



The Impact of EU Reform Process on Civil-Military Relations in Turkey

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The armed forces have always occupied a central place in Turkey's political agenda. The EU reform process is contributing to a more democratic framework of civil-military relations. Nevertheless, although Turkey follows Democratic Control of the Armed Forces (DECAF), the military still influences civilian governments through various and innovative means. There seems a Turkish version of DECAF that grants a privileged position to the military in the making of security policy. The presidential elections had been a medium for both the military's involvement in politics and the civilian reaction against this involvement. Civil society organizations, the media, and business circles alike gave significant support to the ruling AKP in its standoff with the military. It is only recently that resistance to the 'regime guardianship' role of the military has emerged.

The armed forces have always occupied a central place in Turkey's political agenda. The military has long enjoyed the privilege of an autonomous position because of its role as guardian of the unitary Republic, secularism and Kemalism. On the basis of its definition of 'national security' and 'threats,' the Turkish military sets the agenda of security, and enlists internal and external mechanisms to support that agenda. Kurdish nationalism and Islamic groups have been perceived as the main internal threats since the 1980s. In continuum with its role as guardian of democracy, secularism, and national unity against Islamist, ethnic separatist, and sectarian challenges, the military has intervened in politics several times either by way of traditional and direct methods such as the coup d'état (i.e.

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the interventions of 1960, 1971 and 1980) or new, indirect and postmodern methods such as posting digital memorandums and seeking civil society support in the last decades. For example, on the 28th of February 1997, the military pressured the Islamist-led government (the coalition of the Welfare Party and the Truth Path Party) to resign and allowed another civilian government to take power.

The traditional role of the military in civilian politics as a key actor in Turkish political life has naturally restricted Turkey’s democratic options, and limited Turkey’s bargaining position in its EU bid. Turkey has traditionally regarded its military as strength in international organizations such as NATO. Yet in the EU

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accession process, the Turkish military has come to be considered a weakness. The questionable democratic ‘control’ of the armed forces (DECAF) in Turkey has received criticism from European circles; the military

sphere has become a domain where action must be taken as part of the fulfillment of the Copenhagen criteria and is hence part of EU membership conditionality.

The EU challenge focuses on the influence of the National Security Council (NSC)¹ on day-to-day politics, and the absence of effective legal, political or administrative mechanisms to sustain DECAF. The EU has demanded various reforms, such as changes in the position of the chief of staff (who would report to the defense minister rather than the prime minister);² the NSC (a more civilian outlook, an increase in the number of civilian members, a secondary role in security affairs after the civilian government); abolition of the state security courts and limitations on the law regarding state of emergency (the longstanding state of emergency in southeastern Turkey has brought excessive authority to the military in that region). After Turkey’s accession to candidacy status at the European Council’s Helsinki Summit in 1999, the country faced the need to restructure its democracy. Ameliorating Turkey’s domestic political system to comply with the Union’s demands, particularly in regard to DECAF became an immediate task. Consequently, Turkey followed an ongoing and unprecedented process of domestic political reform. The most extensive “Europeanization” program in the Turkish history had begun.

¹ The National Security Council, established in 1961, was touted as an essential institution which strengthened the role of military in politics. This institution, used by the military as the main tool for shaping domestic and foreign policies, is a constitutional tool through which the military expresses its own views in the public arena.

² The Turkish Chief of General Staff has been responsible to the Prime Minister since 1961.



Harmonization Packages and the Turkish Armed Forces

Turkey has already adopted nine EU harmonization packages and the tenth one is under way. These legal reforms launched an unprecedented process of change in the Turkish political system toward a more democratic and liberal environment. Most of the reforms that have been implemented to date were initiated and

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conducted by the AKP government in the 2000s. A new Penal Code was adopted which revised the Anti-Terror Law and

abolished the State Security Courts. With an amendment to Constitutional Article 118, the role of the NSC was limited to recommendations and the government became responsible for evaluating the recommendations rather than giving them priority consideration. With this amendment, the role of the NSC was reduced to an advisory/consultative body. In addition to the role of the NSC, its composition was also amended in order to make civilian members a majority. An amendment to Articles 9 and 14 of the Law on the NSC abolished the extended executive and supervisory powers of the Secretary General of the NSC. In particular, the provision which “empowered the Secretary General of the NSC to follow up, on behalf of the President and the Prime Minister, the implementation of any recommendation made by the NSC” was abolished. This package of reforms also repealed Article 19 of the same law. Article 19, which had provided that “the Ministries, public institutions and organizations and private legal persons shall submit regularly, or when requested, non-classified and classified information and documents need by the Secretary General of the NSC,” had given the NSC unlimited access to civilian agencies.

In addition to these changes, it was decided that the post of Secretary General would no longer be reserved exclusively for a military person. Consequently, in August 2004, Mehmet Yiğit Alpogan, a career diplomat who had served as Turkish ambassador to Greece, was appointed as the first civilian Secretary General of the NSC. Further, the frequency of NSC meetings was reduced to once every two months, instead of once per month. In order to enhance the transparency of defense expenditures, the Court of Auditors was authorized to audit the accounts and transactions of all types of organizations, including the state properties owned by the armed forces. This allowed for supervision over the military budget. The provision in the Law on Higher Education which allowed the General Staff to select one member of the Higher Education Council was annulled. Moreover, with amendments to the laws on the Establishment of, and Broadcasting by Radio and Television Corporations, Wireless Communication, the Protection of Minors from Harmful Publications, the application which gave the NSC authority to nominate one member to each competent board was ended.



By the same token, the laws on Political Parties, Associations, Meetings and Demonstration Marches, Civil Servants, and the Press Law were amended. Additional amendments engendered significant changes in relevant codes in order to curb torture and ill-treatment. The death penalty was abolished. Provisions safeguarding just treatment, the right to life, the right to retrial, and the rights of prisoners were enacted. All these reforms targeting DECAF challenged the status-quo under which the military had occupied a privileged position and consolidated its hegemony over Turkey's civilian governments.

The EU did not seek to abolish the military's responsibility to protect the Kemalist regime or to curtail its role in guarding the characteristics of the Turkish state. The EU also refrained from provoking any tension between secularism and democracy. The EU does not challenge the military's self-proclaimed role as guardian of the unitary, indivisible and secularist character of the state. The military, in a similar vein, does not oppose the reforms undertaken in the name of the EU conditionality, while making clear that it would not compromise when it comes to defending Kemalism.³ Besides, the EU has not bargained for the military's unrelenting stance on Kemalism.

Although the EU reform process has contributed to Turkey's 'civilianization,' there are still impediments to universally accepted DECAF norms. One might argue the validity of a Turkish version of DECAF. And despite all the changes that have taken place, the military's intervention in Turkish politics continues with new techniques and within the framework of legality. Today, the military usually opts for making recommendations and convincing civilian governments in order to implement policies in line with its main security concerns. In areas where the military plays a key role in the formulation of policy, i.e. the Kurdish issue and political Islam, the military tends to use both official instruments like the NSC, and informal channels such as behind-the-scenes influence on politicians and bureaucrats. These informal mechanisms range from public pronouncements and briefings to journalists, to informal contacts with bureaucrats and politicians. The public pronouncements are usually given by members of the Turkish General Staff (TGS) at official, public occasions like commemorations, anniversaries or graduations where the military expresses its concerns about domestic issues in general. Statements by the military are perceived as warnings to the civilian government; as such, they pressure the public to take necessary action against the government.

³ Misrahi, Frederic. 2004. "The EU and the Civil Democratic Control of Armed Forces: An Analysis of Recent Developments in Turkey," *Perspectives: Central European Review of International Relations*, Vol. 22, pp: 22-42.



AKP-TGS Relations

Apart from these formal and informal mechanisms of influence, on the 27th of April 2007 the military introduced a new way of expressing its opinions about developments in the Turkish political system. Tension between civilian government (the ruling Justice and Development Party or AKP) and the military increased during the period of presidential elections in 2007. The military tried to change the AKP's decision to present the Minister of Foreign Affairs, Abdullah Gül, as its presidential candidate. The military's actions before and during the presidential elections process recalled previous military maneuvers since the

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transition to multi-party politics in 1945. During his news conference on April 12, 2007, former Chief of General Staff Yaşar Büyükanıt remarked that the presidential elections are

directly related to military concerns because the president is the Commander in Chief of the Turkish Armed Forces. He also stated that, “as a citizen and as a member of the armed forces, I hope someone who is loyal to the main principles of the republic and committed to the secular, unitary structure of the state – not just in words, but in essence – will be the president.”⁴ A day later, on April 13, a weekly magazine, *Nokta*, which had published the diaries of a retired admiral revealing how senior officers in the army had wanted to seize power almost from the moment the AKP had come to office, was raided by police and closed down.⁵ The raid was interpreted as a message to all media to hold back articles critical of the military.

In the main cities of Turkey such as Istanbul, Ankara, Izmir, millions of people committed to Kemalist principles came together and voiced their desire to have a secular president. Şener Eruygur, a retired commander of the gendarmerie, was one of the main organizers of the series of protests. Yet despite the protests and the military's other formal and informal mechanisms to influence the government, the AKP did not withdraw Abdullah Gül as its presidential candidate. In reaction, the Turkish General Staff published a memorandum on its web-site warning of the danger to secularism on the 27th of April 2007. This was the first time the military used the internet to influence the government and public opinion to give warning that the Turkish Armed Forces were watching the process and could take action as defenders of secularism.⁶

⁴ *Milliyet*, April 12, 2007 “Org. Büyükanıt Hayalindeki Cumhurbaşkanının Portresini Çizdi.”

⁵ *Milliyet*, April 13, 2007 “Nokta Dergisine Baskın.”

⁶ The April 27, 2007 memorandum of the Turkish General Staff can be found on the official web-site of the General Staff: <http://www.tsk.mil.tr>



As a response to the memorandum, the AKP criticized the military's guardianship role over Turkish politics. Similarly, the military's attempt to intervene in the presidential election process was met with criticism from the EU. The EU's Commissioner for Enlargement, Olli Rehn, stated that while the EU respected the Turkish military, "the military should be aware that it should not interfere in the democratic process in a country which desires to become an EU member... It is important that the military respects the rules of democracy and its own role in that democratic regime."⁷ Faced with these criticisms, the military could not find popular support for its actions. Civil society organizations, the media, and business

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circles alike gave significant support to the AKP in its standoff with the military. Even participants of the demonstrations against the AKP expressed their

ambivalence towards the military with the slogan: “no Islamic government, but no coup either.” Thus the military did not achieve its main objective to organize public, press, and non-governmental organizations against the AKP government in order to overturn its decision to retain Abdullah Gül as its presidential candidate. After İlker Başbuğ replaced Yaşar Büyükanıt as Chief of General Staff, Turkish military initiated a new communication strategy for informing public about their matters and extended the accreditation list to include new media outlets, which were not invited to their events before. In this new approach, high ranking generals give explanations about military operations and answer questions in press conferences.

In previous interventions, most citizens had been comfortable with the military's role as guardian of democracy and secularism, and the military's actions were regarded as legitimate in the eyes of the public. This time, however, citizens, including both opponents and supporters of the AKP, sent the message that the military needed to be out of this debate. This is a very important change, in the sense that the legitimacy of the military as an actor in the political realm was questioned by the public, giving credence to civilian rule rather than the guardianship role of the military.

To sum up: the EU reform process is contributing to a more democratic framework of civil-military relations. Nevertheless, although Turkey follows DECAF, the military still influences civilian governments through various and innovative means; namely we see a Turkish version of DECAF that grants a privileged position to the military in the making of security policy. It is only recently that resistance to the 'regime guardianship' role of the military has emerged.

⁷ *Radikal Gazetesi*, April 29, 2007 “Rehn de Yadırgadı.”



Policy Recommendations

1. The EU process has begun to Europeanize civil-military relations in Turkey. The process should continue. The Assembly should legislate the 10th package as soon as possible.
2. The AKP should underline its political will and its persistence in Turkey's EU membership goal. The democratization of human rights in an indirect way pushes for a demilitarization, civilianization and DECAF. Therefore, the AKP should pursue and carry out its democratic reforms in order to readjust civil-military relations.
3. The discourse appropriated by the military that emphasizes 'conditions peculiar to Turkey' contributes to securitization and militarization. Universal norms of DECAF should be recalled. The discourse on the 'Turkish version' of DECAF should be counterfeited with alternative discourses.
4. The civilianization process should be disseminated to every possible area, from the elimination of 'securitized' discourse in children's books, to the termination of the primacy given to the military in the use of forestry and natural resources.
5. More civilians should take a role in security policy-making. To this end, the number of civilian security specialists should be increased and the sector of think-tanks should be broadened. New legislation that provides a specific ground for the establishment of think-tanks (other than the existing laws on associations and foundations) should be introduced.
6. A new National Program for the Adoption of the Acquis (NPAA) is being drafted by the AKP government and opened for public discussion. The clause which allows the consolidation of the supervision of the court of auditors over the military budget is positive for DECAF. However, the draft includes vague expressions of civil-military relations. More concrete steps and visible action plans should be targeted in the NPAA.