was dominated by military personnel who outnumbered council ministers by five to four.[8] The military dominated NSC employed undemocratic mechanisms for it to operate effectively. NSC recommendations were passed by consensus rather than voting between the military, government and president. This method favoured the military with the recommendations signed by the military before the Council of Ministers due to 'priority consideration.'[9] The NSC law of 1983 defined Turkey's national security in such broad terms that it could be interpreted as covering almost every policy area. The law stated: 'national security means protecting the state against every kind of external and internal threats, and all its interests and contractual rights in the international arena including political, cultural and economic spheres.'[10] The NSC arranged meetings with civilian authorities once a month in presenting them with policy guidelines. For example, in 1997 the civilian government pursued policy initiatives contrary to the military resulting in its resignation.[11] Therefore, a military dominated NSC had the potential to dictate its policies to the civilian government in all policy areas. Nonetheless, the NSC drew a lot of attention from the EU due to its undemocratic character and lack of civilian control dominated by military personnel. The EU, in Turkey's Progress

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[8]Akkoyunlu 2007:344
[9] Cook 2007: 120
[10] Jenkins 2001: 46
[11]Aydinli, Zcan and Akyaz 2006:77

Report in 2001, criticised the NSC as a serious democratic limitation on Turkey's civilian government. In response, Turkey's Constitutional amendment in 2001 increased the number of civilians from five to eight.[12] The military responded positively to the amendment in stating one year before that 'the number of civilians can be increased to a hundred, it does not matter.'[13] The function and the composition of the NSC were reduced to an advisory organ removing the 'priority consideration' privilege of the military in now reporting to the 'Council of Ministers with its views and suggestions.'[14] As a result of this change the military's undemocratic mechanisms in outnumbering the civilians and promoting their own policies and recommendations was removed. The democratically elected civilian government would no longer fear another coup if it were to contradict the military's policies. For example, the democratically elected AKP government's easing of the headscarf ban in 2007 directly contradicted the military's policies. The EU influenced a Constitutional amendment in 2003 to increase the time period between NSC meetings from one to two months. Thus, the EU directed democratic change by changing the function and composition of the NSC to give civilians the upper hand over the military.

The military invested a great deal of its undemocratic political powers in the role of the NSC Secretariat General. The 1982 Constitution enabled the Secretariat General unlimited access to civilian agencies in monitoring the implementation of NSC recommendations. Article 19 mentions that 'the Ministries, public institutions and organisations and legal persons shall submit regularly, or when requested, non-classified information and documents needed by the Secretariat General of the NSC.'[15] Moreover, the Secretariat General had a representative on

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[12]*European Commission Progress Report on Turkey 2001*
[13] Chief of General Staff (2000), as cited by Guney and Karatekelioglu 2005:450
[14]Piran 2013:120
[15]*The 1982 Turkish Constitution*, Article 19

the censure board for the Radio and Television Supreme Council (RTUK).[16] The post was exclusively reserved for serving generals with the Secretariat General in frequent communication with the Turkish General Staff. The Secretariat General was also responsible for the preparation of the National Security Policy Document (NSPD). The NSPD instructs the Secretariat General to evaluate the external and internal threats to Turkey and devise policies on how the threats should be tackled.[17] For these reasons, the military Secretariat General could consistently monitor civilian agencies through representatives and if any problems arose he could report them to his superiors. Therefore, civilian agencies had to make sure that they were working in line with the military in being continuously monitored by a serving general.

On the other hand, the severe limitations imposed by the Secretariat General on civilian agencies went against democratic EU norms. The EU tackled the role of the NSC Secretariat General with the introduction of its seventh harmonization package in 2003.[18] The package removed Article 19 from the Constitution in enabling civilian agencies to work without restrictions from the consistent monitoring of the Secretariat General. The EU made sure the reform measures were practically implemented with the removal of the Secretariat General's representative from RTUK via the 2004 ninth harmonisation package.[19] The Secretariat General's role was to be taken on by a civilian abolishing the position hitherto exclusively reserved for a general. Moreover, Article 15 was amended to revise the appointment procedure of the Secretariat General of the National Security Council. The Secretariat General would now be appointed upon the proposal of the Prime Minister and the approval of the President, allowing a civilian to serve in this office.[20] Consequently, Mehmet Yigit Alpogan in 2004, a

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[16]Bac 2005: 22
[17]Jenkins 2001:46
[18]Narli 2005:10
[19]Bac 2005:26
[20]Usul 2010:65

career diplomat who served as the Turkish ambassador to Greece, became the first civilian Secretariat General of the NSC.[21]

The military's influence in the running of the judicial system

The 1982 Constitution and law allowed the Turkish military to legally participate in and influence the judicial running of non-military courts. The State Security Courts (SSC) were civilian courts used as a political prerogative by the military in the context of the 1980 coup to try civilians. The SSC was a political tool to protect the military's principle of unity and secular character of the state. The military used the SSC's as a tool to charge civilian separatist groups like the PKK in an undemocratic legal setup. Furthermore, the panel seated in the SSC included three judges with one being a military judge. The military denied civilians their basic rights as per the law guiding the SSC trial procedures. Turkish law referenced in the Criminal Code gave the SSC the right to punish civilians with the death penalty if found guilty.[22] In the SSC the trial procedures for civilians could be closed, counsel could be denied, and detention could be twice as long as in normal investigations.[23] The court's detention procedures involved harsh treatment of civilian detainees. Thus, the military used SSC as a tool to repress civilian opposition groups.

Equally, the EU took every democratic limitation imposed by the SSC into consideration. The European Court of Human Rights (ECHR) found that the presence of a military judge impaired an independent and impartial trial. Nevertheless, the military complied in making changes before they were highlighted by the EU, for instance removing the military judge from the panel and replacing him with a civilian judge in 1999 with the amendment of Article 143. The

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[21]Toktas and Kurt 2008:3
[22]Jenkins 2001:54
[23]Alexander, Brenner and Krause 2008:554

military's prerogative in the judicial setting came to light with the case *Ocalan v. Turkey*. Ocalan, leader of the PKK, was charged with numerous offences against the security of the state, facing the death penalty when convicted. Ocalan's appeal to the ECHR put substantial pressure on the SSC decision to be reversed from the death penalty to life imprisonment. The case highlighted the military's influence in decision making hampering civilian rights in court procedures. Furthermore, Turkey's 2001 EU Progress Report explicitly stated that 'no further improvement has taken place concerning the SSC since the last reform in 1999.'[24] The EU applied pressure for amendments in 2002 with its first harmonization package bringing changes to the Criminal Code and the law on trial procedures. The members of the SSC eventually represented a civil judiciary instead of the military. Indeed, the eventual complete removal of the SSC from the Constitution and the complete abolition of the death penalty in 2004 strengthened the democratic running of Turkey's judicial system.[25] Therefore, the military's prerogative in influencing decisions against civilians through the SSC was inherently removed.

The military empowered its military courts to the extent that one could easily notice two parallel systems, one military and one civilian. Turkey's military courts could charge both civilians and military personnel whereas civilian courts could only charge civilians. The Military Criminal Code underlined the rights of the military courts to try civilians in separating them from their 'natural judges.'[26] Article 11 of the law on the Establishment and Trial Procedures of Military Courts explicitly pointed out how certain crimes by civilians can be within the jurisdiction of military courts.[27] The law on the Establishment and Trial Procedures of Military Courts became most controversial with changes introduced to it via the 1982 Constitution. The military courts removed the necessity of having qualified judges in

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[24]*European Commission Progress Report on Turkey 2001*
[25]Eralp 2013:325
[26]Usul 2010:113
[27]Kardas 2005:61

questioning the fair trial of civilians in military courts. The procedure used to appoint judges to the Military High Court of Appeals were according to military competency rather than legal competency. The military became principally responsible for the promotion and appointment of military judges.[28] Military courts were headed by three military judges that could try civilians for offences related to the military such as alleged incitement to avoid performing military service. Thus, the military infiltrated the law in being able to try citizens with enhanced powers of the military courts.

Conversely, the EU was deeply concerned with the position of the military courts in trying civilians governed by undemocratic rules and procedures. The 2001 and 2002 Progress Reports pointed out that the military courts, in their recent 22 cases involving 38 civilians were dealt with in relation to prohibiting their free opinion against the military.[29] Moreover, 176 cases involving 358 civilians dealt with in military courts were mostly in relation to charges of fraud in avoiding military service or intimidating and insulting soldiers on duty.[30] There were amendments made to the Military Criminal Code with some leeway given to civilians in 2003. The EU's discontent pressured the military through the seventh harmonisation package to reform the law on the Establishment and Trial Procedures of Military Courts in introducing training courses for military judges to ensure that they were competent enough to make correct decisions.[31] The eighth harmonisation package in 2006 enforced the removal of Article 11 of the law on the Establishment and Trial Procedures of Military Courts to prosecute civilians. Consequently, the EU was successful in applying pressure in the complete removal of the military's privileged position in trying civilians.

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[28]Kardas 2005:67
[29]*European Commission Progress Report on Turkey 2001*
[30]*European Commission Progress Report on Turkey 2002*
[31]*European Commission Progress Report on Turkey 2003*

The military became immune to being charged by civilian courts. For example, in the Code of Criminal Procedure military personnel who committed theft, fraud, forgery or property violation against a military person would be judged in a military court.[32] Article 145 of the 1982 Constitution gave military courts the exclusive powers to charge military personnel.[33] Nonetheless, one cannot discount the fact that as Turkish citizens military personnel were also subject to common law. The military secured their interests in taking away the rights to judicial appeal for officers against the decisions of the Supreme Military Council. The Council was composed of four-star generals.[34] The military's prerogative was further enhanced by the 1982 Constitution in Article 15 by exempting the trial of military personnel in 'respect of decisions or measures whatsoever taken by the NSC on behalf of the nation.'[35] The article was introduced to effectively ban any legal civilian action against the 1980 coup generals for any committed crime.[36] Hence, military courts became the definitive place where military personnel can be trialled.

On the other hand, in light of the military's abuse of power and immunity from civilian courts, this tilted the democratic balance against EU practices. The military's prerogative in the military courts could not be denied in influencing civilian politics in the background. Turkey's 2009 Progress Report raised serious concerns of the alleged involvement of military personnel in anti-government activities.[37] Turkey's civilian government used the EU factor as a means to extend civilian jurisdiction to trial military personnel. However, the military were hesitant in allowing the trial of military personnel in civilian courts, resulting in the 2010 referendum. The changes amended Article 145 and the Code of Criminal Procedure with serving military

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[32]Kardas 2005:65
[33]*The 1982 Turkish Constitution*, Article 19
[34]Ozbudun 2000:112
[35]*The 1982 Turkish Constitution*, Article 15
[36]Panico 1999:80
[37]*European Commission Progress Report on Turkey 2009*

personnel now liable to prosecution in civilian courts. Moreover, military courts would only be used for offences related to 'military duties and responsibilities.'[38] This change effectively resulted in several retired generals being put on trial for plotting attacks to provoke a military coup in civilian courts.[39] The organisation and functions of the Supreme Military Council were restructured in allowing military personnel the right to appeal against its decision. The most crucial of these proposed changes was abolishing Article 15 of the 1982 Constitution. The removal of Article 15 meant the re-trial of military members responsible for the 1980 coup and the 1997 coup. This has resulted in 103 suspects being charged in relation to the 1997 coup.[40] Prime Minister Erdogan stated that these changes 'crossed a historic threshold towards advanced democracy and the supremacy of law.'[41] Moreover, EU Enlargement Commissioner Stefan Fule said: 'these changes are a step in the right direction towards fully complying with EU standards.[42] Thus, the military had been compelled to give up its indispensable prerogative, making it next to impossible to launch a military coup, with civilian jurisdiction gaining the initiative.

Accountability and transparency of the military budget

The military's political autonomy, in regulating its own budget, traditionally required no financial accountability to the civilian government and Parliament. The military budget has never been subject to Parliamentary debate due to the military's secrecy policy. The 1982 Constitution clearly stated in Article 160, guiding the Court of Auditors that 'state property in possession of the armed forces shall be regarded by law in accordance with the principles of

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[38] Jenkins .2010, 'Turkey's constitutional amendments: One step forward, two steps back?', http://www.silkroadstudies.org/new/inside/turkey/2010/100329a.html (accessed 5 May 2010)
[39]*European Commission Progress Report on Turkey 2012*
[40]*European Commission Progress Report on Turkey 2013*
[41]*Hurriyet*, 19 September, 2010:1
[42]*Hurriyet*, 13 September, 2010:3

secrecy necessitated by national defence.'[43] Moreover, the Court of Auditors was restricted with no Constitutional rights to scrutinize military expenses. There were no administrative tools that prescribed in detail how the military should spend its budget. Civilians had no track of the military budget with nothing about defence spending put on the agenda. There are no domestic sources on the military available with one author despairingly turning to foreign sources from NATO in the 1990s.[44] Accounting for the defence budget could be a difficult task because the military secured a number of extra-budgetary funds such as the Defence Industry Support Fund (DISF) in 1983 and the Turkish Armed Forces Foundation (TAFF) in 1987. The extra-budgetary funds were set up in order to take away the military's dependency on the national defence budget.[45] Therefore, a lack of information and the military's substantial autonomy over Parliament increased lack of civilian transparency and the accountability of the military budget.

Nevertheless, the EU demanded full parliamentary control over military expenses in terms of auditing the military budget. The EU noted in 2003 the retention of 'restrictions….under which the confidentiality of the defence is foreseen and the existence of some off budget funds that escape scrutiny.'[46] The secrecy surrounding the military budget secured by Article 160 of the Constitution was deleted in 2004.[47] In effect this meant for the first time the military budget would be revealed, explained and justified by the Court of Auditors. Parliamentarians would have more detailed information to review and debate the military budget proposals and other defence bills. The removal of the secrecy clause was immediately felt with an ample amount of domestic sources on military expenditure. Sources suggest that with the removal of the secrecy clause there was a reduction in military spending, and for the first time education

[43]*The 1982 Turkish Constitution*, Article 160
[44]Sakallioglu 1997:160
[45] Greenwood 2005:57
[46]*European Commission Progress Report on Turkey 2003*
[47]Drent 2004:79

spending was more than military spending. For example, in 2004 figures indicate that education spending stood at 3.06 percent of GNP whereas defence spending stood at 2.59 percent.[48] However, the level of detail in the publications was limited and scattered with no mention of extra-budgetary funds. The Law on Public Financial Management and Control was introduced in 2005 to bring extra-budgetary funds into the overall state budget. Then again, Turkey's defence budget for 2009 was TL 14.5 billion, which again excluded extra-budgetary resources, these not being open to the public.[49] This reflected the failure of the Law on Public Financial Management and Control, and its aim for the dissolution of these funds by 2007.[50] The EU noted the lack of progress on the oversight of military expenditures in mentioning the DISF as an extra-budgetary fund excluded from Parliamentary scrutiny.[51] This was again noted by the EU in its Progress Report in 2013 stating 'the transparency and accountability of the security sector remained limited.'[52] The exact size of the military budget is unknown because of the unaccountable extra-budgetary funds. Hence, the EU enforced the removal of the secrecy clause and enacted legislation to provide transparency and accountability of the budget, but there was little sign of implementation.

The Status of the Chief of General Staff

The Chief of General Staff (CGS) is the highest individual position in the Turkish military. The legal status of the CGS puts him beyond all the civilian ministers except for the Prime Minister. The CGS is appointed by the president from generals who were formerly commanders of the land forces. Article 117 of the 1982 Constitution was explicit in stating that the CGS was accountable to the Prime Minister 'in the exercise of his duties and powers.'[53] Furthermore, the

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[48]Narli 2005:152
[49] Kemal 2010:21
[50] Kemal 2010:21
[51]*European Commission Progress Report on Turkey 2010*
[52]*European Commission Progress Report on Turkey 2013*
[53]*The 1982 Turkish Constitution*, Article 117

Constitution increased the autonomy of the CGS with no mention of the procedures of impeachment of the CGS. The CGS is autonomous of the cabinet in matters of defence policy-making, planning, programming, budgeting and spending. For example in 1997 the CGS carried out two military operations against the PKK without the government's knowledge.[54] The CGS inhibited civilian politicians from interfering in the running of the military. In 1986 the then Defence Minister Zeki Yavuzturk stated in an interview that the CGS establishes his needs so that the Defence Minister can carry out his tasks according to these needs.[55] However, in 1987 Prime Minister Turgat Ozal identified the democratic limitations insulating the CGS from civilian control. Ozal wanted the CGS to democratically report to the Defence Minister, but failed to implement this change in gaining less than two-thirds majority votes in parliament to amend Article 117. Thus, the status of CGS prevented effective civilian control of the armed forces in encompassing a privileged, unprecedented and unchallenged status.

However, the status of the CGS was not a hidden undemocratic fact of the Turkish military to the EU. The CGS had a much higher status than any other CGS in the EU member states. In Turkey's 2000 Progress Report the EU pinpointed the fact that 'contrary to EU and NATO standards, instead of being accountable to the Defence Minister, the CGS is still accountable to the Prime Minister.'[56] Moreover, the same point was raised again in Turkey's 2007 Progress Report. Nevertheless, the EU failed to mention that there was no procedure of impeachment in place for the CGS. Turkey's military took no notice of the EU after it had clearly demanded a change in the subordination of the CGS to the Defence Minister on various occasions. Furthermore, there was no motivation for change in this area from civilians as well as the military. In 2002 Turkey's Defence Minister Vecdi Gonul supported the subordination of the

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[54]Sakallioglu 2004:119
[55] Defence Minister (1986), as cited by Sakallioglu 1997:159
[56]*European Commission Progress Report on Turkey 2000*

CGS to the Prime Minister in stating that it 'provides sufficient democratic commitment by Turkey.'[57] The military contended that if it were to subordinate the CGS to the Defence Minister, the CGS might easily be replaced according to political preferences.[58] In 2013 Turkey's Progress Report again mentioned the EU's continuous concerns of the CGS reporting to the PM, asking for a 'new Constitution.'[59] Therefore, despite continuing EU pressure in prescribing the status of the CGS as a democratic obstacle the military has resisted pressure for change.

Summary

The EU influence on the Turkish military exemplifies how external pressure can act as a positive force towards democratization. The military had a keen obsession in relegating its political prerogatives to meet EU standards, which was the military's fundamental subordination to civilians. The EU had failed in certain areas, but its failure cannot overlook its success. Moreover, the EU had not only challenged the military's political prerogatives but its Constitution and law in empowering civilians. The NSC was a major part of the military's tutelage over the civilian government in dictating its policies that eventually got outweighed by the idea of EU membership. The EU chewed through the NSC's undemocratic functions in cutting the military's political means of communication. The EU curbed the powers of the NSC Secretarial General from military personnel to a civilian. This meant extended freedom of civilian agencies from the continuous monitoring of the military. The judicial system undoubtedly favoured military courts jurisdiction over civilian courts prior to the 1999 Helsinki Summit. Nevertheless, the undemocratic procedures guiding the SSC in repressing civilian opposition groups were inherently removed through the complete removal of SSC's through

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[57] Defence Minister VecdiGonul (2002), as cited by Greenwood 2005:46
[58]Guney and Karatekelioglu 2005: 452
[59]*European Commission Progress Report on Turkey 2013*

EU pressure. The military could no longer prosecute civilians in military courts whereas civilian courts could trial both civilians and military personnel. The EU enforced amendments that would mean the re-trial of military personnel involved in the 1980 coup a monumental step towards democratization.

On the other hand, the military had resisted meeting EU standards in conceding its political prerogatives to civilian control wherever it felt necessary. The EU suggested practical measures to bring the military budget under civilian control. However, the EU failed to account for the non-budgetary funds in Turkey's military's budget. Although the EU has influenced the removal of Article 160 in extending the powers of the Court of Auditors to audit the military expenses its practical implementation is yet to be felt. EU's influenced Law on Public Financial Management and Control has failed in all areas in not being able to account for extra-budgetary funds, and overlook the military's purchases being value for money. Parliament has appeared to be vulnerable in scrutinizing military expenditure. Furthermore, the status of the CGS is an unchallenged position that the EU could not rattle through its continuous mention in its annual Progress Reports. The EU standards desperately required the subordination of the CGS to the civilian Defence Minister like its other democratic member states. However, the status of the CGS in Turkey is not only supported by its military, but has been continuously supported by its civilian Defence Ministers. One can arguably claim that the military largely democratised its key political prerogatives to civilians. Even if the military is still holding onto its undemocratic political prerogative held through its lack of transparency and accountability of the military budget and the status of the CGS. One can also comfortably add that the eventual removal of these prerogatives will be motivated by EU membership.

IV

GREECE'S ROUTE TOWARDS DEMOCRATIZATION

Modern Greece civil-military relations have converged with Turkey up to the 1970s with the military dominating the political scene. Greece faced consistent military interventions in the political realm with successful military coups taking place in 1909, 1916 and 1922 followed by several unsuccessful coups. The last successful military coup that Greece experienced was in 1967 with a military junta lasting until 1974. A retired admiral Engolfopoulos and retired General Opropoulos pointed out that the conditions for staging a military intervention or even thinking about it no longer existed in Greece from 1974 and after.[60] Greece diverged in its civil-military relations compared to Turkey in experiencing no military intervention in politics after 1974. In contrast, Turkey has experienced military coups in 1980 and 1997 with continuous political interference by the military in politics. Greece shares many international common traits with neighbouring Turkey. Greece and Turkey both became members of NATO in 1952 with close ties with the United States (US) in context of the Cold War (1947-1991). The countries were of geographical importance to the US being located in the East Mediterranean. Both countries are closely associated with the EU. Greece became associate member in 1962 and Turkey in 1963. Moreover, Greece has gained full membership of the EU in 1981 in being able to consolidate its democracy as opposed to Turkey.

This chapter will explore Greece's diverging civil-military relations compared to Turkey. In examining how Greece democratised its civil-military relations relatively quickly in comparison to Turkey. I will assess how the international environment shaped up Greece's domestic environment forcing the military to democratise its political position. This chapter

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[60] Karabelias 1998:56

will be divided into three phases from military junta to post-junta to democratic consolidation. The first phase will assess the political conditions assisting Greece's democratic transition from its experience of military rule in 1967-1974. The second phase will show how Greece strengthened the role of the civilians over the military through the formation of political parties post-junta. The final phase will observe how Greece has consolidated its democracy through EU economic support. Thus, one will be able to establish how Greece has been successful in democratizing its civil-military relations compared to Turkey.

Greece's experience of military rule

Greece's 1967 military junta was dependant on the Cold War environment. The 1967 coup and the following seven years of military rule were the culmination of 30 years of national division. The Greek civil war in 1946 exemplified the effects of the Cold War on Greece's political system with clashes between Communists (left) and anti-Communists (right).[61] The Greek military was influenced by foreign political and economic backing from the US through the Truman Doctrine in 1947 to combat the threat of Communism.[62] Greece's membership of NATO in 1952 fueled anti-Communism sentiments within the military as a prevailing ideology to protect the country from Communism.[63] The Greek military in carrying out the 1967 coup was motivated mainly by the possibility of a coalition center-left government, between George Papandreou's Centre Union Party (CUP) and the United Democratic Left Party. Papandreou wished for Greece to be more independent of the US in criticizing its presence in its domestic politics.[64] Colonel Georgios Papadopoulos described his decision to carry out a military coup as saving Greece from a potential Communist takeover.[65] Anti-Communism failed to provide

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[61] Nachmani 1990: 2
[62] Moustakis 2004: 29
[63] Duman and Tsarouhas 2006: 409
[64] Schmitz 2006: 62
[65] Cook 2014: 534

a common agenda for action within the military. Papadopoulos created divisions within the military bypassing the political right King Constantine II. Disunity amongst the military was characterized in the first year of the junta. In 1967 there was a failed counter coup by senior military officers loyal to King Constantine II.[66] The officers within the military also became divided into moderates and hardliners because the junta showed no signs of disengaging from politics.[67] The moderate Papadopoulos attempted to re-introduce democratic measures installing a puppet civilian government, and appointing himself as president of Greece in 1973. The hardliners in the military became frustrated in wanting the military to play a permanent role in politics.[68] Chief Brigadier Dimitrios Ioannides used a brutal response to a student uprising in Athens to successfully counter coup Papadopoulos.[69] Therefore, the military had no guiding political ideology to unite it under one platform.

Furthermore, the junta miscalculated its level of support from its international allies. Ioannides adopted an expansionist foreign policy unifying Cyprus with Greece, believing he had US and NATO backing. Lieutenant General Gregorios Spandidakis the junta's defense minister stated that the 'ties between Greece and NATO were stronger than before.'[70] Ioannides planned a military coup in Cyprus to overthrow Archbishop Makarios who was appointed as president of an independent republic between Greece and Turkey. Makarios held pro-Soviet ideas, which the junta calculated would gain US military assistance.[71] NATO also gave a sense of security to Greece with Turkey also being a member of NATO. Moreover, this provided an institutional setting ensuring allies would not resort to war.[72] However, the junta was internationally

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[66] Clogg 1987: 185
[67] Danopoulos1984: 236
[68] Danopoulos 1984: 236
[69] Danopoulos 1984: 239
[70] Pedaliu 2011:104
[71] Uslu 2003: 122
[72] Uslu 2003:122

isolated, militarily defeated and politically humiliated by the Turkish invasion of Cyprus. Greece lost 28 percent of Greek Cypriot territory, and the island was partitioned into Greek Cypriot and Turkish Cypriot zones.[73] The Cyprus crisis discredited the political role of the military. The Cyprus crisis made the military realise it had to focus on its combat skills and preparedness than interfere in politics.[74] The military had 15 leaders tried for treason, 500 officers dismissed and 600 reassigned to other positions.[75] The military dictatorship signed a petition demanding democratic civilian control in appointing Constantine Karamanlis a pre coup leader as Prime Minister.[76] PM Karamanlis believed with full conviction that parliamentary democracy was the only step to save Greece from further unwanted developments. [17] Thus, the junta's intervention in Cyprus defined the military as a political failure in facilitating civilian democracy as the only political alternative.

In contrast, Turkey's military junta in 1980 acted independently of the Cold War climate in being strongly united under its political ideology of Kemalism. Turkey like Greece had a strong alliance with the US through political and economic backing from the Truman Doctrine in 1947 to combat the threat of Communism.[77] Turkey's membership of NATO was viewed by the military as an opportunity not only to protect the country from external threats of communism, but internal threats from Islamism and Kurdish nationalism.[78] Political violence in Turkey throughout the 1970s became increasingly out of control for the civilian Republican People Party (RPP) and the Justice Party coalition government to handle.[79] CGS Kenan Evren declared that the military was responding to domestic political anarchy in overthrowing the government

[73] Moustakis 2004: 29
[74] Karabelias 1998:64
[75] Gursoy 2009:59
[76] Pappas 2014:14
[77] Moustakis 2004: 29
[78] Taspinar 2005:2
[79] Howard 2001:219

in 1980.[80] The military was politically guided by the Kemalist principles in bringing officers together under a common agenda. The US approved Turkey's military's role in politics because of its anti-Communist stance.[81] The junta only lasted for three years unlike Greece's seven in taking away the potential of a planned counter coup. The military was aware of the negative effects their lengthy stay in power could have on the military institution as well as on Turkey's international relations.[82] The junta promoted a return to democracy as soon the political situation in Turkey was stabilised. The junta was redundant of an external shock that Greece's junta faced from the Cyprus crisis. The 1982 constitution was introduced by the junta with exit guarantees giving the military a legitimate role in politics. Officers retained important powers, CGS Evren became president (1980-1989) and the 1980 coup generals were immune from prosecution.[83] Thus, the junta stabilised the politically unstable environment under the guidance of its Kemalist principles, but hindered the democratic process in showing it was the only political alternative available.[84]

Formation of political parties post-junta

The political failures of the junta meant a shift in international relations promoting strong and politically representative political parties to subordinate the military to civilians The Cyprus crisis marked a change in the international climate in Greece with temporary withdrawal from NATO in 1974 and an atmosphere of anti-Americanism.[85] The New Democracy Party (ND) led by PM Constantine Karamanlis won the first parliamentary democratic election in 1974 with 73 percent of parliamentary seats to form a majority government.[86] PM Karamanlis targeted European Community (EC) membership, which automatically meant that civilians

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[80] Howard 2001:217
[81] Altunisik and Tur 2005: 112
[82] Karabelias 1998:30
[83] Gursoy 2009:59
[84] Karabelias 1998:51
[85] Karamouzi 2014:18
[86] Clogg 2013: 175

would control the military. PM Karamanlis understood direct relationship between democratisation and EC membership.[87] PM Karamanlis in 1975 announced his intention to seek full membership of EC as a long term strategy to secure the country's democratic institutions.[88] PM Karamanlis took bold political decisions to remove the pre-junta obstacles towards democratisation. PM Karamanlis abolished the monarchy through plebiscite in establishing a republic.[89] He introduced a new democratic constitution in 1975 that was inclusive. The military's politics of exclusion of the left was eliminated and all political parties were permitted to compete.[90] The Communist Party was legalised after 27 years in 1974 to participate in Greece's political system.[91] Political representation through political parties was stabilised in 1981. The ND's positive steps to strengthen civilian control over the military gained it full EC membership in 1981. Furthermore, the political left Panhellenic Socialist Movement Party's (PASOK) electoral victory in 1981 displayed a strong indicator that Greece had established a fully functioning democracy.[92] PASOK victory showed successful rotation of power between the political right and left without military intervention. PASOK and the ND's policies clashed in many ways but were mutual on their policy regarding the military to be subordinated to civilians.[93] Moreover, PASOK and the ND agreed to form a coalition government in 2012.[94] Therefore, the formation of strong political parties representative of the political left and right gave civilians the upper hand to swiftly remove the military's political influence.

On the other hand, the political competence of Turkey's military over civilians promoted weak political parties with limited international pressure. All NATO members except Turkey had

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[87] Barany 2012:136
[88] Karamouzi 2014:14
[89] Clogg 2013: 175
[90] Moustakis 2004: 207
[91] Clogg 2013: 178
[92] Clogg 1987:29
[93] Liaras 2007:42
[94] http://www.bbc.co.uk/news/world-europe-18515185 (accessed 10 February 2015)

democratic civil-military relations when the Cold War ended.[95] The military secured its political role through the 1982 constitution before transferring power to civilians. The military controlled the political system in banning all political parties that held opposing political values to Kemalism up to 1987.[96] The MP was elected in 1983 pursuing polices with caution to avoid conflict with the political interests of the military.[97] Turkey's political system was exclusive of political freedom through political parties that diverged from Kemalism. The military maintained its influence on political parties such as the secular RPP. Turkey put forward its application for EC membership in 1987, which was rejected on the basis of political freedom.[98] The political influence of Kurdish nationalism and political Islam was curbed through the active role of military in politics. For example, the Transformation Party in 1996, the Socialist Unity Party in 1995 and the Welfare Party in 1998 were ban on the grounds that they demanded religious, language and cultural freedom.[99] The weak coalition government in the 1990s, failed to provide political stability to question the political position of the military. The civilians' inadequacy to strengthen its control over the military resulted in the military overthrowing the Islamist WP government in 1997. The military's political role hindered political representation, which was recognised by the EU. The EU accepted Turkey as an EU candidate in 1999 on the basis that the military subordinated to civilians.[100] In 2002 the AKP became the first Islamist party to maintain power in Turkish history up to present. Turkey has taken 19 years since the junta to show signs of a strong political system, whereas in Greece's case it took 7 years. Thus, Turkey's political system has showed gradual signs of democratization.

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[95] Gursoy 2013: 315
[96] Jenkins 2008: 142
[97] Jenkins 2008: 145
[98] Usul 2010:156
[99] Hakyemez 2008: 139
[100] Kurt and Toktas 2010:390

Greece consolidates democracy through EU economic support

Greece's civilians used the economy supported by external assistance from the EU to establish control over the military. Civilians had full control of the military budget in order to pursue carrot and stick policies. There was consensus among major political parties that investing in the military was necessary to safeguard democracy.[101] In 1981-1989 PASOK came to power as a majority government in an attempt to resist Europeanization of Greece's economy.[102] The EU's economic rewards could not be overlooked by PASOK in abandoning its anti-EU economic policies heading towards further economic integration. PM Andreas Papandreou secured loans of $125 million in 1984 from the EU.[103] Moreover, the loans offered Greece economic flexibility in reducing the military's uncertainty about its economic standing. PM Papandreou consistently devoted 20 percent of total government spending to military expenditure.[104] Greece's military spending has been invariably higher than the EU and NATO averages. For example in the period 1985-1997 Greece spent 5.1% of GDP to defence while the equivalent averages for NATO and the EU were 2.9% and 2.4% respectively.[105] In the period 2000-2010 Greece spend 3.0% of GDP to defence when compared with 3.0% equivalent for NATO and 1.8% for EU.[106] Furthermore, Greece maintained civilian control of the military in allocating a large part of its budget to the military whilst the EU bailed it out of economic crises. The EU negotiated a bailout plan for Greece's economic crisis in 2010 and 2012 whilst it spent 7.1bn euros on its military in 2011.[107] In 2013 Greece's budget deficit reached 12.7 percent from 3.4 percent, which was four times higher than allowed by EU rules in having no

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[101] Tsakonas and Yiallourides 2001:91
[102] Ioakamidis 1996:39
[103] Ioakimidis 1996:39
[104] Duman and Tsarouhas 2006: 414
[105] *SIPRI Yearbook 2011*
[106] *SIPRI Yearbook 2011*
[107] *The Guardian,* 21 March, 2012: 7

effect on the military budget.[108] The EU implemented continuous bailout packages for Greece's economy to avoid democratic breakdown of an EU member state. Therefore, the civilians complete economic input into the military budget with economic support from the EU protected Greece's democracy.

On the other hand, Turkey's military was economically independent from external actors and civilians in holding back the democratic process. The military intervened in 1960 and 1980 partially due to civil mismanagement of the economy. The military increased its economic position autonomous of civilian control through the 1982 constitution and through political intervention. The military secured its economic privileges through the Army Mutual Trust Fund (OYAK) setup in 1961 as a result of the 1960 coup to benefit the military. OYAK is not included in the military's national budget.[109] OYAK is a corporation of vast holdings in banking, automotives, petroleum and iron steel etc. OYAK has been ranked one of the top three businesses in the country. The military through OYAK was exempt from tax acting as a sheild for the military from the negative effects of economic downturn while the rest of the society has no such safety net.[110] In 2013 OYAK had total assets of $8 million amonst its 280,573 military members.[111] Nevertheless, the EU confronted Turkey's lack of civilian control of the military's defence budget. In its annual progress reports pressure was put on Turkey in the 2000s to put military budget under civilian control with no mention of OYAK.[112] The AKP introduced the Law on Public Financial Management and Control in 2005 to bring the military's budget under state civil control. The law encouraged the AKP to gain civil control

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[108] http://greece.greekreporter.com/2014/07/22/greeces-public-debt-stands-at-174-1-of-gdp/ (accessed 19 March 2014)
[109] Akca 2010: 22
[110] Akca 2010: 26
[111] Akca 2010: 28
[112] *European Commission Progress Report on Turkey 2003*

over military spending.[113] The AKP was successful in controlling the national defence budget to a certain extent in fixing annual figures. The AKP produced a strong independent economy that stabilised the political system. The AKP sustained economic growth at 10 percent in 2010.[114] There has been little application detected of EU recommendations. Turkey spent 2.3 percent of GDP in 2013 on military spending that surpassed the EU average of 1.8 percent.[115] However, this could be justified through the AKP's strong political economy in offering economic flexibility towards the military budget. The EU has continued to put pressure for civilian supervision of Turkey's military budget to guarantee democracy.[116] Turkey has shown symptoms of change after 22 years since the junta, whereas Greece gained full control of the military's budget in 10 years. Hence, the AKP is heading towards the right direction, but the military's economic autonomy has prevented civilians to gain a political advantage over the military.

Summary

Greece's route towards democratization was a swift process mainly due to its experience of military rule in 1967-1974. Greece faced an external shock from the Cyprus crisis that facilitated its route towards democratization. Greece's negative experience of military rule added impetus for civilian control of the military. The military's political incompetence meant civilian democracy was the only political alternative. EC membership encouraged PM Karamanlis to make bold decisions erasing undemocratic measures implemented by the military. The political system within a short space of time showed that it was politically

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[113] Kemal 2010:21
[114] http://studies.aljazeera.net/ResourceGallery/media/Documents/2011/7/30/2011730121640216734Political%20economy%20of%20Erdogans%20success%20story%20in%20Turkey.pdf (accessed 12 August 2013)
[115] *Todays Zaman*, 20 February, 2014:14
[116] *European Commission Progress Report on Turkey 2010*

inclusive representing the political left and right to remove military influence. Greece successfully consolidated democracy through economic support from the EU. Civilians were given full control of the military budget to pursue carrot and stick policies to subordinate the military. Greece's economy reflected large disparity even in times of economic crises, but the EU continues to bail Greece's economy to safeguard democracy. In contrast, Turkey's democratic process has been gradual in facing no external shock or political humiliation. Turkey's positive experience of military rule has slowed down the democratic process. Civilians' political incompetence meant weak political parties, and an increased political role of the military supported by the 1982 constitution. The AKP's electoral victory has indicated a gradual democratic convergence with Greece. The AKP has also empowered itself to set figures for the defence budget. The AKP has spent more on the military budget than the EU average, which can be justified through its successful political economy. Nevertheless, Turkey's military enjoys economic autonomy hindering civilians to take a carrot and stick approach to make the military dependant on them.

V

THE PROSPECTS FOR DEMOCRACTIC CONSOLIDATION OF CIVIL-MILITARY RELATIONS THROUGH RULE OF LAW IN TURKEY

The rule of law is a condition that guarantees democracy from a majoritarian government. The AKP government's unprecedented degree of civilian control over the military and electoral mandate democratically demanded the AKP operated under the rule of law. The Constitutional referendum in 2010 was pivotal to democratically enforce civilian jurisdiction over the military to uphold the rule of law in Turkey.[1] The referendum was inspired by the AKP government after the military was being investigated for two separate cases planning to overthrow the government. Ergenekon was the first of the two cases being investigated since 2007 with Ergenekon referred to as a deep state organisation plotting against the government to protect secularism. The Sledgehammer case was under investigation since 2010 after evidence was discovered of a coup plot planned by the military in 2003 codenamed Sledgehammer. Ergenekon and Sledgehammer were monumental cases establishing civilian control over the military. For example, 251 officers have been convicted in Ergenekon and 331 sentenced in Sledgehammer.[2] The Constitutional referendum has taken away the military's undemocratic political influence in the judiciary, and for the first time the military was being held accountable to the rule of law. The military accused the AKP government of politicising the rule of law. The AKP government's powerful Islamist political ally the Fethullah Gulen Movement (FGM)

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[1]Temel 2013: 331

[2]Jenkins, G. and Yildiz, G. 2014. *The Politics of Polarisation: Prospects for Democracy and the Rule of Law in Turkey*, Westminster. 19 June

replaced the secularists in infiltrating the police force and judiciary.[3] The FGM and the AKP championed Ergenekon and Sledgehammer in successfully depoliticising the military through the police and judiciary. The rule of law has been further tested recently in December 2013 with the AKP government being investigated for corruption. The AKP government has accused the FGM of using the police force and judiciary to frame it in the corruption case. This has meant a political turn around in the position of the AKP government in breaking ties with the FGM and favouring the military in the Ergenekon and Sledgehammer cases.[4] Therefore, these cases have directly affected civil-military relations in questioning the consolidation of democracy through the rule of law.

The chapter will analyse whether Turkey's democracy has matured and if the AKP government has allowed the democratic implementation of the rule of law. In order for one to gain an effective analysis of civil-military relations one will analyse how the military cases were affected by the civilian corruption case. Democratic consolidation through the rule of law will be determined using four key principles of the rule of law. The first principle that will be examined is the supremacy of the law. This will test if the cases exemplified that nobody was above the law and all subjects are treated equally regardless of their political power or social status. The second principle that will be examined is individual rights. This will test if the cases protected individuals from an unfair trial and detention. The third principle that will be examined is legal certainty. This will test the evidence the cases rested on and if there was sufficient reliable evidence leading to legal certainty. The fourth principle that will be

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[3]Jenkins. 2011, 'Ergenekon, Sledgehammer, and the Politics of Turkish Justice: Conspiracies and Coincidences', http://www.gloria-center.org/2011/08/ergenekon-sledgehammer-and-the-politics-of-turkish-justice-conspiracies-and-coincidences/ (accessed 20 September 2013)
[4]http://www.nytimes.com/2014/02/27/world/europe/turkish-leader-disowns-trials-that-helped-him-tame-military.html?_r=0 (accessed 6 March 2014)

examined is the independence of the judiciary. This will test if the cases were judged impartially by the judiciary without political consideration. Consequently, after carrying out these tests one can draw credible assumptions for the prospects of democratic consolidation in Turkey.

Supremacy of the law

The supremacy of the law is established democratically by maintaining that nobody is above the law. The nature of the Ergenekon and Sledgehammer cases would have meant arresting the top brass military generals which was unheard of before in Turkey. In the process of the Sledgehammer investigation in 2011 hundreds of arrests were made of serving and retired officers. CGS Isik Kosaner had a meeting with Prime Minister (PM) Erdogan to protect the imprisoned officers' careers from being ruined. Kosaner succeeded in putting pressure on Erdogan to extend the arrested officers' terms by twelve months.[5] Nevertheless, this was after the unprecedented resignation of Kosaner and all three force commanders in 2011. The arrest of CGS Ilker Basbug in 2012 established the supremacy of the law over the military's top brass. Basbug's arrest exemplified that even the highest ranking member of the military was accountable to the law. Basbug, CGS from 2008 to 2010, was arrested for leading the Ergenekon organisation and incitement to overthrow the government.[6] Erdogan, utilising the pretext of the retirement of Kosaner and the arrest of Basbug, increased his influence in the Supreme Military Council (SMC) to prevent the promotion of anti-government military officers. For example, in the annual SMC meeting in 2013, Erdogan announced the unexpected

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[5]Jenkins. 2011, 'Beyond memory and imagination: Civil-military relations and Turkey's new authoritarians', http://www.silkroadstudies.org/new/inside/turkey/2011/110815B.html (accessed 12 February 2013)
[6]Jenkins. 2012, 'The changing objects of fear: The arrest of IlkerBasbug', http://www.silkroadstudies.org/new/inside/turkey/2012/120109A.html (accessed 20 March 2013)

retirement of General Bekir Kalyoncu, an AKP critic.[7] The PM's active involvement in the appointment and promotion of generals set a democratic precedent in advancing civilian control over the military. It also meant that PM Erdogan was successful in safeguarding his government against unfriendly generals and replacing them with government friendly generals. Therefore, the supremacy of law in the Ergenekon and Sledgehammer cases was upheld and also strengthened civilian control over the military in the process.

Similarly, the corruption case against the AKP upheld the supremacy of the law with the arrests and resignation of high profile civilian figures. Four cabinet ministers (Environment Minister Erdogan Bayratktar, Economy Minister Zafer Cagylan, Interior Minister Muammer Guler and AKP lawmaker and former Interior Minister Idris Naim Sahin) resigned after being accused of playing a part in government corruption.[8] Moreover, the sons of Bayratkar, Cagylan and Guler, were also arrested as part of the inquiry for receiving briberies.[9] The AKP government showed a positive attitude in promoting the supremacy of the law with the arrests and resignations taking place. Nevertheless, PM Erdogan was also put under pressure to resign but stood his ground in shrugging off strong claims linking him to the corruption investigation. Bayraktar, in a press statement, stated clearly that Erdogan had authorised the government files being investigated for corruption and urged that for the sake of the country he should resign also.[10] Erdogan resisted, which ultimately meant resisting the supremacy of the law. The breakdown in the relationship between the AKP and the FGM, due to the corruption case, further damaged the supremacy of the law. Erdogan showed that he was above the law in removing several

[7]*Todays Zaman,* 3 August, 2013:6
[8]http://www.bbc.co.uk/news/world-europe-25514579 (accessed 22 February 2014)
[9]http://www.bbc.co.uk/news/world-europe-25514579 (accessed 22 February 2014)
[10]http://www.hurriyetdailynews.com/environment-minister-bayraktar-announces-resignation-calls-on-pm-erdogan-to-quit.aspx?PageID=238&NID=60118&NewsCatID=338 (accessed 25 February 2014)

prosecutors and purging the police force of those who carried out the arrests in the corruption investigation.[11] The AKP changed its stance towards Basbug's arrest in the Ergenekon investigation. The change in the AKP'S political position instigated the release of Basbug in March 2014.[12] Thus, the law was supreme only as much as the AKP allowed it to be.

Individual rights

Individual rights are a core element of a democracy and the rule of law guarantees one's rights are protected averting discrimination through a just legal system. The military officers arrested in Ergenekon and Sledgehammer were convicted in Special Courts. The Special Courts were established in 2005 by the AKP government against individuals charged under anti-terrorism legislation.[13] The Special Courts were ultimately operating using undemocratic procedures designed by the AKP government. The prosecutors and judges appointed in the Special Courts were members of the FGM. The role of the prosecutors and judges in Ergenekon and Sledgehammer was arbitrarily against the military in restricting the defence lawyers from an effective defence and fair hearing. For instance, CGS Basbug's request to have former CGS Kosaner and former force commanders to testify as witnesses was rejected.[14] There was deliberate violation of the law to harm ones individual rights. The Turkish Constitution explicitly states in Article 48 that 'the chief of staff and the force commanders are tried in the Supreme Court' not in a Special Court.[15] The officers were prevented from being entitled to a fair trial within a reasonable time. The Turkish Penal Code allowed courts to keep an individual

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[11]http://edition.cnn.com/2014/01/07/world/asia/turkey-police-force-purge/ (accessed 20 January 2014)
[12]http://www.bbc.co.uk/news/world-europe-26491450 (accessed 10 March 2014)
[13]*Amnesty International Report on Turkey* 2006
[14]http://www.hurriyetdailynews.com/former-commander-slams-court-decision-on-witnesses-in-turkey.aspx?pageID=238&nID=41510&NewsCatID=339 (accessed 22 February 2013)
[15]*The 1982 Turkish Constitution*, Article 48

in detention up to ten years.[16] The officers arrested in Ergenekon and Sledgehammer had to wait several years in detention without a verdict. More specifically, there were around 200 officers' in detention for the Ergenekon case at one time.[17] The judges sentencing the officers in the Special Courts failed to give a reasoned written opinion of their final verdict. The officers found it difficult to appeal against their sentence without detailed reasoning of their sentence.[18] Thus, the Special Courts failed to democratically protect the individual rights of the military.

However, the corruption case investigation did not violate the individual rights of the civilian members of the AKP. The corruption case was dealt with very swiftly with the detainees rights being upheld with no prolonged detention period. The cases were heard in the first instance by the Criminal Courts of Peace. There were 24 people initially arrested in the investigation in December 2013 with the last five released in February 2014.[19] There were probationary conditions put on the individuals released because the investigation was still ongoing with no jailed defendants. Moreover, the accused could not travel internationally and every Friday had to attend the nearest headquarters to their permanent residence for signature.[20] The investigations resumed with the AKP trying its level best to protect and expand the rights of the individuals through the manipulation of the legal process.

Furthermore, there was a high probability the individuals involved in the corruption case would stand trial in the Special Courts. The AKP decided to democratically reform the legal procedure

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[16]*Amnesty International Report on Turkey* 2006

[17]Akiner and Cagaptay 2011: 2

[18]http://www.hurriyetdailynews.com/former-army-chiefs-jailing-a-rights-violation-top-turkish-court.aspx?PageID=238&NID=63271&NewsCatID=338 (accessed 6 March 2014)

[19]http://www.hurriyetdailynews.com/first-indictment-in-turkeys-graft-probe-approved-by-public-prosecutors-office.aspx?PageID=238&NID=63575&NewsCatID=338 (accessed 15 March 15)

[20]http://www.bianet.org/english/crisis/153825-minister-sons-and-reza-zarrab-released (accessed 28 February 2014)

protecting individual rights. The democratic reforms would have a direct impact on the Ergenenkon and Sledgehammer cases. The AKP criticized the Special Courts and how they violated individual rights. With its majority in Parliament the AKP abolished the Special Courts in February 2014 and passed their case files to regular criminal courts.[21] The AKP purged the prosecutors and judges in the Ergenekon and Sledgehammer cases for violating individual rights to a fair trial. The AKP pressed hard to appeal Basbug's case. The Constitutional Court ruled in favour of Basbug's appeal on the basis that the Special Court failed to publish a detailed verdict to put forward an appeal. The Special Court violated the Constitutional clause concerning personal freedom.[22] Basbug was therefore released overturning his life sentence and setting a precedent for other officers to be released. Subsequently, the High Criminal Court ruled in favour of the release of retired General Veli Kucuk who was given two life sentences by a Special Court.[23] The Turkish Penal Code was also amended in the process reducing the detention period from ten to five years.[24] The Ergenekon defendants, who spent more than five years in detention, have been released. Therefore, individual rights were democratically reformed and protected but were motivated politically to provide the AKP with a political advantage.

Legal Certainty

[21]http://www.dailysabah.com/politics/2014/03/12/despite-drawbacks-closure-of-special-courts-boosts-rule-of-law (accessed 12 March 2014)

[22]Jenkins, G. and Yildiz, G. 19 June, 2014

[23]http://www.todayszaman.com/news-341928-more-ergenekon-suspects-released-on-wednesday.html (accessed (accessed 12 March 2014)
http://www.turkeyanalyst.org/publications/turkey-analyst-articles/item/96-the-ergenekon-releases-and-prospects-for-the-rule-of-law-in-turkey.html (accessed 10 April 2014)

[24]Jenkins. 2014, 'The Ergenekon release and the prospects for the rule of law in Turkey', http://www.turkeyanalyst.org/publications/turkey-analyst-articles/item/96-the-ergenekon-releases-and-prospects-for-the-rule-of-law-in-turkey.html (accessed 10 April 2014)

Evidence is a key part to the principle of legal certainty determining the direction of a case. The AKP viewed the evidence supporting the Ergenekon and Sledgehammer cases as not just solid but overwhelming. The Ergenekon investigation was launched after an anonymous telephone call to the police who discovered a case of grenades at a house in Istanbul connected to two retired officers.[25] This was sufficient evidence to convict hundreds of suspects on charges of planning to cause chaos and destabilising the AKP government. The prosecutors prosecuting Basbug argued that he used multiple websites to incite the public to overthrow the government.[26] Nevertheless, the websites showed no proof of Basbug's membership of the Ergenekon organisation. Ergenekon Prosecutors said that the defendants tried to weaken public support for AKP whereas the electoral support for the AKP had increased. There was no evidence in the Ergenekon case that explicitly proved that the organisation existed. The discrepancies in the evidence in the Sledgehammer case caused further damage to the principle of legal certainty. The Sledgehammer investigation was prompted by an article in the daily newspaper *Taraf* that is funded by the FGM. The *Taraf* newspaper in 2010 revealed 5000 page long document and 19 CDs elaborating a coup plan in 2003. The documents contained very serious claims including bombing mosques in order to create suitable grounds for a military coup.[27] However, there were numerous errors in the documents and CDs referencing events after 2003. For example, the document that detailed the planned coup had been written with a version of Microsoft Office that did not exist at the time of the supposed plot.[28] This became even more apparent when the police raided the home of retired Hakan Buyuk in 2011 where they discovered further documents. These documents were also plagued with errors. For instance, the document quoted passages from the Armed Forces Personnel Law 2003 but it

[25]Rodrik 2011: 107
[26]Jenkins. 2012, 'The changing objects of fear: The arrest of IlkerBasbug' ,
http://www.turkeyanalyst.org/publications/turkey-analyst-articles/item/290-the-changing-objects-of-fear-the-arrest-of-ilker-basbug.html (accessed 10 September 2013)
[27]Yildiz 2012: 34
[28]Rodrik 2011:104

included amendments that were not made until 2005.[29] The prosecutors showed little interest in such discrepancies overlooking the evidence completely. Moreover, the prosecutors refused to grant defence lawyers access to copies of the CDs.[30] The flaws in the evidence in the Sledgehammer case did not prevent serving and retired military members being charged. Thus, the Sledgehammer and Ergenekon cases exemplified legal uncertainty with complete disregard of the blatant errors in the evidence.

On the other hand, the corruption case restored legal certainty in questioning and scrutinising the reliability of the evidence. The corruption case rested mainly on telephone calls amongst AKP members that were wire tapped by the police. The telephone call that gained most of the attention as part of the corruption investigation was PM Erdogan talking to his son about hiding large sums of money.[31] Prior to Bilal Erdogan testifying the AKP removed the FGM prosecutors that prosecuted in the Ergenekon and Sledgehammer cases. In February 2014 Bilal Erdogan testified in the corruption case. Bilal's lawyer argued that the evidence in the case has been collected illegally because wiretaps conducted without a court order are illegal.[32] The prosecutors supported the fact that the corruption case was based on evidence that ignored the defendants' rights adding legal uncertainty to the case. PM Erdogan accused the FGM of illegally tapping telephones of senior ministers and other leading government figures over three years in order to fabricate evidence.[33] Furthermore, the AKP questioned the reliability of the evidence to sustain legal certainty in the Ergenekon and Sledgehammer cases. The AKP openly

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[29]Jenkins. 2011, 'Ergenekon, Sledgehammer, and the Politics of Turkish Justice: Conspiracies and Coincidences', http://www.gloria-center.org/2011/08/ergenekon-sledgehammer-and-the-politics-of-turkish-justice-conspiracies-and-coincidences/ (accessed 20 September 2013)
[30]Rodrik 2011: 104
[31]http://www.hurriyetdailynews.com/turkish-pms-son-bilal-erdogan-testifies-in-graft-probe.aspx?PageID=238&NID=62480&NewsCatID=338 (accessed 15 February 2014)
[32]http://www.hurriyetdailynews.com/turkish-pms-son-bilal-erdogan-testifies-in-graft-probe.aspx?PageID=238&NID=62480&NewsCatID=338 (accessed 15 February 2014)
[33]http://www.bbc.co.uk/news/world-europe-26336354 (accessed 28 February 2014)

scrutinised the evidence used in Sledgehammer as a fabricated plot against the military. In June 2014 230 officers jailed in the Sledgehammer case were released, and the reasoning behind the ruling was that the coup plot documents on which the case was based were forgeries.[34] Thus, legal certainty was only upheld in the cases of the military after the AKP also became a victim to legal uncertainty.

Judicial Independence

In a democracy an independent judiciary is a condition that requires a judiciary to be free from political pressure fundamentally separating the judiciary from the government. Judicial independence demanded that the judiciary acted without political influence in the Ergenekon and Sledgehammer investigations. The Constitutional referendum in 2010 reformed the Supreme Board of Judges and Prosecutors (HSYK), which has authority over appointments, promotions and disciplinary matters respecting judges and prosecutors. The AKP altered the HSYK in increasing its members from seven to 22 in arguing that it would make the HSYK democratically more pluralist and autonomous.[35] Nevertheless, the AKP installed members of the FGM in the HSYK to weaken secular influence in the judiciary. The AKP justice minister was also undemocratically a member of the HSYK. The AKP's reforms allowed the justice minister to chair all HSYK meetings and veto any disciplinary proceedings against a judge or prosecutor.[36] The lack of judicial independence was obvious in the Ergenekon and Sledgehammer cases. The AKP used these cases to exclusively target its opponents. The independence of the judiciary was questioned after heavy sentences were handed out to the

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[34]Rodrik, D. 25 June, 2014
[35]Ozbudun 2011:192
[36]Jenkins. 2010, ' Changing of the guard: Judicial reforms reinforce concerns about the AKP's increasing authoritarianism',http://www.silkroadstudies.org/new/inside/turkey/2010/101108A.html (accessed 21 August 2013)

military officers in 2013. The judges delivered 17 life sentences including one to CGS Basbug.[37]The judges also sentenced three serving parliamentarians from the opposition Republican People's Party (RPP) to between 12 and 35 years in prison.[38] Erdogan was actively involved in the investigations and their rulings in openly declaring 'I am the prosecutor of this investigation.'[39] The FGM also used its influence in the HSYK to target its opponents. For instance, the FGM arrested the journalist Ahmet Sik for writing an unpublished book titled *Imam's Army,* referring to the FGM's influence in the police and judiciary, resulting in Sik being arrested as part of the Ergenekon investigation.[40] Therefore, the judiciary was being used as a political tool to punish government opponents.

Equally, the AKP exerted political influence over the judiciary in the corruption case to cause further damage to the principle of judicial independence. The corruption case led by the FGM's judges and prosecutors was termed by the AKP a 'judicial coup.'[41] The AKP protected its political position by removing prosecutors and police linked to the FGM. Prosecutor Muammer Akkas, leading the corruption investigation, was blocked by the AKP from doing his job with the case taken away from him without reason. Prosecutor Akkas said this was because he was expanding his investigation into the corruption case involving prominent figures in the AKP. Prosecutor Akkas argued he gave orders to detain the suspects to the police who were deliberately failing to comply.[42] In January 2014 the police chiefs in Izmir were removed from

[37]http://www.bbc.co.uk/news/world-europe-23581891 (accessed 30 August 2013)
[38]http://www.bbc.co.uk/news/world-europe-23581891 (accessed 30 August 2013)
[39]http://www.todayszaman.com/news-342847-former-police-intelligence-chief-says-pm-was-informed-of-ergenekon-arrests.html (accessed 29 September 2013)
[40]Hendrick 2013:196
http://www.hurriyetdailynews.com/turkish-pm-erdogan-labels-graft-probe-an-assassination-attempt.aspx?PageID=238&NID=60437&NewsCatID=338
[41]http://www.hurriyetdailynews.com/turkish-pm-erdogan-labels-graft-probe-an-assassination-attempt.aspx?PageID=238&NID=60437&NewsCatID=338 (accessed 10 February 2014)
[42]http://www.hurriyetdailynews.com/graft-probe-spills-over-with-harbor-raid-amid-new-police-purge.aspx?pageID=238&nID=60672&NewsCatID=341 (accessed 10 January 2014)

their posts within a day after they detained several suspects including the former AKP Minister of Communications Binali Yildirim.[43]

The AKP went one step further to weaken judicial independence in increasing government control over the HSYK. The AKP proposed a bill to parliament in January 2014 restructuring the HSYK, which was ratified in February 2014 by President Gul. The ratification of the law would transfer vital powers of the HSYK to the justice minister leading to major opposition to the law from AKP opponents. The law enabled the justice minister to select the president of the HSYK, appoint and dismiss members of the HSYK and the authority to open any legal investigation.[44] The AKP Justice Minister Bekir Bozdag swiftly appointed new members to the HSYK that were loyal to the AKP in February 2014.[45] Nevertheless, the Constitutional Court in April 2014 upheld the principle of judicial independence in annulling the AKP's reforms of February 2014 as a violation of judicial independence.[46] The justice minister was stripped of his undemocratic powers depoliticising the judiciary. The AKP encouraged the retrial of the military in the Ergenekon and Sledgehammer cases with an independent judiciary. Erdogan claimed that a retrial of the officers would secure a just outcome and an independent judiciary would assist. In January 2014 the military and opposition both demanded retrials.[47] The military officers given unjustified long sentences were released. On his release CGS Basbug said 'those who acted with hatred and revenge kept us here for 26 months. They stole 26 months

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[43]http://www.hurriyetdailynews.com/graft-probe-spills-over-with-harbor-raid-amid-new-police-purge.aspx?pageID=238&nID=60672&NewsCatID=341 (accessed 10 January 2014)
[44]http://www.al-monitor.com/pulse/ru/originals/2014/04/turkey-courts-power-separation-justice-akp-erdogan.html# (accessed 1 May 2014)
[45]http://www.z dailynews.com/turkish-government-appoints-new-hsyk-members-as-chp-applies-to-top-court.aspx?pageID=238&nID=63034&NewsCatID=338 (accessed 5 May 2014)
[46]http://english.yenisafak.com/news/constitutional-court-annuls-powers-of-justice-ministry-17.04.2014-343 (accessed 12 May 2014)
http://www.bbc.co.uk/news/world-europe-26491450
[47]http://www.nytimes.com/2014/06/20/world/europe/turkish-court-orders-release-of-officers-convicted-of-plotting-coup.html?_r=0 (accessed 22 June 2014)

from my life.'[48] The military was now replaced by the FGM as the AKP's political opponent. Thus, the independence of the judiciary was motivated by the AKP only for political survival.

Prospects for democratic consolidation through the rule of law

The AKP government's handling of the Ergenekon and Sledgehammer cases represents a complete disregard for the rule of law in its entirety. The cases marked a definitive break of the political role of the military to influence decisions. The supremacy of the law was democratically upheld in pronouncing top brass generals accountable to the rule of law. The AKP government brought changes to the SMC to broaden civilian control over the military with the primary motivation of getting rid of government critics within the military. The AKP used Special Courts to suppress the individual rights of the officers. The FGM members were empowered by the AKP in the running of the Special Courts to deliberately violate the officers' rights to a fair trial. The disregard for the military's legal rights created legal uncertainty in the cases of the military. The AKP's ties with the FGM prosecutors assured that the prosecutors overlooked the blatant errors within the evidence presented in the military cases. The AKP promoted its undemocratic political influence on the principles of the supremacy of law, individual rights and legal certainty through the politicized judiciary. The Constitutional referendum in 2010 was put forward to increase members of the HSYK to make the judiciary politically independent but in fact it was the precise opposite. The FGM members infiltrated the HSYK with the support of the AKP to exclusively punish its political opponents. The military cases were not used as a step towards consolidating democracy but towards an authoritarian one party state.

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[48]http://english.yenisafak.com/news/constitutional-court-annuls-powers-of-justice-ministry-17.04.2014-343
(accessed 25 March 2014)

However, the civilian corruption case changed the fortune of the military cases but to the detriment of democracy and the rule of law. The AKP changed its position on the military cases after it broke ties with the FGM. The AKP upheld the supremacy of the law to a certain extent with the arrests of high civilian figures except for PM Erdogan. The AKP proved to be above the law in removing prosecutors and police chiefs from the investigations and instigating the release of CGS Basbug. The AKP protected the individual rights of its members with a rapid legal process in releasing all of the accused within three months. The AKP removed the undemocratic Special Courts resulting in officers being released due to spending several years in detention. The evidence in the military cases was scrutinized as a result of the corruption case adding legal certainty to the cases. The AKP further damaged the principle of judicial independence in enhancing in the role of the justice minister. The justice minister appointed members to the HSYK that were loyal to the AKP. The change in the fortunes of the military owed more to the political breakdown between the AKP and the FGM than a move towards the rule of law. The rule of law was no more than a political tool used by the AKP to advance its authoritarian and self-centred political behaviour. One can arguably claim that Turkey needs to uphold the rule of law as its priority and free courts from any political pressure to consolidate democracy.

CONCLUSION

The research proposal proved accurate in proving how the changing political atmosphere and the introduction of new political factors contributed to the decline of the military's political influence. The military is no longer needed as a political alternative because the AKP government has been proven to provide long term political stability. The broad theoretical approach adopted supported the research to evaluate the decline in Turkey's military's political influence. Moreover, the military's political role had only been prescribed up until Turkey could form a competent civilian government. As the AKP grew in confidence and recognised its powerful political position it used every means and methods available to cut down the military's political influence. The AKP government established its Islamist political ideology in the social institutions. The AKP changed public opinion towards its elected civilians in encouraging democratisation of the military under civilian control. A rise in the AKP's political fortunes and popularity had a direct effect on the military's social legitimacy. The military was highly dependent on the support of the public to intervene in politics. The AKP's rise to power strengthened civilian institutions to curb down the military's political influence. The AKP was fully aware that it could use the media, education, political representation, political economy, electoral support, external pressure and the rule of law as factors to weaken the military politically.

The research questions posed have been dealt with thoroughly in providing a valuable assessment of the topic. Chapter I tackled the first research question that had arisen. What are the political challenges faced by the military's political ideology to maintain popular political support? The chapter evaluated the military's Kemalist ideology in showing how the military succeeded in providing short term answers to political challenges from political Islam and

Kurdish nationalism. However, Kemalism failed in the long term with its static and restrictive approach to handle these challenges correctly. The rising popularity of political Islam eventually replaced Kemalism as the dominant political ideology. Kemalisms loss of political influence was reflected through the decline in votes for secular political parties. Kemalism lacked tolerance in forcefully implementing itself on the population through education and media. The discriminatory approach of Kemalism increased awareness and the level of threat from political Islam and Kurdish nationalism. Kemalism relied on an authoritarian approach whereas the two challenges demanded a more democratic. Therefore, Kemalism was an anachronistic ideology with rising unpopularity due to its unchanging nature.

Chapter II confronted the second research question: What is the importance of a successful political economy and a popular mandate to prevent the military from intervening in politics? The chapter provided a very valuable comparative analysis of the relationship between the political economy and a popular mandate preventing the military from intervening in politics. The analysis was strengthened by comparing four different governments covering a larger period. The chapter also elaborated on the previous chapter by emphasising the importance of a party's political economy over a party's political ideology. The chapter proved the success of single party governments over coalition governments in producing economic prosperity and at the same time strengthening grip over the military. The military relied on popular public support prior to military intervention and this was not present in the failed 2007 military intervention because the AKP enjoyed a successful economy and high electoral support. The 2007 military intervention increased the popularity of the AKP and accentuated the unpopularity of the military. Therefore, the AKP government strengthened its position through the economy in increasing its vote which directly impacted the military's political influence.

Chapter III dealt with the third research question: How has external pressure introduced political reforms to take away the military's political prerogatives? The chapter assessed the initial political position of the military legitimized through the 1982 Turkish Constitution. The military's foreign policy direction was towards westernisation, which could only be achieved through EU membership putting the military in a compromising position. Constitutional amendments to the 1982 Turkish Constitutions definitively removed the military's political influence in empowering civilians in the NSC and the judicial system. The EU published annual reports criticizing the military's political role through various political prerogatives it had at its disposal. Likewise, the military reacted positively to the EU reports in handing over its political prerogatives to civilians. However, there is still concern regarding the transparency of the military budget and the political role of the CGS. But that does not discount the fact that the EU induced political reforms taking away the military's political prerogatives through the NSC and the judicial system. Thus, the desire of the civilian government to join the EU was a key factor in strengthening civilian control over the military and taking away the military's means to influence political policies using the Constitution.

Chapter IV developed from the previous chapter in comparing Greece's route towards democratization to Turkey. The chapter demonstrated how democratization of civil-military relations is a unique process for every country. Civil-military relations evolve out of a country's distinctive international, political and economic conditions. Greece's negative experience of military rule added impetus for democratic civilian control of the military. In contrast, Turkey's positive experience assisted by weak civilian governments significantly slowed down the democratic process. Greece unlike Turkey was aided through an external shock from the

Cyprus crisis. The Greek military's political incompetence meant a democratic alternative as opposed to Turkey where the traditionally weak civilian governments meant military intervention. Moreover, the AKP has showed signs of change in the political climate. Greece's damaging political role of the military meant the strengthening of political parties within a short period of time compared to Turkey. Greece established civilian control in its political system supported by the EU that safeguarded its democracy through economic assistance. Therefore, a country's experience of a military and civilian government determines the process of democratic civilian control of the military.

Chapter V demanded an answer to the fourth research question addressed: What are the implications of a powerful civilian government on the military? One can easily state that the AKP's continuous electoral success in 2002, 2007 and 2011 created a political environment that empowered the civilian government over the military. Furthermore, the EU reforms in the previous chapter legitimized civilian control of the military. The military through the Constitutional Referendum in 2010 empowered civilians over the military in the judicial system. The chapter provided a contemporary analysis of the AKP's handling of the military through the rule of law. The Ergenekon and Sledgehammer cases were exemplary to the fact that the military could no longer carry out a military coup. Moreover, the factors that allowed the military to successfully intervene in politics no longer existed. The military cases displayed how civil-military relations have changed with the military being accountable to the supremacy of the law, which was unheard of before. Nevertheless, the rule of law was used as a political tool by the AKP to punish its political opponents, first the military and now the FGM. The politicization of the rule of law led to the violation of its key principles of legal certainty, individual rights and judicial independence. The AKP, according to its political situation, demanded the military cases be reviewed leading to re-trials and releases of the officers

arrested. Therefore, the military cases marked a definitive break in the political role of the military to influence politics with the AKP being in complete command.

The research has certainly proved that the military's political influence has been dismantled due to it no longer being compatible with Turkey's changing political atmosphere. It also showed how at the outset Turkey's military possessed a dynamic and complex role within politics. Nonetheless, the topic is progressive with scope for research remaining. The true political nature of Turkey with the re-trial of the military officers and a Constitution written by the military still in force remains unclear. Furthermore, the 1982 Constitution needs to be replaced because it reminds us of the military's political influence in Turkey. Also the AKP's authoritarian tendencies are becoming more obvious leading to political uncertainty adding to the ingredient that promotes a political role of the military. Thus, there are still unanswered questions to the topic that can only be conclusively answered in the future.

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