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REVISITING THE TURKISH MILITARY AND EUROPEAN UNION REFORMS: 1999-2005

Abstract

The military's omnipotent role in Turkish political life following the establishment of the Turkish Republic developed into one of the most significant characteristics of the Turkish political landscape. The armed forces gained significant privileges and strengthened their autonomy within the multi-party era, which saw three coups. However, the EU's 1999 Helsinki Summit brought about a paradigmatic change in the status of the military, shifting the balance of power in favor of civilians. This article throws light on the developments that contributed to changing the role of the military in Turkish politics, and details the many factors that contributed to its more receptive approach to the EU democratization reforms. These include the momentum gained in Turkey's EU accession bid after its declaration as a candidate country in 1999, the AKP government's reformist and conciliatory stance, Chief of Staff General Hilmi Özkök's adoption of a more liberal version of Kemalism, the maintenance of the guardianship role of the military in the political system, and the emergence of a political environment that was conducive to democratization.

Keywords: *the AKP, the military, EU democratization reforms*

Mehmet Bardakçı*

lectiō
socialis

* Asst. Prof. Dr. Mehmet Bardakçı, Istanbul Yeni Yüzyıl University, Department of Political Science and International Relations

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TSK VE AVRUPA BİRLİĞİ REFORMLARINI TEKRAR GÖZDEN GEÇİRMEK: 1999-2005

Öz

Türk siyasi hayatında ordunun kuvvetli rolü Türkiye Cumhuriyeti'nin kurulmasından beri Türk siyasal sisteminin önemli özelliklerinden birisidir. Silahlı Kuvvetler üç darbeye şahit olan çok partili dönemde Türk siyasi sisteminde önemli ayrıcalıklar elde etmiş ve otonomisini genişletmiştir. Bununla birlikte AB'nin 1999 Helsinki Zirvesi ordunun statüsünde paradigmatik bir değişiklik meydana getirerek güç dengesini sivil lehine değiştirmiştir. Bu makale Türk siyasetinde ordunun değişen rolüne katkı yapan gelişmelerin üzerinde durmaktadır. Bir dizi faktörün ordunun AB demokratikleşme reformlarına karşı izin veren bir tutum izlemesinde rolü olduğunu ileri sürmektedir. Bunlar Türkiye'nin AB aday ülke ilan edilmesinden sonra Türkiye'nin AB üyelik perspektifinin hız kazanması, AKP hükümetinin reformist ve uzlaşmacı tutumu, Genelkurmay Başkanı General Hilmi Özkök'ün Kemalizm'in liberal bir şeklini benimsemesi, siyasi sistemde ordunun vesayet rolünün korunması ve demokratikleşmeye uygun bir siyasi sistemin bulunmasıdır.

Anahtar Sözcükler: *AKP, ordu, AB demokratikleşme reformları*

Mehmet Bardakçı*

lectiō
socialis

* Yrd. Doç. Dr. Mehmet Bardakçı, İstanbul Yeni Yüzyıl Üniversitesi Siyaset Bilimi ve Uluslararası İlişkiler Bölümü

Introduction

A reform of civil-military relations was one of the main priorities of the European Commission affecting Turkey's bid to join the European Union, deeming that a dramatic overhaul of the military's role in Turkish politics would be necessary if the Turkish political system was to be aligned with EU norms. These civilianization reforms would have profound implications on the Turkish political system, shifting the balance of power in favor of civilians, with the initial reform period being of particular importance in that it was unknown just how the military would respond to the EU's demands. Accordingly, this article focuses on the military's stance in regards to EU democratization reforms from 1999 to 2005. As a result of the changes that have occurred in the military's status in the political system in Turkey, a paradigmatic change has been witnessed in civil-military relations.

The first part deals with the traditional role of the military in Turkey, highlighting its historical, socio-cultural and political factors, while also providing a brief overview of civil-military relations in Turkey. The second part focuses on the EU's evaluation of civil-military relations in Turkey, and is based on regular EU reports. The third section unveils the EU civilianization reforms adopted by the governments from 1999 to 2005, while the fourth section presents an analysis of the military's reaction to EU democratization reforms, explaining why the army tacitly endorsed the EU accession process.

Role of the Military in Turkish Politics

Unlike in Western liberal democracies, where the civil and military spheres are separate and the civil authority over the military has been clearly established, the military has maintained a special role in Turkish history. Its prominence in Turkish politics is a result of historical, socio-cultural, political factors (Jenkins, 2001, pp. 9-20), and the primacy of security for Turkish people has been a legitimizing factor for the key role of the army in the political arena.

Historically, the army has always played a central role in the lives of Turks. The Ottoman state was, above all, a military state, and the close ties that were forged between the military and state were carried over into the Republican era, ensuring the army a prominent foothold in political life. The army was also a vanguard of modernization in Turkish history, and led the Westernization efforts both of the Turkish state and society. Moreover, Turkish society has traditionally emphasized collective rather than individual values, which further supports the military's significant involvement in politics. In other words, strong state tradition in Turkey was a factor facilitating an extended role for the military in politics (Heper, 1985). Also in their favor, in contrast to the disreputable reputations of politicians, and their association with nepotism, corruption and incompetency, the military is seen by the Turkish public to be a trustworthy institution. All of these factors have contributed to the consolidation of the extended role of the military in Turkish politics.

On the subject of civil-military relations in Turkey, Dekmejian claims that during the early Atatürk period, the relationship was one of "civilian control and military partnership", but by the end of the era in the 1930s this had transformed into "civilian rule and military influence" (Dekmejian, 1982, pp. 28-51). The civilianization that was initiated in the Atatürk era was carried over into the multi-party era that began in 1945, and under Democrat Party (DP) rule between 1950 and 1960, the government took the form of a "civilian rule-military partnership." after Prime Minister Adnan Menderes sought to reduce the role of the military in politics. The pattern of civil-military relations changed following the military takeover of 1960, which created a precedent for the military interventions that would follow, and civil-military relations in Turkey from the mid- to the late-1960s can be considered a "silent partnership" whereby the military was exempt from interventions by the government while keeping an eye on political activities. The 1971 military intervention introduced a "military control-civilian partnership" pattern

to civil-military relations, during which the military was able to strengthen its autonomy in the political system as a result of the 1971 and 1973 constitutional amendments. The military intervened in Turkish politics for a third time on September 12, 1980 in response to the ongoing economic instability and rampant anarchy and disorder, and drafted a new Constitution in 1982 that further increased its autonomy within the Turkish political system and enhanced the status of the National Security Council (NSC). In the period following the coup between 1983 and 1989, civil-military relations enjoyed a “civilian rule-military influence” status after Prime Minister Turgut Özal assumed effective leadership of the government, while in the aftermath of the October 1991 elections, relations took on a “civilian rule-military partnership” form with the growth in influence of the military against the backdrop of fragmentation among Turkey’s political parties. The military’s influence was further increased in the period from 1993 to 1997 following the rise of the Kurdish separatist movement and political Islam. After the Islamist Welfare Party (RP) - True Path Party (DYP) coalition government refused to implement the NSC recommendations adopted on February 28, 1997, aimed at strengthening secular education, it was overthrown in June 1997. The 1999 Helsinki Summit decision to grant Turkey an official candidate status constituted a breakthrough in terms of civil-military relations in Turkey, and in an effort to harmonize civil-military relations with EU norms, Turkey has made a series of constitutional and legislative changes that have resulted in civil society increasingly asserting control over the military.

EU’s Evaluation of the Turkish Military’s Role in Politics on the Basis of EU Regular Reports

In this section, an evaluation will be made of the EU’s view of the role of the military in Turkish politics, making use of the EU’s progress reports to measure the progress achieved by candidate countries, which serve as a yardstick for candidate countries to see their deficiencies

and achievements.

The first regular report on Turkey was published by the European Commission in 1998, and drew attention to the major role played by the NSC both in the preparation and implementation of national security policy and in political issues, underlining further that the armed forces was not under civilian control (European Commission, 1998, pp. 13-14). The 1999 regular report in the following year also underlined the influence of the NSC in Turkish political life (European Commission, 1999, p. 10), while the 2000 report raised concerns on the political role played by the military through the NSC. The 2000 report claimed further that the significant political role of the military restricted the role played by the government, and raised concerns regarding the lack of accountability of the military to Parliament in defense and security issues (European Commission, 2000, p. 14). The 2001 report placed emphasis on the amendment to Article 118 of the Constitution, which had also brought changes to the role and composition of the NSC and drew attention to its political influence, pointing out that it had expressed its opinions on such issues as the Cyprus problem, the European Security and Defense Policy, the state of emergency in a number of provinces and the privatization of state companies (European Commission, 2001, p. 19). The 2002 regular report drew attention to the active participation of the military in the debate related to the adoption of EU reforms in the country, particularly in such issues as cultural rights, education and broadcasting in languages other than Turkish. The report emphasized the autonomous status of the armed forces in regards to the defense budget, and underlined the two extra-budgetary funds used by the military. The 2002 regular report also highlighted the continuing influence of the military in domestic politics despite the fact that the number of civilian members of the NSC had been increased and the role of the NSC had been made purely advisory (European Commission, 2002, p. 25). The 2003 regular report cautioned that while the Court of Auditors was authorized to audit national defense, the military still maintained

a high degree of autonomy in the preparation and establishment of the defense budget and in public procurement in defense-related issues. The report went on to highlight the influence enjoyed by the armed forces through a series of informal mechanisms, despite the adopted reforms (European Commission, 2003, p. 19). The 2004 regular report drew attention to the reduction of defense expenditures, and despite the reforms in civil-military relations, the report highlighted the high degree of autonomy still enjoyed in certain areas, for instance, the fact that civilians may be tried before military courts for certain crimes. Furthermore, the report cautions that some of the legal provisions related to the roles and duties of the military in Turkey provide the military with a great deal of room for maneuver, such as Articles 35 and 85/1 of the Turkish Armed Forces Internal Service Law, and Article 2a of the National Security Council Law. The report also voiced concerns over the continuing influence of the armed forces in politics through a number of informal instruments (European Commission, 2004, p. 23). While the 2005 report praised the progress made by Turkey since 2002 in its efforts to reform civil-military relations, it reminded of its concerns regarding the continuing political influence enjoyed by the military (European Commission, 2005, p. 14).

Breaking down the EU's evaluations of the role of the military in Turkish politics, it can be seen that the EU's initial emphasis was on the reform of the institutional role of the armed forces through the NSC, after which, its focus turned to the informal role of the military outside the NSC in the form of statements and speeches made by members of the General Staff. The third area to which attention was drawn by the EU progress reports was the civilian control of military spending, while the fourth area was the series of legal provisions that granted the military significant room to manoeuvre in the political sphere.

EU Reforms Adopted regarding the Political Role of the Military

The coalition government that held sway between 1999 and 2002, and the AKP (Justice and Development Party) government that came to power after 2002, adopted a series of reforms that shifted the balance of power in civil-military relations in favor of the former, bringing the country even closer to the liberal-democratic model.

The first change was made to Article 118 of the Constitution, which reduced the role of the NSC that of an advisory body. With this change, the government would "evaluate" the recommendations of the NSC rather than giving them "priority consideration", as had been the case previously. With a role limited to the definition of the agenda, the NSC would no longer be able to carry out national security investigations under its own initiative. Moreover, the civilian nature of the NSC was enhanced with the number of civilian members of the NSC being increased from five to nine, tipping the balance in favor of the civilian side, with the military membership remaining at five. In line with the decreasing role of the NSC, the staff of the Secretary General of the NSC was reduced. In 2003, the third reform package included amendments to Articles 9 and 14 of the Law on the NSC that eliminated the far-reaching executive and supervisory authority of its Secretary General. Of particular importance, the Secretary General of the NSC would no longer be able to follow up, on behalf of the President and the Prime Minister, the implementation of any recommendation made by the NSC. Furthermore, the Secretary General of the NSC would no longer be chosen only from among military personnel, and in August 2004, a former Turkish ambassador to Greece became the first civilian to serve as the organ's Secretary General. In addition to these changes, the NSC meetings were rescheduled to take place once every two months rather than once a month, and measures increasing the transparency of defense expenditures were introduced. The Court of Auditors were given new powers to audit the

accounts and transactions of all organizations, including the armed forces, and the powers of Parliament were increased related to military expenditures. In addition, extra budgetary funds such as the Defense Industry Support Fund, were to be included within the general budget of the relevant administration, and the General Staff was deprived of the authority to appoint one member of the Higher Education Council through a change to the Law on Higher Education.

There is little doubt that Turkey's EU candidacy served as a powerful catalyst for the adoption of civilianization reforms in Turkey. As had been the case in other candidate countries, the EU bolstered the legitimacy of certain actors – political parties and civil society in Turkey's case – while undermining the role of other actors in politics – the military in the Turkish case. This re-allocation of power among the political actors in Turkey helped bring civil-military relations closer to those seen in its European counterparts.

Response of the Turkish Military to EU Reforms

As the vanguard of modernization, the Turkish military was, in principle, in favor of the EU democratization reforms, but harbored some reservations about the possible impact of the fulfillment of the Copenhagen criteria on the nature of the Turkish regime. Specifically, the armed forces were concerned that the EU democratization reforms could undermine its guardianship role, as well as Turkey's territorial integrity and secular nature. This led it to take an active role in Turkey's EU accession process, and to ensure that its reservations would be taken into consideration by the government.

On several occasions, the military was accused of being anti-EU, but these claims were denied by the armed forces, saying, "The military cannot be anti-EU, because EU accession is, in geopolitical and geostrategic terms, an obligation within the modernization goal of Mustafa Kemal Atatürk for Turkish society"

(TSK, 2003). Moreover, military officials stated that no other European country had faced the same threats as Turkey, and that the Copenhagen criteria should be put into practice only if "taking into consideration the interests and realities of the country" (Jenkins, 2001, p. 82).

Throughout Turkey's EU accession process, the military took care not to be associated with any single political party. For instance, the acceleration of the EU integration process under the single-party government of the AKP saw historical steps taken in the Cyprus and Kurdish issues, which compelled the Eurosceptic Nationalist Action Party (MHP), to send letters to 313 generals calling on them to intervene and warn the government. All of the generals returned the letters to the MHP (Şafak, 2004).

Although there was an intention not to appear to be in opposition to EU accession, representatives of the military on occasions would make open and harsh criticisms of the Union. For instance, İlhan Kılınç, the General Secretary of the NSC said, "It is certainly necessary for Turkey to look for new alternatives; and the best way of doing this is, I believe, is through an alternative that involves the Russian Federation, includes Iran, and does not ignore the United States" (Radikal, 2002). He added that the EU had never aided Turkey, suggesting that the EU held a negative view of issues relating to Turkey.

As another matter of concern, the Army was particularly anxious that an opening in the Kurdish issue may be exploited by the Kurdistan Workers' Party (PKK), and cautioned that in the EU accession process the PKK may push for recognition of ethnic identity, education and broadcasting in their mother tongue, and the empowerment of the local administrations in an effort to rally support from society (Radikal, 2000). With respect to the minority issue, the military seemed reluctant to back away from the Lausanne Treaty, considering the unitary structure of the Turkish state to be beyond dispute. In short, its concern was that that

opening up to the EU could grant collective rights to minorities, stating that: “There is no common definition of the minority concept in any international document. Above all, all the documents in question view minority rights as individual rights. Ethnic, cultural, religious and linguistic differences do not necessarily result in the creation of national minorities” (Hürriyet, 2004b). The armed forces were critical of the fact that the EU’s perspective of minorities went beyond cultural rights, and actually entered the field of political rights. As for the execution of the imprisoned PKK head Abdullah Öcalan, chief of staff General Hüseyin Kıvrıkoğlu left the decision to the politicians on the grounds that the military was party to the issue having fought against him for 15 years, and so had an emotional attachment to the Öcalan issue (Berkan, 1999).

With respect to the Annan Plan, aimed at the reunification of Cyprus in the EU accession process, the military had some reservations. Chief of staff General Hilmi Özkök said, “If looking at the plan as a whole, we can say that although there are some positive aspects, not all of our demands have been met, and serious problems may arise in the implementation of the plan.” In the opinion of Özkök, the most important matter regarding the Plan is including the derogations into the primary sources of the EU law, which aim at protecting the founding Turkish state (Hürriyet, 2004a).

Despite harboring significant reservations, the military eventually gave its tacit consent to the EU democratization steps taken to fulfill the Copenhagen criteria, but what was it that prompted the military to give a green light to the EU democratization reforms?

Firstly, Turkey’s declaration by the EU as a candidate at the 1999 Helsinki Summit meant that Turkey’s membership prospects were real, and strengthened the hands of the proponents of the EU, while weakening that of the Eurosceptics in Turkey. Furthermore, the allure of EU membership for Turkish people was strong, and the armed forces did not want to be seen as a

barrier to membership, as such a stance could make them unpopular among the masses. In addition, since the military was historically the vanguard of modernization, standing against the EU and EU democratization reforms would contradict their historical role.

Secondly, the fact that the AKP maintained, by and large, a conciliatory approach to those involved in Turkish politics, and the army in particular, contributed to the military keeping a low profile and giving a green light to EU democratization reforms. The AKP came from the Islamist tradition, and has gone through a transformation process following the 28 February process, as a result of which the Islamist Welfare Party government was overthrown by the military in 1997. Recognizing that the AKP could face a similar fate as its predecessor, it focused on bolstering its legitimacy in the system rather than clashing with the secular establishment, focusing on EU reforms and staying away from political Islam. While the AKP expressed its dissatisfaction with such issues affecting its conservative electorate as the wearing of the headscarf and the status of İmam Hatip Liseleri (Religious High Schools), their emphasis was on gaining societal consensus for the resolution of these controversial issues. This, in turn, encouraged the military to take a permissive attitude towards the EU democratization reforms adopted by the AKP.

Thirdly, much of the credit for changing the stance of the military with respect to the democratization reforms should be given to General Özkök. After taking office, he brought the military to a politically less interventionist position. Unlike his predecessors, who insisted on maintaining the military’s traditional role in politics, Özkök, as chief of staff, showed respect for civilian authority and recognized that the armed forces were not the sole patriotic institution in the country, following a more democratic line and standing firmly against any involvement of the armed forces into political realm, whether direct or indirect (Heper, 2005, pp. 217-219). In response to criticisms that

he was too soft to serve as Turkey's highest ranking officer, he said that his responsible, moderate, uniting and careful stance was aimed at not damaging the nation and state, and was misunderstood, "I command a military generation that wants to obey the leadership of mind rather than the strength of voice" (Hürriyet, 2004a). In spite of the suspicions of some top officers, he extended his support to the AKP government's attempts to prepare Turkey for EU accession, and also endorsed the AKP government's efforts to resolve the Cyprus issue (Özel, 2004).

Fourthly, despite the EU civilianization reforms, the armed forces still retained its autonomy in most critical areas, assuring its role as the guardian of the Republic, and this helped the military take a more positive view of the reforms. Article 35 of the Turkish Armed Forces Internal Service Law (TAFISL) and Article 85/1 of the Turkish Armed Forces Internal Service Directive (TAFISD) entrusted the military with the protection and preservation of the Republic. Article 35 of TAFISL states: "The duty of the Turkish Armed Forces is to protect and preserve the Turkish homeland and the Turkish Republic as defined in the Constitution," (Haberler.com, 2013) while Article 85/1 of the TAFISD reads, "It is the duty of the Turkish Armed Forces to protect the Turkish homeland and the republic, using arms when necessary, against internal and external threats" (Mevzuat, 1961). Moreover, Article 2a of the NSC Law (1983), which defined national security in broad terms, was still maintained, stating: "National security means the defense and protection of the state against every kind of external and internal threat to the constitutional order, national existence, unity and to all interests and contractual rights in the international arena, including in the political, social, cultural, and economic spheres" (MGK, 1983). This broad definition of what constitutes a threat still provided the military with the possibility to intervene in politics. In short, the EU civilianization reforms focused to a significant extent on the military's institutional role through the NSC, and did not remove any of the provisions

granting the military a guardianship role. That is, the EU civilianization reforms did not pose a threat to the armed forces' role as guardian of the fundamental principles of "secularism, territorial integrity and democracy", and the military still retained legal autonomy.

Moreover, although aware of the fact the number of the military members in the NSC had been reduced, and the NSC decisions became only advisory as a result of the EU amendments, the military considered that these changes addressed only the institutional aspects of its weight in Turkish politics. The true power of the military indeed did not lie so much in its numerical superiority in the NSC, but on the popular support it enjoyed among the Turkish public. According a survey conducted in 2004, 89 percent of the respondents named the armed forces as the most trusted institution in Turkey (National Report, 2004). This was reflected in a statement from the former chief of staff General Hüseyin Kıvrıkoğlu, who when speaking about the debates spurred by the amendment to Article 118 of the Constitution raising the number of civilians in the NSC from five to nine said: "Let it be 100 civilians if necessary" (Milliyet, 2000). Furthermore, despite the changes in the NSC, the military was still able to convey its views to the politicians on critical matters through such informal mechanisms as statements and speeches made by members of the Chief of Staff.

The fact that the political climate was conducive to democratization and the opening-up of the political system eased the hand of the military, since it minimized the security costs arising from EU democratization reforms. In other words, the steps towards democratization took place in a peaceful political environment in which Islamist and separatist Kurdish threats had already been quashed by the army. Regarding the Islamist threat, the military had managed to overthrow the Islamist government of Necmettin Erbakan in 1997 by mobilizing civil society, while the armed forces had all but wiped out the PKK by the end of the 1990s, and Abdullah Öcalan, its leader, had been in prison

since 1999.

Conclusion

This article has analyzed the armed forces' reaction to the EU democratization reforms that took place in Turkey from 1999 to 2005, and has shown how a series of factors were instrumental in prompting the military to give the green light to the reforms. First of all, the credibility of Turkey's EU membership gained strength following Turkey's declaration as an official EU candidate by the EU at the 1999 Helsinki Summit, which, in turn, accelerated Turkey's reform efforts, including those aimed at the civilianization of the Turkish political system. A second factor concerned the approach of the AKP, as a new actor in the Turkish political system. The fact that the AKP followed a pragmatic and conciliatory line with the secular establishment and managed to establish a *modus vivendi* with the military facilitated the military's acceptance of the EU democratization reforms. Furthermore, since the military was able to maintain its role as guardian of democracy within the political system, in spite of the EU reforms, it was more inclined to accept the other reforms, even those that overhauled its institutional role. Finally, the political climate was, on the whole, peaceful following the elimination of the primary threats of Kurdish separatism and political Islam at the end of the 1990s, and this atmosphere of decreased security risks was helpful in convincing the armed forces to accept the demands of the EU for reform.

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