EU-Turkey accession: Why Brussels is rhetorically entrapped and what Ankara can do about it

Abstract

Whilst there is no doubt the EU acts geostrategically when making enlargement policy it does so within a normative framework. Perceived geostrategic value may expedite the progress of a candidate like Turkey but it will not enable it to bypass the Copenhagen criteria. Accordingly Turkey’s period of most rapid progress was between 2002 and 2004 when it was helped to make constitutional progress by its geostrategically motivated advocates within the EU.

The “Arab Spring” has re-highlighted Turkey’s geostrategic value to the EU. It would seem to be an opportunity for progress towards membership to be made. However, the necessary constitutional reform looks very remote and the AKP much less likely to accept external “advice” than a decade ago. This paper argues that EU accession is now out of the hands of the EU, or its member states, and depends entirely on what happens next in Turkish politics.
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Introduction

It is argued here that a side effect of the Arab Spring has been to align the international political constellation once more in favour of Turkish accession. The series of uprisings across the Middle East and North Africa have reiterated Ankara’s geostrategic importance to the wider European continent – particularly as the initial optimism has turned to concern and Egypt, Libya and Syria teeter on the brink of varying degrees of chaos for much of the time. Hence, it has been argued, the European Union has been forced to reconsider its actions vis-à-vis Turkey in order to procure Ankara’s continuing cooperation to deal with these numerous uncertain scenarios – particularly Syria. Accordingly it has tried to maintain momentum in negotiations with the Positive Agenda and was muted in its criticism of the Turkish government following the Gezi protests.

This paper argues however that whilst the Arab Spring has certainly offered an opportunity for accession to progress it cannot do so if the Prime Minister and Chairman of the AKP, Recep Tayyip Erdogan, continues on the current political trajectory. The EU remains a strictly normative institution and whilst it is true that the advent of the External Action Service has highlighted its geostrategic role its diplomacy is still done within the normative constraints of the EU. Following this logic it is fine for the accession process can be maintained, or managed, even encouraged, but it is inconceivable that Turkey could move forward in accession without making substantial constitutional reforms in line with the Copenhagen criteria or – at the very least – showing real potential to do so. This chapter argues that the direction taken by Turkey since 2009/2010 means it is moving away from meeting the Copenhagen criteria rather than towards it.

Paradoxically, it is not generally disputed that Turkey is democratic in terms of electoral procedures. The AKP’s formula of liberal Islam, economic growth and improved state services has served it well since its formation in 2001 and it has won repeated elections at local and national level with a stable majority. As The Economist journalist Amberin Zaman, a critic of the AKP, has noted, Turkey is probably more democratic now than it was when it was elected in 2002\(^1\). However, it is also less liberal, or possibly no more liberal than it was, and concern at increasing authoritarianism within this democratic framework has been slowly but steadily growing since 2010 for several reasons. This “Erdogan effect” has led to a steep deterioration in media freedom, disregard for the rule of law for political purposes and the presidency issue which has seen Erdogan move from parliament to the presidential palace – and take his powers with him. The Erdogan effect means Turkey EU accession will remain in the doldrums while he remains in office. This chapter will first look at examples of the Erdogan effect in Turkish politics since 2009.

\(^1\) BBC News, December 24\(^{th}\) 2013, *Turkish journalists: we have serious problems with freedom.* Available at: http://www.bbc.co.uk/news/world-europe-25502081
and then attempt to establish how and why Turkey has drifted towards authoritarianism and what the implications might be for EU accession.

Theory and metatheory

It is necessary to be open to both rationalist and ideational logics when considering empirical evidence. This work applies the theory of normative institutionalism advanced by Frank Schimmelfennig and Daniel Thomas,\(^2\) to argue that the EU itself was rhetorically entrapped between 2002 and 2004 when Turkey made rapid progress towards meeting the Copenhagen criteria. However after that point the tables were turned and Turkey was rhetorically entrapped by its lack of progress. This approach presumes member states act rationally within a normative environment. Hence the Arab Spring has helped to recreate the conditions in which the Turkish case could make progress because the EU member states would be more inclined to encourage Turkey to make reforms in order to secure Ankara’s geostrategic cooperation. However whilst the EU is a strategic actor it still does so within a normative framework and the current Turkish government is just too far away from this framework for progress to be made although the geostrategic imperative means Turkey will stay within the accession system in order to maintain its cooperation on security issues.

Underlying this approach is also the presumption that it is unnecessarily analytically restrictive to take a parsimonious approach to theory or to feel the need to justify the approach on grounds of commensurability. Instead complexity and context is vital in order to grasp the processes and causal mechanisms involved and theory should be developed accordingly.\(^3\) It is neither positivist nor post-positivist but rather takes an alternative Scientific/Critical Realist approach\(^4\) which seeks to make a rigorous case for a given explanation.

1. Authoritarian drift

The current political situation in Turkey, in which power is increasingly concentrated around the office of Recep Tayyip Erdogan, is very far removed from the liberal democratic ideal enshrined in the Copenhagen criteria. The technically correct “democracy” of Turkey is being increasingly undermined in EU terms by the


\(^3\) See the collection of articles in the September 2013 edition of the European Journal of International relations for further explanation of this approach to theory development.

authoritarian tendencies of its democratically elected leader. Ironically, the illiberalism of the AKP is at least partly responsible for its electoral success. Those who have benefitted from the policies of the AKP in terms of economic success and health and social welfare reform have limited sympathy for the urban secular elite which, they feel, had previously ignored them.

Nevertheless illiberalism and, moreover, authoritarianism, will not play well with Brussels going forward. Turkey’s case can only be made by its advocates within the EU if there is a record of reform to use against its opponents. Turkish accession cannot move forward while its political direction of travel is towards authoritarianism. This section will explore the ways in which the Turkish government can be characterized as increasingly authoritarian or illiberal. It will look at the decline in press freedom and the related issues of the Ergenekon trials and the influence of the Gulen movement.

Press freedom

Both the October 2012 special report by the Committee to Protect Journalists and the European Commission’s 2012 progress report on Turkey raised serious concerns about press freedom in Turkey with the CPJ stating that “…the government of Prime Minister Recep Tayyip Erdoğan has waged one of the world’s biggest crack-downs on press freedom in recent history”\(^5\). In addition Turkey has been steadily falling down the press freedom index produced by Reporters Sans Frontieres and currently stands at 154\(^{th}\) out of 179 with more than 100 journalists behind bars\(^6\).

As Yesil outlines, state control of the media in Turkey is not a new problem. There has been state influence on journalists in Turkey for decades but the situation has deteriorated since the AKP won a second term in 2007 in three ways: The AKP government has “exacerbated the existing repressive environment by abusing the legal framework to criminalize Kurdish journalists, by instrumentalizing a major political investigation — Ergenekon — to prosecute dissenting journalists, and by exploiting its economic relationships with media conglomerates to engender self-censorship in the press.”\(^7\)

In the highly politicized atmosphere of Turkish politics in the 1980s and 1990s anyone not opposed to the Kurdish issue was deemed to be in favour of it by the series of weak coalition governments struggling to deal with Kurdish insurgency. With the PKK designated as a terrorist organisation by the US State Department in

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1997\(^8\) (and the EU in 2002\(^9\) in the aftermath of the September 11\(^{th}\) attacks) this left dissenting voices liable to be prosecuted under anti-terrorism legislation. Initially the AKP government from 2002 promised some liberalisation in this approach as it began to make changes towards meeting the Copenhagen criteria but this changed after the AKP’s second general election win in 2007 and deteriorated significantly after the failure of the “democratic opening” in 2009.

Since 2009 thousands of “…Kurdish politicians, mayors, journalists, academics, trade union, and human rights activists” have been arrested and charged with links to the KCK - the Union of Kurdistan Communities - a body affiliated with the PKK. Figures for the number of people arrested vary between around 700 admitted to by the Turkish government and 3500 alleged by the Kurdish political party the Peace and Democracy Party (Baris ve Demokrasi Partisi, BDP)\(^10\). US State Department figures estimate more than 4000 people have been arrested and around 50-60 are journalists of some sort\(^11\). This has had the effect of criminalising Kurdish journalists and influencing the reporting of Kurdish issues in the mainstream Turkish media\(^12\). Either such issues are not reported or they are reported negatively or inaccurately. Such activity was condemned in December 2011 by the OSCE which noted: "Although governments have an unquestioned right to fight terrorism, it should be carried out without silencing the press and curbing the public’s right to be informed"\(^13\).

The CPJ report detailed how journalists working in Kurdistan were arrested by "overzealous" prosecutors for carrying out normal journalistic activity which was labelled as “terrorist” in contravention of Article 10 of the European Convention on Human Rights.

Throughout the Kurdish prosecutions, CPJ found that the government conflated reporting favorable to the PKK or other outlawed Kurdish groups with actual assistance to such organizations. Basic newsgathering activities— receiving tips, assigning stories, conducting interviews, relaying information to colleagues—were depicted by prosecutors as engaging in a terrorist enterprise\(^14\).

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\(^10\) Agence France Press, December 23\(^{rd}\) 2011, *Media watchdog condemns Turkey arrest of reporters*.
\(^12\) Yesil ibid 2014: 164.
\(^13\) Agence France Press, December 20\(^{th}\) 2011, *OSCE denounces Turkish media arrests*.
\(^14\) CPJ 2012: 7.
A very similar pattern is visible with those journalists alleged to be part of the Ergenekon network which accounts for the remaining 30% (approx.) of those behind bars. The Ergenekon network was alleged to have existed in the 1980s and 1990s as a secretive network of loyal Kemalists prepared to do the state’s “dirty work” for it covertly when the enemies of the state were Islamists and Kurds. The AKP’s Ergenekon allegations were that this network had continued to exist and was trying to bring down the Erdogan government during its first term. It was initially given credence, and even welcomed, by many people in Turkey and not just AKP diehards, as the allegations were plausible. After all, there had been a ruthless campaign against the Kurds in the 1980s and 1990s and the military had intervened in Turkish politics on several occasions – the last being 2007.

However, in several waves of arrests since 2008, Ergenekon has been used as justification to arrest journalists working for organisations not openly loyal to the AKP on the basis of “evidence” obtained through phone-taps. Around 30 journalists have been imprisoned but fear of association with Ergenekon has led to the self-censorship of many more and created a “climate of fear”.

The scope of the so-called “Ergenekon crimes” has been so liberally expanded that anyone who criticizes the AKP is now fearful of being labelled an Ergenekon conspirator.15

The final aspect of media censorship which has become apparent in Turkey since 2009 is that of government control of a significant number of media outlets. The nature of media ownership in Turkey follows a pattern in several other Mediterranean countries – Spain, Italy, Greece – which have a similar history of authoritarian rule and transition to democracy.16 Media outlets in Turkey tend to be owned by companies with wider business interests often dependent on government contracts. This has become more so since the AKP took power and especially since its second general election win in 200717 and media in Turkey is now partisan and, in some cases, owned by close affiliates of the AKP.18

After 2007, those organisations not closely associated with the AKP began to lose favour in terms of the awarding of business contracts and editorial pressure. Perhaps the most glaring example of this trend was the Dogan Media Group. It is widely acknowledged that Dogan had profited previously from close association with the

15 Yesil 2014: 162
17 Kaya and Cakmur 2010 ibid: 532
Kemalist establishment. However after 2007 its relationship with the AKP began to sour as it lost out in the contract for the Ceyhan pipeline\(^{19}\) and a lucrative property deal in Istanbul was blocked by the city’s AKP mayor. The following year newspapers belonging to the Dogan Media Group (primarily Hurriyet) published reports of a court case in Germany which alleged a German based charity Deniz Feneri (Lighthouse) was fraudulently transferring funds to Islamists in Turkey with connections to the AKP. This was especially significant as, if proved (it wasn’t), it would have given grounds for the AKP’s legitimacy as a political party to be legally challenged on constitutional grounds and shut down.\(^{20}\) This prompted Prime Minister Erdogan to call for a boycott of Dogan owned newspapers\(^{21}\) and, the following year, the Dogan Media Group was given a $490m fine for non-payment of tax which certainly appeared to be punitive as the final tax bill of $3.5 billion “…nearly equalled the total value of Dogan Media’s assets.”\(^{22}\) The CHP leader Deniz Baykal accused Erdogan of “imposing fines when the news does not suit him”\(^{23}\) while the editor of Taraf newspaper, who had also been critical of Dogan, said the tax fine was a political move to stifle criticism and commented: “I think when Mr. Erdogan sees them (Dogan) he sees a political enemy, not a media outlet.”\(^{24}\)

The net result of this level of partisan ownership – the daily Sabah is owned by the Calik group run by Erdogan’s son-in-law\(^{25}\) - and political interference has been a significant reduction in press freedom in Turkey in which the AKP has “silenced its critics and created a block of ultra-loyal media\(^{26}\). The International Press Institute issued a strong rebuke to the AKP after the Dogan fine. Its director David Dadge said in 2009 that:

> The timing and unprecedented size of this tax fine raise serious concerns that the authorities are changing their approach from rhetoric to using the state apparatus to harass the media.\(^{27}\)

\(^{19}\) Kaya and Cakmur 2010 ibid: 532
\(^{20}\) Agence France Press, September 17\(^{th}\) 2008, *Three jailed in Germany over Turkish charity fraud.*
\(^{21}\) This raised howls of protest from newspapers across the board – even Sabah which has close links to the AKP. See Agence France Press, September 20\(^{th}\) 2008, *Turkish paper reports reactions to premier's call for boycott of Dogan media.*
\(^{22}\) Yesil ibid Pg 165.
\(^{23}\) Agence France Press, February 23\(^{rd}\) 2009, *Hefty tax fine raises fears over media freedom in Turkey*
\(^{24}\) United Press International, September 16\(^{th}\) 2009, *OSCE: Big fine threatens Turkish media.*
\(^{25}\) International Herald Tribune, December 6\(^{th}\) 2007, *Sole bidder in auction is kin of Turkish leader*
\(^{26}\) Yesil ibid; see also Kaya and Cakmur ibid.
Coupled with the imprisonment of so many journalists as a result of the KCK and Ergenekon investigations this has led to a considerable restriction of press freedom contributing to the de-liberalisation of Turkish democracy.

Rule of Law

The *imprisonment* of so many journalists also highlights another aspect of Turkish de-liberalisation – the use of the judicial system for political ends. Not only journalists were caught in this net. Politicians, military officers, academics, civil servants and others have been prosecuted on nebulous charges and/or with dubious “evidence” as part of the Kurdish issue and the Ergenekon and Balyoz (Sledgehammer) trials.

Whilst Ergenekon was the investigation into the secular “deep state” network”, Balyoz was the specific allegation that military officers had conspired to undermine the AKP government in 2003. The allegations surfaced after information was handed to Taraf newspaper, by an anonymous source, consisting of wiretap and documentary evidence of a plot to discredit the AKP government during its first term. There may have been a grain of truth in this notion. It is likely that some such idea was discussed in military circles and, as Robins notes:

> Speculation about the existence of ‘stirrings’ within the lower echelons of the Turkish officer corps at the indulgence being shown towards the AKP by the Turkish state had already come the way of the British embassy as early as May 2003 (author’s unattributable interview), 14 May 2005.”

Nevertheless leaving aside the underlying intention of the Balyoz “plot” there were soon credible doubts as to the veracity of the evidence provided to prove it in court. It was counter-claimed by the accused officers that the documents were actually part of a contingency planning training session by military top brass and were not an actual plot. Moreover it was claimed that several documents handed to Taraf, which purported to be from 2003, were written using the 2007 version of Microsoft Office or referred to places which did not exist in 2003. The trial of more than 350 military officers began in late 2010 and after a two year hearing 34 were acquitted. Three generals were jailed for twenty years, 78 officers to 18 years and 246 were given

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29 See letter to the Financial Times, October 29th 2012, by Captain Yasin Türker, of the Turkish Navy written from Maltepe Military Prison, Istanbul. Also the blog of Professor Dani Rodrik of Harvard University. NB: Prof. Rodrik is the son-in-law of one of the accused, General Cetin Dogan. Available at: http://rodrik.typepad.com/dani_rodriks_weblog/2013/01/turkish-court-provides-lack-of-reasoning-behind-sledgehammer-verdict.html or article by Prof. Rodrik in the Financial Times, March 3rd 2011, A sledgehammer blow to Turkish democracy.
30 Agence France Press, February 14th 2011, *Turkey ‘coup leader’ jailed, journalists targeted*
31 First Army commander Cetin Dogan, former air force commander Ibrahim Firtina and former naval chief Ozden Ornek
16 year sentences. A year later the Turkish court of appeal upheld the convictions of the senior officers but allowed the appeals of some lower down the ranks.

Hence by 2013 Turkey had developed an illiberal reputation within the international community. The CPJ statistic that Turkey has more journalists in prison than China has been repeated often in the UK media. Furthermore there was a “dawning realisation” that the “good faith” extended to the Erdogan government in the early days of the Ergenekon investigation had not been justified. Another cause for concern about Turkey’s illiberal turn was the so called “presidency issue”.

Presidency issue

The “presidency issue” arose out of pressure for constitutional amendments - and preferably a new constitution - to replace that imposed by the military after the 1980 coup d’etat. The 1982 constitution had “tried to limit elected governments’ powers and policies”. So the Constitution which remains in place was an attempt by the military more than 30 years ago to shore up the Kemalist identity of the republic. As such it was used by the Kemalist establishment against the AKP several times between 2002 and 2008 to protect the Kemalist (ie: secular) legacy. Hence, predictably, as its political confidence grew the AKP was keen to curb the power of the judiciary and bureaucracy and to prevent it from trying to use the Kemalist constitution, and its aversion to Islamism, again.

Plans for 26 constitutional amendments were unveiled by the AKP in March 2010. These addressed several issues of human rights including the liberalisation of trade union rights, women’s and children’s rights. However, “a large part” was not about human rights but focussed instead on “…changes to the composition and structure of the Constitutional Court and the High Council of Judges and Prosecutors (Articles 146, 147, 149, and 159 of the constitution) and changes authorising civilian courts to try military personnel for ‘crimes against the security of the State, constitutional order and its functioning’, and preventing civilians from being tried in military courts except in wartime (Article 145)”.

The proposals were to change the structure of the constitutional court by shifting the power to appoint judges from parliament to the president. In other words the AKP had “wanted to lessen the pressure of the judiciary and bureaucracy” on itself.

32 Agence France Press, September 21st 2012, *Three ex-generals jailed for 20 years in Turkey coup trial*
33 Agence France Press, October 9th 2013, *Turkey court upholds convictions for top officers over coup*
34 CPJ report 2012 Pg 6 and 9
37 Özpek ibid: 154
In addition, the AKP had presented the changes as necessary pre-requisites of EU accession and democracy in general rather than measures to protect itself from Kemalist attack or to boost its own power (depending on your political affiliation). Whilst perhaps understandable as an exercise in political spin this meant that all the constitutional changes were opposed, by the main opposition parties, the Kemalist CHP and the nationalist MHP. The CHP mounted an unsuccessful legal challenge to the amendments which instead went to a referendum held, auspiciously, on 12th September 2010 - the 30th anniversary of the 1980 coup d'état. On a turnout of 78% there was a yes vote of 58%.

This put the issue of wholesale constitutional reform to replace the 1982 version at the top of the political agenda and it was a major issue in campaigning for the June 2011 general election when the AKP won its third term in office with 50% of the vote (CHP 26% and MHP 13%). This gave the AKP 326 of the 550 seats in the Turkish Parliament which was a good majority but not quite enough to push through all legislation desired by the AKP – including proposals for a new executive presidency style of governance favoured by Erdogan. An all-party “Constitution Conciliation Commission” was established after the election to deliberate on a new civilian constitution but it soon ran into problems over the “presidency issue” because of widespread suspicions that Erdogan wanted to become president himself when his third and final term as Prime Minister ended.

In May 2012 Turkey’s “worst kept secret” became public. Accordingly, by November 2012 the Constitution Conciliation Commission was “deadlocked” and by February 2013 the AKP was making it clear that in the absence of agreement it would instead propose an amendment to the 1982 constitution which would also achieve a presidential system. This provoked opposition from both the CHP and the MHP who were concerned by what they saw as a power grab by Erdogan. The CHP leader Kemal Kilicdaroglu said Erdogan was becoming “more and more authoritarian….” and “...the attempt to create an executive presidency is all about the concentration of power in a single hand. It will be a disaster for Turkey.”

Whilst the AKP ultimately had 327 seats in the 550 strong parliament, it was unlikely to rally the 367 to pass the amendment outright. However it only needed 330 to put an amendment to a referendum as it had done in 2010. It may, or may

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38 Agence France Presse, March 22nd 2010. Turkish govt seeks support for constitutional changes. CHP is the Cumhuriyet Halk Partisi, Republican People’s party and the MHP is the Milliyetçi Hareket Partisi, Nationalist Action Party.
39 Xinhua News Service, June 13th 2011, Roundup: Turkey’s ruling AKP wins third election victory
40 Deutsche Press Agentur, June 9th 2011, Constitutional change at stake in Turkish election
41 Agence France Press, May 10th 2012, Turkey debates new charter, change to presidential system
42 Agence France Press, November 20th 2013, Turkey parliament deadlocked over new constitution
43 Xinhua News Service, February 21st 2013, News Analysis: Turks debate on presidential system
44 The Guardian, February 16th 2013, Opponent calls Turkish PM an elected dictator
45 Increased from 326.
not, be a coincidence then that in the first half of 2013 there was a rapprochement with the Kurds, including a ceasefire\textsuperscript{46} and a withdrawal of armed fighters\textsuperscript{47}, which tantalisingly held the potential to deliver BDP support for the AKP’s constitutional reforms and the presidency issue. The AKP seemed ready to agree to deliver many of the reforms the Kurdish lobby had been looking for such as the right to teach in Kurdish in schools and the lessening of emphasis on “Turkishness” and Turkish nationalism as a virtue in the constitution\textsuperscript{48}.

Several issues then intervened to stymie Erdogan’s presidential ambition: The Gezi Park protests attracted considerable Kurdish support, and by September 2013 relations were faltering with the BDP amidst mutual recrimination\textsuperscript{49}. The AKP then announced a “democratisation package” of reforms in which liberalised the approach to the Kurdish issue and there was also an attempt to solidify relations with the Iraqi Kurdish leader Marsoud Barzani in November 2013\textsuperscript{50}. However the peace process did not regained the momentum of March 2013 as Turkey itself has polarized politically and religiously and is increasingly struggling to deal with the consequences of the Syrian conflict.

As will be outlined further below Erdogan has more recently (August 2014) been elected as president although at the time of writing it is not clear how, he will transfer legislative powers to the post although it is widely expected that it will happen. Erdogan has faced opposition from within his own party over the presidential system. Even previously sympathetic commentators have suggested that he may be suffering from an excess of “libido dominandi”\textsuperscript{51} as power becomes concentrated in one person – with none of the checks and balances seen true liberal democracies.

Authoritarian drift

So if we take these issues together, the deterioration of press freedom, abuse of the rule of law and the concentration of power in the presidency are indicators of an authoritarian drift by the Erdogan government. The question to be addressed in this section is not whether Turkey has moved along the spectrum of authoritarianism\textsuperscript{52} but how this happened.

In fact authoritarianism is not a new phenomenon in Turkey and to a large extent the way the AKP has clamped down on its opposition echoes the treatment Islamist

\textsuperscript{46} Agence France Press, March 21\textsuperscript{st} 2013, Jailed Kurdish rebel leader calls ceasefire with Turkey
\textsuperscript{47} Agence France Press, May 8\textsuperscript{th} 2013, Kurdish rebels begin critical pullout from Turkey
\textsuperscript{48} Agence France Press, March 24\textsuperscript{th} 2013, Greater rights for Kurds key to Turkish peace efforts
\textsuperscript{49} Agence France Press, September 9\textsuperscript{th} 2013, Kurdish rebels halt withdrawal from Turkey
\textsuperscript{50} Agence France Press, November 16\textsuperscript{th} 2013, Turkey PM meets Iraqi Kurdish leader to shore up peace talks
\textsuperscript{51} Turkish Daily News, December 26\textsuperscript{th} 2012, Mustafa Akyol: “Do we really need an all-powerful president?”
\textsuperscript{52} Financial Times, October 10\textsuperscript{th} 2011, Don’t be blind the Erdogan’s flaws
parties received when the Kemalist elite was in power. It is a continuation of Turkish political culture with the roles of the Kemalists and Islamists reversed. However, the result of the ideological power struggle in the first term of the AKP government was the subsequent drift back towards authoritarianism after the promising normative progress between 2002 and 2004.

This section will explore the process by which the AKP government moved from being welcomed and courted as a “model” of Islamic democratic practice to being an embarrassment and a problem for diplomats handling its case in Washington, London and Brussels. It will argue that the AKP government’s three terms in office have been characterised by an ongoing fight for survival against the Kemalist element within the Turkish state apparatus. At the same time the incentive to implement constitutional reform in line with the Copenhagen criteria dissipated as the Cyprus issue and the views of Nicholas Sarkozy tainted public opinion against the EU making it more politically risky for the AKP to continue.

The first term of the AKP saw growing unease amongst the Kemalist elite because of, what they saw as, creeping Islamization. The AKP and the Kemalists co-existed uneasily until 2007 but when Erdogan nominated Abdullah Gul to the presidency, the “last inviolable bastion of Kemalist secularism” it “crossed a red line”:

In their (the generals’) eyes, Gül - a man who once flirted with political Islam and whose wife wears a head scarf - posed an existential threat to Atatürk's republic.53

The military made clear their displeasure posting a notice that “if necessary, the Turkish Armed Forces will not hesitate to make their position and stance abundantly clear as the absolute defenders of secularism” in what Taspinar54 has dubbed an “e-coup”. The head of the army, General Yasar Buyukanit, said, on the record:

We want to underline our hope that parliament will elect a president who adheres in earnest, and not just in words, to the basic principles of the republic and the ideal of a secular, democratic state.55

The AKP’s (more specifically Erdogan’s) response however was to call a general election and then to win it convincingly enabling Gul’s presidency to be put to a referendum which he also won. So began the consolidation of AKP power in the presidency as well as the parliament. The president would no longer block AKP reforms as Necdet Sezer had done with the headscarf issue, for example. However the Kemalist backlash was not yet over. The AKP only narrowly avoided being

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53 Omer Taspinar Turkey’s General Dilemma, Foreign Affairs, August 8th 2011.
54 Omer Taspinar Turkey’s General Dilemma, Foreign Affairs, August 8th 2011.
55 Agence France Press, April 12th 2007, Turkish army pushes Iraq incursion, calls for truly secular president
banned as a party by the constitutional court in 2008. Hence the AKP continued to feel the need to secure itself against the Kemalist challenge in the judiciary, bureaucracy and the military.

Saatcioglu has argued that the AKP’s “power consolidation” began after the 2007 general election when it began to entrench itself and fight back against the secularist establishment. The decision to call the military’s bluff with a general election was a supreme piece of political strategy but had the downside of leaving the AKP dependent on its electoral success. Instead the AKP set out to clip the wings of the Kemalist establishment once and for all. It launched the Ergenekon investigation which encompassed military officers, journalists, academics and politicians of a Kemalist inclination. This was one of many similar investigations aimed at the Kemalist elite including Balyoz (Sledgehammer) and Kafes (Cage). This side effect of this power consolidation strategy was two-fold: Firstly there was a gradual, incremental increase of authoritarianism in its governing style. Secondly, the AKP became less dependent on a pro-EU stance and began to pick and choose its reforms to suit its own consolidation agenda.

 Freedoms of expression and the press regressed as the AKP turned a blind eye to these reform areas in order to suppress public criticism of its policies and consolidate its rule. As David Gardner wrote in the Financial Times, by 2010 Erdogan was displaying a “swaggering populism” and while this may have alienated some of the educated middle class who had been attracted by the initial promise of liberal Islam it remained popular with the Anatolian rump of AKP support. Such popularity, the need to maintain it and the need to consolidate its power base against Kemalist onslaught encouraged the AKP down the path of authoritarianism that has been outlined above. With repeated electoral success the AKP no longer felt the need to pander to liberal concerns either within Turkey or abroad. In so doing Erdogan squandered “…a golden opportunity to widen and deepen reform.”

This came to a head with the 2010 proposals to amend the constitution which again went to a referendum. The AKP by this time had learned to use its electoral majority very effectively and won 58% backing for the constitutional changes which would enable it to curb the influence of the Kemalist judiciary. In so doing the AKP “…placed institutional curbs on the power of its long-time secularist foes in Turkey’s judicial and military establishments—forces that had been trying to shut the AKP

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56 Agence France Press, March 6th 2009, Senior journalist arrested in Turkey coup probe
58 Financial Times, David Gardner, March 11th 2010, Turkey needs more from Ataturk’s irrelevant heirs
down by legal means as recently as 2008—and made itself the clearly preeminent force in Turkish politics." However “.... it left behind considerable bitterness as opponents complained that the AKP was seeking not so much to consolidate democracy as to cement its own hold on power.” 59

Hence this section has argued that the process by which Turkey has reached such illiberal heights should be seen in the context of Turkey’s political history. The AKP has become illiberal in its approach to its opposition and is now internationally notorious for its lack of press freedom. This can be seen as a reaction to the secularist or Kemalist establishment which tried to restrict the AKP’s activities also with illiberal methods. Moreover, ironically, the AKP has sought to entrench its, possibly, illiberal power base through democratic means and has taken its success at the ballot box as a mandate to continue. The result has been that reform towards meeting the Copenhagen criteria has not progressed enough for its advocates to make a meaningful case for the accession process to move forward. The next section will look at the other factors which were contributing to the AKP’s “swaggering populism” after 2009: its growing economy; initially successful foreign policy under Ahmet Davutoglu and the influence of the Gülen movement.

2. Consolidation of power

So, it has been argued that the need to neuter military and the other Kemalist elites distracted the AKP from the reform process. Moreover such reform was being made increasingly less popular with the electorate because of the anti-Turkey stance not only of Cyprus but also member states such as France and Germany. The AKP needed to maintain its electoral base as a source of legitimacy against the Kemalists and hence this was another reason why reforms were not implemented – and the authoritarian style incrementally increased. At the same time this was a heyday for the AKP in terms of its foreign and economic policies which contributed to its confidence and determination that the Kemalists would not be able to unseat it from government.

Mr Zero Problems

The “strategic depth” foreign policy doctrine of Ahmet Davutoglu can be traced back to the “neo Ottoman” opportunities offered to Turgut Ozal’s Turkey after the break-up of the Soviet Union in the early 1990s. Davutoglu crystallized these ideas of utilizing Turkey’s history and geography to build trade and diplomatic relations seeing...

Turkey’s location as a positive rather than as a negative as the Kemalist military had done through the Cold War and after.\(^{60}\)

Davutoglu became foreign minister in 2009 but had been at the heart of the AKP government since the beginning. He was an advisor to Erdogan from the start and when Erdogan officially became Prime Minister in March 2003 he “…elevated the office of Ahmet Davutoglu…. from the traditional status of a small bureau, which provides day-to-day counsel to the prime minister, to the source of strategic thinking and ideological support for the new foreign policy based on the Islamist roots of the current government”\(^{61}\).

Accordingly, AKP foreign policy “…was based on the principles of mutual gain through economic interdependence and close political ties based on cultural affinity and Muslim brotherhood”\(^{62}\). The “strategic depth” doctrine emphasised the importance of “zero problems with neighbours” and set about facilitating visa-free trade links with the Balkan, Caucasian and Arab countries as well as further afield in Asia and Africa. Turkey also took on a more independent diplomatic direction than previously. Turkish foreign policy in 2007/8 was characterised by identification with an Islamic identity and efforts to forge a role as both a regional power and mediator.

Erdogan built links with Palestinian politicians in Gaza and the West Bank and was critical of the Israeli attacks on the Gaza Strip in March 2008\(^{63}\). He also tried to act as a go-between to persuade Israel to lift the Gaza blockade\(^{64}\) and, moreover, between Israel and Syria over the Golan Heights\(^{65}\). Erdogan also built a rapport with President Bashar al-Assad in Syria and repaired relations between the countries which had been damaged in the 1990s by the Kurdish issue\(^{66}\).

In addition Erdogan visited Baghdad at the behest of the USA to build links with the Shia government of Nuri al-Maliki (which was increasingly leaning towards Teheran\(^{67}\)) and adopted a “consolidating and facilitating” role between Iran and the international group trying to limit its nuclear programme\(^{68}\). Such activity - particularly the anti-Israeli and pro-Palestinian stance - was the source of great pride to Davutoglu and the AKP – and was electorally popular. This continued into 2009 as


\(^{61}\) Murinson ibid, Pg. 947

\(^{62}\) Onis,Z. 2012, *Turkey and the Arab Spring: Between Ethics and Self-Interest* Insight Turkey, 14:3 / 2012 Pg. 46.,

\(^{63}\) Agence France Press, March 2\(^{nd}\) 2008, *Turkish PM slams Israel’s ‘disproportionate’ use force in Gaza*

\(^{64}\) Agence France Press, December 22\(^{nd}\) 2008, *Turkish PM tells Hamas he’ll ask Israel to lift blockade*

\(^{65}\) Agence France Press, April 24\(^{th}\) 2008, *Turkey relayed Israel offer to swap Golan for peace: Assad*

\(^{66}\) Agence France Press, August 5\(^{th}\) 2008, *Assad arrives in Turkey for talks and holiday*

\(^{67}\) Agence France Press, July 10\(^{th}\) 2008, *Turkish PM makes first visit to Iraq*

\(^{68}\) Agence France Press, August 12\(^{th}\) 2008, *Turkey awaits two-day visit by Iran president*
Turkey sought to position itself as a broker in the Middle East peace process and in dealings with Iran and Syria. At the Davos World Economic Forum in January 2009 Erdogan walked off the stage in protest at Israeli policy in Gaza and received a hero’s welcome when he arrived back in Turkey.

Whilst the episode in Davos, some of Turkey’s diplomatic relations with Iran and certainly the Mavi Marmara incident with Israel in May 2010 were causing some concern in Washington they continued to be popular in Turkey as the country sought to reassert its self-esteem on the world stage. At this time (up to 2010) Turkish foreign policy was riding a wave of success and was contributing to the boosting of the AKP government’s confidence and popularity generally. It was ultimately aimed at taking the opportunities offered by Turkey’s geopolitical situation to build mutually beneficial relationships with bordering countries centring on trade and economic growth. In late 2010 Davutoglu told Foreign Policy magazine (which dubbed him “Mr Zero Problems”) he had been influenced by Plato and Mahatma Ghandi and he took intellectual and practical credit for Turkey’s foreign policy success.

In 2003, when I became chief advisor [to the prime minister], in one of the first interviews I gave I said, “We have to have zero problems with our neighbours.” Many people thought, “Typical utopian academic. How, given the reality of Turkey’s relations with its neighbours, can you achieve this?” And, in the last eight years, under the leadership and political stability of Prime Minister Erdogan, it has been proven that it’s not a utopian idea. It is a reality today; nobody expects any crisis between Turkey and any neighbour.

The “zero problems” approach helped to facilitate trade relations which also contributed to Turkey’s confidence and the AKP’s electoral success. The time since the Cold War to date has been “a period during which Turkey became a ‘trading state’, a state whose foreign policy is shaped increasingly by economic considerations.” It liberalized visas and increased trade volume and customer base which contributed to greatly increased economic integration and interdependence between Turkey and its neighbours. The apparent effectiveness of this strategy of

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69 Agence France Press, January 20th 2009, With EU on mind, Turkey seeks to boost role for Mideast peace
70 Associated Press, January 30th 2009, Recep Erdogan storms out of Davos after clash with Israeli president over Gaza
71 Agence France Press, September 30th 2009, Turkey opposes economic sanctions against Iran; Agence France Press, October 26th 2009, Turkish PM says West treating Iran unfairly
73 Blake Hounshell, Foreign Policy, 29th November 2010, Mr Zero Problems. Available at: http://www.foreignpolicy.com/articles/2010/11/29/mr_zero_problems?page=0,1
governance contributed to the AKP’s electoral success and spurred on the self-confidence of its major protagonists for whom there was prestige to be gained.

Fetullah Gülen

Amongst the AKP cohort of interested parties was what is now known as the Gülen movement or Hizmet (the service). The Gülen movement is a Sunni Islam religious community which started in Turkey in the 1970s and has grown to become a global educational charity and network of moderately Islamist like-minded individuals. It now has “close to 1,000 educational institutions in more than 100 countries across the five continents” and is worth an estimated $25 billion. At its head is Fethullah Gülen who was born in 1941 and whose work is based on the teachings of Said Nursi and the liberal Sufi Islam common to Turkey. Gülen’s message was one of inter faith dialogue, the importance of spiritualism and living a “good life” in an altruistic sense.

The Gülen movement came to prominence in Turkey post-1980 coup as Turkish society liberalized its attitude to religion with the government of Turgut Ozal. By the late 1990s its message of inter-faith tolerance and dialogue drew followers from both the religiously-minded and the secular strata of Turkish society. Many Turks were looking for an alternative to the more confrontational Islamist approach of Necmettin Erbakan’s Refah Partisi (Welfare Party) and its successor the Fazilet Partisi (Virtue Party) as well as the discredited Kemalist political establishment which had overseen corrupt practices and severe mismanagement of the economy. Many Turks were also attracted by the high quality schools run by the Hizmet and the graduates of those schools also tended to remain loyal to the Gulenist ideals. Many also went on to get good and influential jobs as a result of the education they had received.

Whilst the Gulenists had wide support, or perhaps because of it, the staunch Kemalist strata continued to mistrust the Hizmet whom it suspected of trying to infiltrate the Kemalist state in order to implement a creeping Islamisation of Turkish society. The army raised concerns in 1998 about the Gülen movement’s long term aims and in 1999 a videotape was leaked to the press in which Gülen appeared to

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75 The Gülen movement is known variously as al-Nur sect (the Light Sect), Hizmet (the service) and Cemaat (the community).
77 Hence “al-Nur”
78 The former Prime Minister Bulent Ecevit was said to be an admirer of the Gülen movement’s education activities. The Guardian, September 1st 2000, Turkey accuses popular Islamist of treason.
79 Which eventually culminated in the International Monetary Fund bailout of 2001.
81 Agence France Press, March 27th 1998, Top Turkish body meets on anti-Islamist crackdown plan
call on his followers “...to bide their time and take the system by stealth from within.”\(^{82}\) Gulen went to the USA for medical treatment in 1999 and has never returned. In August 2000 he was charged by the Ecevit government with running a “criminal organisation” for his “anti-secular” activities\(^{83}\). He denied the charges and claimed to have been framed by his Kemalist opponents who, he said, had altered the videotape. Gulen also highlighted the illiberal nature of his prosecution and called for “standards of democracy and justice” to be “…elevated to the level of our contemporaries in the West”\(^{84}\).

Whilst the Gulen movement was not overtly political – perhaps mainly due to the obvious risk of attracting the displeasure of the army – throughout the 1990s it had growing political influence because of the number of its followers. At this time Gulen encouraged his followers to support whichever party he felt would benefit them most\(^{85}\). In 1999 this was the secular Democratik Sol Partisi (Democratic Left DSP) of his known associate Bulent Ecevit – but after the advent of the AKP in 2001 the allegiance switched. Similarly to Hizmet, the AKP also drew its support from the “Islamic bourgeoisie” of Anatolia which had benefitted from the neoliberal policies of Turgut Ozal. The political interests of the AKP and the Gulen movement’s followers were symbiotic\(^{86}\) and the Gulen backing is widely seen as part of the AKP’s electoral success - particularly in 2002\(^{87}\).

The Gulen movement has backed the AKP policies of democratic constitutional change, EU membership and the reform of civil military relations – all of which were deemed to be in the interest of religious and political plurality in Turkey. Moreover, the charges against Gulen brought by the previous administration were thrown out in 2006\(^{88}\). The connection between the two organizations was not in question but more recently evidence has emerged which indicates the extent to which the Gulen movement was working to back the AKP – and the methods it employed.

The nature of the relationship between the two began to come to light in 2010 and 2011 with the publication of two books which backed the claims which had been made often by the CHP but which had never really achieved credibility. The first was by Hanefi Avci a former policeman, entitled “Dün Devlet Bugün Cemaat” (Yesterday

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\(^{83}\) Agence France Press, August 11th 2000, Turkish authorities want Muslim sect leader arrested. NB: He was acquitted of the charges in 2006.

\(^{84}\) The New York Times, August 25th 2000, Turkey Assails a Revered Islamic Moderate

\(^{85}\) Mid-East Mirror, April 21st, 1999, Turkey’s Islamists put their vote to good use


\(^{87}\) Tittensor ibid: 167. It could be argued that subsequent electoral success was also due to economic factors.

\(^{88}\) Agence France Press, May 5th 2006, Self-exiled Turkish religious leader acquitted of trying to overthrow secular government
a State, Today a Religious Congregation) which claimed that Hizmet followers were working within the police force and the judiciary and had been complicit in faking evidence against opponents of the AKP – including the defendants in Ergenekon and Balyoz cases.

In my opinion... (Gülenist) policemen and prosecutors make plans together and documents are then leaked to the media in line with their recommendation. The people we are faced with are not police, judges and prosecutors but elements of the [Gulen] community... They carry out the orders not of the state law but of the [Gülen] community.

In September 2010 Avci was arrested and accused of “aiding and abetting a terrorist organisation” namely the extreme left wing group “Revolutionary Command”. He was sentenced to 15 years in prison in July 2013. The charge was greeted with scepticism given Avci was a religiously-inclined family man and policeman whose children had attended schools run by the Gülen organisation who had shown no previous sign of leftist revolutionary activity.

The Gülen movement however has counter-claimed that Avci bore a grudge against the movement because of personal difficulties including alleged infidelity. Avci has denied claims he helped leftist revolutionaries and alleged that the evidence against him was planted by police officers loyal to Gülen. Ultimately it is not possible at this moment in time to establish who is telling the truth except to highlight the supreme irony that Avci was convicted on the basis of evidence similar to that questioned by his book.

The other book which has raised questions about the Gülen movement and its effect on the rule of law and due process is İmamın Ordusu (The Imam’s Army) by Ahmet Sik. Sik is an investigative journalist who had made his name investigating human rights abuses perpetrated by the Turkish military and the “deep state”. He was arrested in March 2011 before the book - an investigation of the Gülen movement and its influence on the Turkish state apparatus under the AKP government – was published. All drafts were seized but the work was published online by his supporters in April 2011. Sik was charged in connection with the Ergenekon probe and went on trial in November 2011. It was alleged his book was "a document... that clearly constitutes the propaganda of a terrorist organisation (Ergenekon)."

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90 Words of Avci in translation quoted by Agence France Press, August 24th 2010, *Turkish police chief says Islamists manipulate coup probes*
91 Turkish Daily News, July 13th 2013, Ex-police chief Hanefi Avci sentenced to 15 years
94 Agence France Press, September 9th 2011, *Turkish journalists to stand trial coup probe*
Sik’s case highlighted the restrictions on journalistic freedom outlined above and the problems with the rule of law in Turkey. The evidence against him was not fabricated or placed as had been alleged in the case of Hanefi Avci. However the prosecution claimed Sik had written the book in collaboration with the nationalist website “odatv” which Sik denies. Moreover Sik has alleged he was arrested to stop him from continuing his investigations and completing the book with new evidence\(^{95}\). His trial continues although Sik was released from detention in March 2012\(^ {96}\). Ironically Sik has said that there is probably some truth in the Ergenekon claims but the net has been case too wide and now amounts to “political score-settling.”\(^ {97}\)

Also arrested at the same time as Ahmet Sik and charged in connection with Ergenekon was another investigative journalist Nedim Sener. Sener had previously written a book alleging involvement of government agents (and by implication Gülen followers) in the murder of the journalist Hrant Dink in 2007\(^ {98}\). Sener had also worked with Hanefi Avci on his book about the Gülen movement and it was alleged he had collaborated with Ahmet Sik (Sener and Sik both deny this and Sener has asserted that he was included in the Ergenekon charges because of the book about Hrant Dink).

The police officers responsible for the murder of Hrant Dink are the same officers that are running the Ergenekon investigation, and they are also from the Fethullah Gülen movement. They included me in the operation they were running because of things I wrote in my book.\(^ {99}\)

Noting the supreme irony involved, Sener claims that he is being charged because of contentious claims he made in the past but the actual charges against him are fabricated leading the Human Rights Watch researcher in Turkey, Emma Sinclair Webb, to conclude: “It raises concerns that what is now under investigation is critical reporting rather than coup plots.”\(^ {100}\) In other words the critical, or scrutinising, reporting to be expected in a democratic society had been stifled using abuses of the rule of law and due process.

The claims by Avci, Sik and Sener have undermined the reputation of both the AKP and the Gülen movements. However this has only really emerged into the international mainstream since the two factions fell into dispute publically in December 2013 (see below). The Gülen movement has been part of the Erdogan

\(^{95}\) CPJ 2012 report pg 15.
\(^{96}\) Agence France Press, March 12\(^{th}\) 2012, Prominent Turkish journalists freed, but trial continues
\(^{97}\) CPJ 2012 report pg 16
\(^{98}\) Agence France Press, January 19\(^{th}\) 2007, Amnesty condemns murder of Turkish-Armenian journalist
\(^{99}\) CPJ 2012 report pg 16
\(^{100}\) Agence France Press, March 5\(^{th}\) 2011, Rights group slams arrest of Turkish journalists
effect in creating the wave of electoral support which has enabled Erdogan to establish a power base and a deteriorating liberal democratic reputation.

CHP

The final factor in establishing how Turkey has become more authoritarian lies in the lack of effective opposition to the AKP both domestically and internationally. The main domestic opposition, the CHP, has broadly speaking maintained its share of the vote between 2002 and 2007 and increased it in 2011\textsuperscript{101}. However partly because of the vagaries of the Turkish parliamentary system\textsuperscript{102} it hasn't managed to affect the AKP’s electoral success and did not perform as well as it had hoped in the 2011 general election\textsuperscript{103}. The CHP leader until May 2010, Deniz Baykal, had been a vocal critic of the AKP and the alleged methods it was using to silence its opponents including the Ergenekon and Balyoz investigations. Baykal pointed to AKP “cronies” in the judiciary who were prepared to fabricate evidence against anyone not toeing the AKP line\textsuperscript{104}.

Baykal and the CHP also opposed the constitutional changes proposed in early 2010 amidst suspicions that the AKP really wanted to secure its power base and clip the wings of the judiciary rather than implement changes designed to meet the Copenhagen criteria\textsuperscript{105}. Baykal’s career as leader ended in May 2010 with the airing of a tape shot by a hidden camera in a hotel room which appeared to show Baykal cavorting with a female party member. He accused the AKP of trying to shut him up for political reasons – but did not deny the tape’s content saying “The target of this conspiracy is not just one person, but the struggle of the CHP... to uphold the republic, democracy and the rule of law.”\textsuperscript{106}

Baykal was replaced as leader by Kemal Kilicdaroglu, a relatively unknown and serious-minded Alevi who pledged to make the CHP back into an electoral force. However the relative disappointment of the 2011 outcome has led to infighting within the party over Kilicdaroglu’s leadership style\textsuperscript{107} and how to deal with the AKP’s (and Erdogan’s) continuing popularity. Part of the problem faced by the CHP has been its attitude to Europe. Traditionally it had been in favour of the EU and all things

\textsuperscript{101} See Muftuler-Bac,M and F. Keyman ibid. Pg 87
\textsuperscript{102} By which parties have to receive at least 10\% of the vote or they cannot take up seats in parliament. This is designed to prevent extremism.
\textsuperscript{103} See Ömer Taşpınar, Steven A Cook, Henri J Barkey, Turkey after the June 12\textsuperscript{th} elections: Challenges and Opportunities, 15\textsuperscript{th} June 2011, Carnegie Europe, Available at: http://carnegieeurope.eu/events/?fa=3299
\textsuperscript{104} Agence France Press, February 18\textsuperscript{th} 2010, Political tensions mount in Turkey over alleged coup plot. The clear implication is that the cronies were followers of Fethullah Gulen.
\textsuperscript{105} Agence France Press, March 22\textsuperscript{nd} 2010, Turkish govt seeks support for constitutional changes
\textsuperscript{106} Agence France Press, May 10\textsuperscript{th} 2010, Turkey’s opposition leader resigns over sex scandal.
\textsuperscript{107} The underlying question is whether it would be better to replace him with political rival, Mustafa Sarigul. See Today’s Zaman, September 2\textsuperscript{nd} 2013, Sarigul’s possible return causes tension in CHP
European. However since 2002 the CHP has become the party opposed to EU accession. Celep has argued that this was less of policy volte face by the CHP than a consequence of its intractable commitment to traditional Kemalism and therefore its deep-rooted opposition to the AKP – which put the EU at the heart of its campaign.

The CHP reacted not to the idea of Turkey joining the EU in principle, but to the way in which the AKP government interpreted and implemented the reforms: in other words, the construction of the CHP discourse on Turkey’s EU membership process during the 2000s was juxtaposed with its opposition to, and competition with, the AKP government.108

The corollary of this however was that the reforms needed to push the Turkish case forward were also opposed by the CHP because they had become enmeshed with its opposition to the AKP and Erdogan’s efforts to fend of the Kemalist challenge. The CHP was unable to develop because it allowed its opposition to the AKP to dominate its policy making. The consequence for accession was that without the normative reforms it was very hard for Turkey’s advocates within the EU to make the Turkish case against the entrenched opposition from Cyprus and France. So the CHP’s inability to make more of a dent in Erdogan’s popularity and its opposition to constitutional reforms combined to further entrench the Erdogan effect of increasing authoritarianism and lack of normative reform.

EU

The problem with the EU had begun almost as soon as the ink was dry on the opening of negotiations in 2005. The opposition of Cyprus and France to the Turkish case soon resurfaced and put the brakes on the AKP’s accession plans as public opinion turned against it. In addition, the European Commission earned the ire of the Kemalist strata of Turkish society because the measures it repeatedly stressed as necessary to progress further to accession were those aimed at curbing the influence of the Kemalist establishment ie: the “normalization” of civil military relations. The result was that it appeared the EU was taking a party political position and had failed to understand the complexities of Turkish politics.

It began to alienate the CHP and anti AKP constituency early on after negotiations were opened in 2005. Comments made by the head of the Commission Delegation in Ankara Hansjoerg Kretschmer in October 2006 about the continuing influence of the military in politics provoked an angry reaction from the Chief of Staff, General Yasar Buyukanit. Kretschmer said the "....security forces in Turkey do not respect the legal and institutional order" and so were hindering the reform process. General

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Buyukanit’s caustic response was that such statements “exceed the limits of (diplomatic) custom, courtesy and tolerance. The armed forces have repeatedly said they are all in favour of Turkey’s EU membership... (but) the armed forces are not and cannot be the punching bag of some people.”

A similar situation arose following the AKP’s first attempt to put Abdullah Gul forward as a presidential candidate to replace Necdet Sezer in 2007. This provoked opposition from the CHP and the “e-coup” notice of intention by General Buyukanit. In turn the EU’s Enlargement Commissioner, Olli Rehn, urged the Turkish army to respect “…democratic secularism and the democratic arrangement of civil-military relations”\textsuperscript{110}. The German European Council presidency issued a statement saying it expected “…that all political leaders involved in this presidential election will behave in accordance with the democratic laws of state set down by the constitution.”\textsuperscript{111}

Rehn also gave the army a gentle reminder not to interfere in democracy before the presidential election in parliament in September 2007: "It is important that the presidential election respects all the principals of a democracy and the rule of law."\textsuperscript{112} It happened again during the attempted judicial closure case against the AKP in the spring of 2008 when the prosecutor Abdurrahman Yalcinkaya attempted to indict the AKP for anti-secular activities. Rehn’s response was:

> In a normal European democracy, political issues are debated in the parliament and decided through the ballot box, not in the court rooms....the executive shouldn't meddle into the court's work, while the legal system shouldn't meddle into democratic politics.\textsuperscript{113}

Such a stance by Rehn did not endear the EU to the CHP opposition and its followers who saw the EU as partisan. With hindsight it seems clear that the EU was, rightly, highlighting the democratic deficit within the Kemalist system but had not identified the shortcomings of the AKP which was still basking in the glory of the reforms it had implemented 2002-04. At this time the CHP was a lone voice in criticism of the AKP\textsuperscript{114} about Ergenekon. It was not widely known outside Turkey and those who were aware tended to accept its validity on face value. The AKP’s own democratic deficit was not yet apparent and would not become so for several years.

Additionally in encouraging the AKP government to remove the military influence the EU had contributed to the extreme lop-sidedness of Turkish politics which meant the AKP had no credible opposition. The CHP under Baykal had become an unelectable

\textsuperscript{109} Agence France Press, October 2nd 2006, Turkish army rejects EU criticism of political meddling
\textsuperscript{110} Agence France Press, April 28th 2007, Turkey on brink of political crisis
\textsuperscript{111} Agence France Press, April 28th 2007, Turkey on brink of political crisis
\textsuperscript{112} Agence France Press, August 16th 2007, EU's Rehn calls for respect for democracy ahead of Turkey vote
\textsuperscript{113} Agence France Press, March 15th 2008, EU official urges Turkish courts not to 'meddle' in politics
\textsuperscript{114} Leaving aside the Kurdish issue of course
out of touch “rudderless rump”\textsuperscript{115} and the military had had its wings thoroughly clipped by the Ergenekon and Balyoz investigations. Until this point EU accession had been the “glue of cohesion”\textsuperscript{116} which held Turkey’s increasingly polarised political movements together. But Brussels’ handling of the accession process had alienated the main opposition CHP while its encouragement to “democratize” had helped to see off the military.

This meant the EU was acting neither as an incentivizer nor a scrutinizer in Turkish politics AND was inadvertently working to undermine the opposition which had existed. This left space for the AKP to pursue its own increasingly authoritarian agenda with little effective opposition to stop it. It is supremely ironic that the AKP had been encouraged to “deal with” the military by the EU in the name of democratisation but, in practice, it had had the opposite effect as the military had been the last potential brake on its increasingly authoritarian tendencies.

Olli Rehn handed over the enlargement portfolio to Stefan Fule in February 2010 and this marked the beginning of a change in attitude by the EU about Turkey. One of Fule’s first public statements was to express “concern” at the Balyoz allegations but stress the need for due process to be applied in dealing with them\textsuperscript{117}. This was an early indication that doubts were starting to form about the veracity of the military trials in Turkey. However in 2010 the trials were still being taken at face value by many international commentators. In February, the long-time Turkey watcher Hugh Pope, of the International Crisis Group, expressed doubt about CHP and military claims there was a “witch hunt” against the army. He said:

Clearly, the judiciary is extremely serious and they would certainly not have taken so many high-profile people into custody unless they had an absolute certainty in their mind that this is a real case.\textsuperscript{118}

The American commentator Stephen Kinzer identified Turkey’s challenge as the need to “perfect its democracy” and replace the 1982 constitution. In this regard, he argued, the departure of Deniz Baykal and the constitutional referendum were an “opportunity” for Turkey.\textsuperscript{119} Both were seeing the military and the CHP as the problem rather than the AKP.

Moreover, when the Balyoz trial reached sentencing in September 2012 the human rights organisation Amnesty International issued a statement saying that it highlighted “…the importance that those responsible for rights violations are

\begin{thebibliography}{99}
\bibitem{115}David Gardner in The Financial Times, March 11\textsuperscript{th} 2010, \textit{Turkey needs more from Ataturk’s irrelevant heirs} \\
\bibitem{116}David Gardner in The Financial Times, May 4\textsuperscript{th} 2010, \textit{Reforms falter as EU project comes unstuck} \\
\bibitem{117}Agence France Press, February 23\textsuperscript{rd} 2010, \textit{EU concerned at Turkish coup plot arrests} \\
\bibitem{118}Agence France Press, February 23\textsuperscript{rd} 2010, \textit{Generals’ arrest deepens Turkey power struggle} \\
\bibitem{119}The Guardian, May 11\textsuperscript{th} 2010, \textit{Sex tape opens bright future for Turkey}
\end{thebibliography}
delivered to justice”. It said that if the plot had succeeded many citizens would have died and a series of human rights violations would have taken place. It continued: "It is important that such kind of allegations are effectively investigated for the protection of human rights and those responsible are delivered to justice as a result of a fair trial process". What the Amnesty statement does not appear to have done is question the veracity of the evidence used in the Balyoz case.

3. Problems return
The current situation for Turkey is that it has a democratically elected but an increasingly illiberal government with the power concentrated in the hands of Recep Tayyip Erdogan and his AKP loyalists. Section two above outlined issues such as press freedom, the imprisonment of journalists, the abuse of the rule of law in the Ergenekon and other investigations and the presidency issue. This section will look at these same broad areas but on a micro level. It will look at the government’s reaction to the Gezi Park protests, its ongoing political machinations with the Kurdish situation, the Soma mining disaster in May 2014 and the presidential elections in August 2014. It will then assess the current geostrategic situation in Northern Iraq and Syria before concluding that the accession process will continue because the increasingly tense situation in the region means the EU needs to maintain lines of communication with Ankara for geostrategic reasons. However it cannot progress while Recep Tayyip Erdogan – and his authoritarian style – is in place unless something occurs to dramatically change the normative identity of the EU.

Gezi Park protests
The Gezi protests of summer 2013 brought Turkey’s liberal democratic status to the world’s attention. Illiberalism did not start with Gezi but it moved out of the realm of opposition allegation and conspiracy theory into the international mainstream because of the scale of what happened and because it affected the general public as well as political activists. Illiberalism was already in evidence in the treatment of journalists, the presidency issue and the abuse of the rule of law. This section however will illustrate how this illiberalism manifested itself in 2013 and 2014 in the full view of the world’s media and the users of social media.

Gezi Park was a scruffy run down tree-lined area next to Taksim Square in Istanbul described memorably by the journalist Claire Berlinski as “hardly the Jardins de Luxembourg” and a “shabby rat trap” but nevertheless “…one of the last remaining spaces with trees in the neighborhood.” The protest to save the trees from

120 Agence France Press, September 21st 2012, Three ex-generals jailed for 20 years in Turkey coup trial
redevelopment began on May 28th 2013 as a low level gathering or “sit-in” of students and other young people who had set up camp to draw attention to the loss of the trees and green space for the sake of a shopping centre. In the early morning of May 31st police used water cannon and tear gas to disperse the small encampment. Thereafter tens of thousands of people went to Gezi Park and the neighbouring Taksim Square to protest at this use of force which was certainly disproportionate by European standards.

In this way the initial small scale and low level protest expanded to fill the whole of Gezi Park with tents and a community emerged which organised food, entertainment and even a library. It became a rallying point for a range of groups opposed to the AKP, and its policies, including leftists, the CHP, Kurdish groups, environmental and gay rights campaigners. Some of these groups were not usually seen on the same platform (eg: Kurds and CHP) but were united at that time by their opposition to the AKP.

Erdogan’s rhetorical response was to dismiss the protesters as “terrorists” and “capulcu”, which roughly translated into English means “layabout”, “looter” or “vandal”. The “capulcu” term especially was so misplaced that it was quickly reclaimed by the protesters to refer to themselves in a neat reversal of Erdogan’s intentions. His stance was not uniform across his government: after many people were injured and three had died in incidents related to the protests the Deputy Prime Minister Bulent Arinc apologised to:

...those who were subject to violence because of their sensitivity for the environment. The government has learnt its lesson from what happened. We do not have the right and cannot afford to ignore people. Democracies cannot exist without opposition.

This conciliatory tone was coming at least partly from pressure from the US State Department and the President, Abdullah Gul, also adopted a more moderate tone.

However, demonstrations continued with a police presence for several nights in Istanbul and other cities across Turkey where movements had developed in

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122 Agence France Press, June 6th 2013, ‘Terrorists’ at Turkey demos: Erdogan
123 Pronounced: “chapel-ju”
124 “Terrorist” was less a target for such irreverent humour because of the involvement of Kurdish and leftist groups which have historically been labelled “terrorist” - sometimes correctly.
125 The Guardian, June 10th 2013, Turkish protesters embrace Erdoğan insult and start ‘capuling’ craze
126 Agence France Press, June 4th 2013, Turkey apologises to injured to disarm protests
127 Agence France Press, June 4th 2013, US praises Turkey for violence apology
128 Agence France Press, June 6th 2013, Turkey unrest highlights PM, president rivalry as election looms
sympathy with Gezi. On June 11th, police intervened again in Gezi Park and Taksim without warning firing tear gas and water cannon at protesters including families with children and elderly people. The Gezi camp and the accompanying protests remained until June 15th when the area was comprehensively cleared by police.\textsuperscript{129}

Whilst there were extremists present and some were prepared to use violence the Taksim protests were characterized by their peaceful nature. On the evenings between the 11\textsuperscript{th} and the 15\textsuperscript{th} June protesters listened to a piano recital by a German travelling musician, Davide Martello\textsuperscript{130}. After the square was cleared by force on Saturday 15\textsuperscript{th} June the “standing man” protests began. They were inspired by the choreographer Erdem Gunduz who stood alone for several hours staring at the iconic Ataturk Cultural Centre on one side of Taksim\textsuperscript{131}. Protests continued in other areas of Istanbul and elsewhere in Turkey for several weeks after.

The Amnesty International Report on the Gezi protests was quite unequivocal in its conclusion:

> At the height of the Gezi Park protests, the authorities repeatedly showed total intolerance for any form of protest, however passive. Even solitary figures, standing alone and silent in Taksim Square were detained...

Moreover, the report noted that five people had died during the protests – three from the excessive use of force by the police – and several thousand people were injured some seriously. The report also alleged that doctors treating the injured and lawyers defending the accused were also targeted by police as were businesses who allowed their premises to be used to help those affected.

The authorities’ response to the Gezi Park protests to date in many ways represents a continuation of long standing patterns of human rights abuses in Turkey; the denial of the right to peaceful assembly, excessive use of force by police officers and the prosecution of legitimate dissenting opinions while allowing police abuses go unchecked.\textsuperscript{132}

A similar pattern of condemnation followed in the European Commission’s 2013 Progress Report:

\textsuperscript{129} For an overview of the Gezi protests see: Gokay, B. and Xypolia, I. (eds). \textit{Reflections on Taksim-Gezi Park Protests in Turkey}. Available at: \url{http://www.keele.ac.uk/journal-globalfaultlines/publications/geziReflections.pdf}. See also various articles in Insight Turkey, Summer 2013, 15: 3.

\textsuperscript{130} The Independent, June 13\textsuperscript{th} 2013, Turkey protests: The ‘peace pianist’ trying to bring calm to Taksim Square

\textsuperscript{131} He stood alone in order to circumvent a government ban on public meetings. See Agence France Press, June 18\textsuperscript{th} 2013, \textit{Turkey’s ‘Standing Man’: a new form of peaceful protest}.

\textsuperscript{132} Amnesty International, October 2013, eur 44/022/2013, \textit{Gezi Protests: Brutal denial of the right to peaceful assembly in Turkey}
Attempts to reach out to protestors were limited and overshadowed by excessive use of force by the police, polarising language and an overall absence of dialogue.\textsuperscript{133} As mentioned, several of the injuries were caused by tear gas canisters fired at close range. One such injury in June 2013 was to a 14 year old boy, Berkin Elvan, who suffered a head injury which left him in a coma after being hit by a tear gas canister near his home. Protests against the injury suffered by Berkin Elvan in September 2013 were also dispersed with force\textsuperscript{134} as were protests when he died of his injuries in March 2014\textsuperscript{135}. Furthermore, the AKP government banned the traditional May Day gathering in Taksim Square in 2014 and then dispersed crowds who tried to reach the square regardless by force\textsuperscript{136}. The first anniversary of the Gezi Park protests was also marked by violence in Istanbul and Ankara\textsuperscript{137}.

The protests sparked by the Gezi Park issue certainly provoked an illiberal reaction and moreover brought it to the attention of the international media. Ironically the Turkish public, taken as a whole, were less well informed because of the AKP’s control over a large swathe of the media sector and Erdogan’s highly effective “capulcu” rhetoric. In December 2013 however there was another development which revealed the illiberal nature of the AKP government.

Fetullah Gulen

As outlined above, the Gulen movement and the AKP had become natural allies in 2001 when the party was being formed. Fetullah Gulen then encouraged his followers to vote for the AKP which helped to cement its one party government in the November 2002 general election. After the AKP won a second term it has been alleged, by Hanefe Avci and Ahmet Sik, among others, that Gulen loyalists within the judiciary were behind the flawed Ergenekon and Balyoz investigations which “declawed” the military.\textsuperscript{138} These were still just allegations and were not proven but they were starting to gain some credence. In a 2009 cable leaked by Wikileaks the US Ambassador in Ankara, James Jeffrey, reported to Washington the strong rumours that Gulen had well placed followers within the police:

The assertion that the TNP [Turkish National Police] is controlled by Gulenists is impossible to confirm but we have found no one who disputes it, and we have heard accounts that TNP applicants who stay at Gulenist

\begin{itemize}
  \item \textsuperscript{133} European Commission, 2013 Progress Report on Turkey, Pg 2.
  \item \textsuperscript{134} Agence France Press, September 9th 2013, \textit{Istanbul clashes over teen left in coma since June}
  \item \textsuperscript{135} Agence France Press, March 11th 2014, \textit{Clashes in Turkey after protest teen dies}
  \item \textsuperscript{136} Agence France Press, May 1st 2014, \textit{Turkish police tear gas May Day protesters in Istanbul}
  \item \textsuperscript{137} Agence France Press, May 31st 2013, \textit{Police fire tear gas at Turkey anniversary protest}
  \item \textsuperscript{138} The Economist, May 18th 2013, \textit{The Gulenists fight back}
\end{itemize}
pensions [hotel accommodation] are provided the answers in advance to the TNP entrance exam.\(^{139}\)

The cable also notes the Gulenists’ opposition to the military and use of media controlled by Gulenists to talk up the need for the Ergenekon probe as a means of Europeanization\(^{140}\). As these allegations started to come to the fore in 2010, cracks started to appear in the Erdogan-Gulen relationship and an apparent power struggle began.

The first sign of discord was over the *Mavi Marmara* incident in May 2010. Erdogan wholeheartedly backed the humanitarian group which had organised the mission, IHH (İnsan Hak ve Hürriyetleri ve İnsanı Yardım Vakfı - The Foundation for Human Rights and Freedoms and Humanitarian Relief). IHH was open about its allegiance to the Palestinian group Hamas which, after the *Mavi Marmara* incident, inevitably put Turkey at odds with its previous ally Israel.\(^{141}\) In contrast, Gulen gave an interview to the Wall Street Journal in which he made clear his disapproval of the way the aid mission had been conducted – and its outcome\(^{142}\).

Also around this time divisions became apparent between Erdogan and Gulen in the strategy required to defeat the military as Erdogan was more cautious than Gulen would have liked. Two factors need to be taken into consideration here: By 2010 the military had been severely weakened by Ergenekon and Balyoz investigations. Secondly, the means by which this was allegedly done was no longer the reserve of CHP allegations. It was also starting to reach the mainstream and international circles. Erdogan no longer needed Gulen’s backing as much as he had done and Hizmet’s alleged *modus operandi* was starting to become a political risk not worth taking\(^{143}\).

This simmering underlying tension came to the fore once more in February 2012 when the state prosecutors tried to get the head of the National Intelligence Agency (MIT), Hakan Fidan to testify about his “links” with the PKK. MIT had carried on the contact with the PKK even after the initial 2009 peace process had failed. Details of the secret contacts were leaked in 2011 causing a public outcry.\(^{144}\)

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\(^{139}\) Wikileaks, December 4th 2009, Cable 09ANKARA1722_a. Section 6(C). Available at: https://www.wikileaks.org/plusd/cables/09ANKARA1722_a.html


\(^{141}\) Financial Times, June 7th 2010, *Turkish aid group fields criticisms*

\(^{142}\) Wall Street Journal, June 4th 2010, Reclusive Turkish Imam Criticizes Gaza Flotilla

\(^{143}\) Turkish Daily News, August 31st 2010, *Turkey: An emerging AKP-Gulenist split?*

\(^{144}\) Agence France Press, February 8th 2012, *Turkey’s intelligence chief to testify for contacts with PKK*
Hakan Fidan declined to testify and was re-summoned before Erdogan rushed through an amendment giving anyone acting on the Prime Minister’s orders immunity from prosecution and had the prosecutor removed from the case. It has been claimed that Erdogan saw the attempt to prosecute Hakan Fidan as a “declaration of war” by the Gulenists and subsequently set about trying to purge the bureaucracy of Gulen influence and curb the activities, and therefore influence, of the Gulen schools.

Relations between the two continued to deteriorate behind the scenes. In December 2012 two listening devices were found in Erdogan’s private office which were attributed to either the military or the Gulen movement – and probably the latter. In December 2012 a journalist previously arrested under the Ergenekon investigation alleged Gulen followers within the police force had been responsible for releasing the “sex tape” which deposed the CHP leader Deniz Baykal in 2010 and for bugging Erdogan’s private office. The divisions were also highlighted by the Gulen reaction to the Gezi protests. Fetullah Gulen himself made limited criticism of the government’s response but columnists in his newspapers, Zaman and Today’s Zaman, were widely critical of Erdogan’s tactics. Finally in November 2013 the Erdogan government announced plans to close down several thousand schools run by the Gulen movement which would serious affect its revenue stream and educational raison d’etre. It was a proposal clearly aimed at hurting the Gulen movement and Fetullah Gulen reacted angrily to the proposals. In typically cryptic language he said: “If the Pharaoh is against you, if Croesus is against you, it means you are walking on the right path.”

Soon after, in December 2013, a number of prominent AKP advisors, politicians and their relatives were arrested on corruption charges by the police. The charges related to corrupt tendering processes in the construction industry and illegal gold deals with Iran. There followed leaks to the media and on You Tube of alleged evidence about the deals in the form of taped conversations. Fetullah Gulen also warned obliquely that he knew about the sexual misdemeanours of various eminent

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145 Agence France Press, February 11th 2012, Turkish prosecutor removed from PKK-related case
146 Yeni Safak columnist, Abdulkadir Selvi: Declaration of War, February 11th 2012. Reported by BBC Monitoring, February 12th 2012, Turkish cabinet said seeing summons of intelligence head as declaration of war
147 Dorian Jones, Eurasia Net, January 7th 2013, Turkey: Is Showdown Brewing Between Erdogan Government and Gulen Movement?
148 Hurriyet Daily News, December 31st 2012, Journalism on trial says freed Turkish journalist Yalcin. For a contrasting view see: Today’s Zaman, January 1st 2013, Turkish journalist alleges Gulen movement behind several ongoing trials
149 Washington Post, June 15th 2013, In Turkey protests, splits in Erdogan’s base
150 Financial Times, November 22nd 2013, Islamist splits threaten Erdogan’s rise to presidency
151 Including Recep Tayyip Erdogan’s son, Bilal.
AKP figures and may be forced to reveal their names soon.\textsuperscript{152} The so called “graft” revelations of December 17\textsuperscript{th} 2013 led to an immediate purge of hundreds of police officers throughout Turkey believed, by the AKP, to have links to Gulen and Hizmet.\textsuperscript{153} In addition it led to the resignation of three members of Erdogan’s cabinet – including one who suggested that Erdogan himself should also step down\textsuperscript{154}.

The disagreement between the AKP and the Gulen movement has revealed the illiberal nature of the AKP government at various times since 2007. Whilst I have not offered concrete proof it seems clear that at least some of the evidence presented in the Ergenekon and Balyoz trials was less than perfect. Similarly the tax bill presented to the Dogan Media Empire and the leaking of the sex tape about Deniz Baykal are dubious and with hindsight would appear to be the handiwork of the Gulenists. Not only have both the AKP and Gulen used such illiberal methods when they were in alliance but the dispute which has torn them apart has prompted the AKP to seek to buttress its own power even further. In April 2014 it passed a law giving the MIT intelligence service greater powers of surveillance whilst making any publicising of their activities a criminal offence carrying a prison sentence up to nine years. Emma Sinclair Webb of Human Rights Watch identified three problems with the new law: It hindered a free press asking questions in the public interest, it gave effective immunity to intelligence personnel, and it gave the government the right to carry out wide surveillance on the general public:

It is the latest in a series of laws the Turkish government has introduced this year that increase the reaches of state power without due safeguards against abuse and that erode the rule of law.\textsuperscript{155}

Post-Gulen graft allegations Erdogan also tried unsuccessfully to ban Twitter. The social media site had been a major source of graft “revelations” with the promise of more to come and in the run up to the local elections in March 2014 Twitter went offline at the instigation of the authorities. This was condemned by the European Commission and circumvented anyway by the tech-savvy younger generation of Twitter users.\textsuperscript{156} The ban was lifted a few days later by the Ankara Administrative Court\textsuperscript{157}.

\textsuperscript{152} Financial Times, December 20\textsuperscript{th} 2013, Islamist splits threaten Erdogan’s rise to presidency. Tantalisingly he did not reveal the names of the culprits.
\textsuperscript{153} Agence France Press, December 18\textsuperscript{th} 2013, Turkey ‘sacks police chiefs’ after bribery raids
\textsuperscript{154} Agence France Press, December 25\textsuperscript{th} 2013, Turkey PM faces resignation call as three ministers quit
\textsuperscript{155} Human Rights Watch Report, April 29\textsuperscript{th} 2013, Turkey: Spy Agency Law Opens Door to Abuse. Available at: http://www.hrw.org/news/2014/04/29/turkey-spy-agency-law-opens-door-abuse
\textsuperscript{156} Agence France Press, March 21\textsuperscript{st} 2014, Turkey blocks Twitter after PM’s threat to ‘wipe out’ service
\textsuperscript{157} Agence France Press, March 26\textsuperscript{th} 2013, Turkish court orders lifting of Twitter ban
What the rift with Gulen did was to confirm in the eyes of many what until then had been rumours; that until the parting of the ways the two groups had cooperated using nefarious means to discredit their opponents within the Turkish political system primarily the military but also various journalists and academics. It also served to put Erdogan on the defensive and arguably more determined to consolidate his power. “The events of the past three months threw a stark light on the way the AKP government and Gülenists used the justice system in the past for common political ends. The result has been a clear erosion of the rule of law.”

Erdogan’s ambition to become president of Turkey whilst taking executive powers with him were widely known but his ability to pass the legislation had been affected first by the Gezi protests, and relations with the Kurdish BDP, and then the graft allegations and the rift with Gulen. Erdogan’s determination to assume the executive presidency even without the constitutional changes is another sign of the illiberalism of Turkey in action.

Presidency issue

However, in spite of this “clear erosion of the rule of law” and increasingly illiberal approach Erdogan has remained a popular candidate. The March 2014 local elections were widely seen as a referendum on Erdogan’s premiership in the post-Gezi, post-corruption allegations era. Nevertheless, the AKP easily maintained its share of the vote taking 45% compared to the CHP’s 28%. Moreover in August 2014 Erdogan became the first president of Turkey to be elected by a popular vote. On a turnout of 74% he received 52.1% against the CHP/MHP candidate Ekmeleddin Ihsanoglu who had 38.8% and the People’s Democracy Party, HDP, (Halkların Demokratik Partisi),of the Kurdish candidate Selahattin Demirtas on 9.1%.

Although the turnout was lower than usual for Turkish elections, the result was unequivocal. It was made in spite of the misgivings arising from Gezi Park and Gulen graft allegations. It was also made in the face of continuing state intervention against peaceful protest including that after the death of 14 year old Berkin Elvan in March 2014, on May Day and on the first anniversary of the Gezi protests. Berkin Elvan had been in a coma since the Gezi protests in June 2013 after being hit on the head by a tear gas canister. His death happened just two weeks before the local elections, leading Erdogan to dismiss the unrest (in which two more people died) as an attempt to undermine him at the polls. He appeared to suggest the demonstrators were not

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159 Agence France Press, March 31st 2014, Erdogan set to tighten grip on Turkey after poll

160 Agence France Press, August 10th 2014, Erdogan wins Turkish presidency with 52%: near-final vote count
democratic and that Berkin Elvan was a “terrorist” and not a bystander going to buy bread for his mother\textsuperscript{161}.

Taksim Square in Istanbul has historically been the venue for May Day rallies in Turkey but such gatherings were banned in advance of May Day 2014 by the government.\textsuperscript{162} Labour unions ignored the ban and there was a heavy police presence around Taksim to prevent protesters reaching the square. There were violent clashes between police and protesters with the use of tear gas and water cannon as protesters tried to breach the barricades\textsuperscript{163}. The situation reoccurred at the end of May on the first anniversary of the Gezi protests. Gatherings in Taksim itself were banned but tear gas and water cannon were deployed on the surrounding streets. Plain clothes police officers carrying identical back packs and batons mingled with the crowds to restore order and there were similar scenes in the Kizilay area of Ankara. Erdogan had made clear beforehand that he would authorise “whatever was necessary” to bring the unrest under control and protests were called off by organisers before they reached the stage of the previous year\textsuperscript{164}.

Even before the May Day and Gezi anniversary crackdowns the authoritarian turn in Turkey had been attracting negative attention from EU member states. The most outspoken was President Joachim Gauck of Germany who, in a visit at the end of April 2014, said developments in Turkey were “scaring” him.

“I ask myself if judicial independence is still guaranteed if the government purges so many prosecutors and police, and prevents them from shedding light on crooked developments... or manipulates decisions in its favour.

We hear many voices expressing disappointment, resentment and anger over the government's policies, for example when there is interference in how they should live, when more powerful control over the secret service is proposed, and when street protests were quashed by force and people even lost their lives.”

This was further exacerbated by the mining disaster at Soma in western Turkey in mid-May 2014 in which more than 300 people died. It provoked a mercurial reaction from Erdogan who, on an official visit to the town in the immediate aftermath of the tragedy, appeared to suggest to grieving relatives that such incidents were an occupational hazard. The fire, which is thought to have been caused by an electrical

\textsuperscript{161} Agence France Press, March 14\textsuperscript{th} 2014, \textit{Erdogan links dead Istanbul teen to 'terrorists'}

\textsuperscript{162} Agence France Press, April 22\textsuperscript{nd} 2014, \textit{Turkey PM bans May Day rallies on Taksim Square}

\textsuperscript{163} Agence France Press, May 1\textsuperscript{st} 2014, \textit{Police tear gas May Day protesters in Istanbul}

\textsuperscript{164} Agence France Press, June 1\textsuperscript{st} 2014, \textit{Turkish police crackdown on protests condemned}
fault, provoked allegations of negligence by the mine’s owners which caused considerable anger in the town. When Erdogan visited police dispersed a hostile crowd of mourners with tear gas. There was also an infamous “walkabout” when it was suggested Erdogan had slapped and insulted a man who tried to talk to him and one of his advisors, Yusuf Yerkel, was photographed kicking another man who was on the floor.165

In spite of the unpopularity of this series of events, however, Erdogan was elected president on August 10th by a clear majority. This has two main implications for illiberality in Turkey: the means by which he was able to do it and the implications for the presidential role going forward. Certainly Erdogan’s popularity was helped by the media control he exercised and the access to funding which he had compared to both Ihsanoglu and Demirtas. The OSCE observers noted “imbalance media coverage” for Erdogan during the campaign which gave Erdogan a “distinct advantage”166. On the other hand he was not faced with strong opposition. Demirtas was a niche candidate aimed at the leftist vote and the Kurdish minority while Ihsanoglu blatantly lacked the charisma and common touch of his main rival. This gave the presidential election a definite air of foregone conclusion which also contributed to the outcome. There was no reoccurrence of Gezi style street protests primarily because all but the most hard line of Turks saw no point risking injury and even death in the face of a predictable state response involving water cannon and tear gas.167

The implications for the election of Erdogan to the presidency are not yet clear. Constitutionally the president’s role has been one of symbolic head of state rather than day to day decision making. However it is widely expected that Erdogan will want to change the emphasis and drive through constitutional changes to establish a more executive presidency.168 Whether he is able to do this will depend on AKP party politics and also on his ongoing feud with the Gulen movement. The CHP are not the only players now to view the concentration of power as a negative. A lot of this remains to be seen and much depends on whether the outgoing president and co-founder of the AKP, Abdullah Gul, who is widely rumoured to be a Gulenist, can reassert his influence within the party.169 However Erdogan is in a strong, albeit illiberal, position because of the “…mandate and the nepotistic network he has built up over the years through backroom financial dealings that include the press, nongovernmental organizations, religious groups, business organizations and

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165 Agence France Press, May 16th 2014, *Turkey mine tragedy piles pressure on Erdogan*
167 Interviews with various people in Istanbul 3-10th August 2014.
168 Agence France Press, August 3rd 2014, *Erdogan plans to remake Turkish presidency in his image*
169 Agence France Press, November 23rd 2014, *Pre-vote tensions as Turkey PM feuds with preacher.*

To be confirmed after August 21st 2014.
individual business conglomerates that benefited from his largesse."\(^{170}\) If he is able to do change the constitution to consolidate power in the presidency this is likely to increase the illiberality clear in Turkish governance since 2010.

**Foreign Policy**

However whilst the state of liberal democracy in Turkey is deteriorating it has an increasingly crucial geostrategic role. Turkey’s “neighbourhood” hosts not only the Palestinian issue but the Syrian civil war and now the rise of Islamic State in northern Iraq. This tally is problems does not even include the Balkans, Caucasus (Ukraine) or Central Asia and Iran.

As one of the AKP founders and a former foreign minister of Turkey, Yasar Yakis has neatly summarised, “Turkey and Syria were enjoying excellent relations when the (Arab Spring) crisis suddenly broke out on March 15, 2011”\(^{171}\). Syria had been part of the flagship foreign policy success of the Davutoglu era with the AKP making a “high-profile effort to cultivate…President Assad”\(^{172}\) in order to further the zero problems doctrine and crucially to build trade contacts across the border. In 2010 Turkey was Syria’s largest trading partner at a volume of US$2.4bn and the Erdogan and Assad families were widely touted as having become “friends”\(^{173}\). The UK Foreign Office perception was that “Turkey retained confidence for longer than the UK in President Assad’s willingness to reform”\(^{174}\) but by September 2011 repeated entreaties by Erdogan and Davutoglu to the Assad regime had gone unheard and the situation changed dramatically\(^{175}\).

Turkey had been partly forced to play its hand on Syria by the diverging international consensus in which Russia rejected a proposal to the UN Security Council for sanctions on the Syrian government if human rights abuses were not curbed\(^{176}\). Turkey had come under pressure from the US State Department to meet the international consensus and had also gauged that it was now in its best interest to toe the western line. Its previously close relationship with Assad had not translated into any kind of normative influence since March 2011 and moreover, the Turkish government suspected Damascus of using the ongoing Kurdish issue strategically against Ankara. The PKK had stepped up its offensive against the Turkish military since summer 2011 and there were suspicions in Ankara that it was being helped in


\(^{172}\) House of Commons, Foreign Affairs Committee Report HC 1567, March 2012, UK–Turkey relations and Turkey’s regional role. Pg. 52

\(^{173}\) This is widely quoted in press reports of the time. See also Robins, P. 2013, *Turkey’s ‘double gravity’ predicament: the foreign policy of a newly activist power*, International Affairs, 89: 2. Pg. 394

\(^{174}\) Foreign Office Minister David Lidington quoted in the House of Commons, Foreign Affairs Committee Report HC 1567, ibid. Pg.15.

\(^{175}\) Financial Times, November 23\(^{rd}\) 2011, *Erdogan calls on Assad to resign after bus attack.*

\(^{176}\) *Agence France Press, October 4\(^{th}\) 2011, Russia slams ‘unacceptable’ UN resolution on Syria*
this regard by Assad\textsuperscript{177}. Moreover Turkey relied on American drone assistance and helicopters in its fight against the PKK in northern Iraq as well as Syria. So, by the autumn of 2011 Turkey had no choice but to join the chorus of condemnation against Syria because it had run out of influence and because it needed to maintain American cooperation.\textsuperscript{178}

Turkey soon became one of the most outspoken critics of the Assad regime and Erdogan was vocal in his criticism:

A future cannot be built on the blood of the innocent, otherwise history will remember those leaders as the ones who feed on blood. And you Assad, you are now coming closer to opening that page of history.\textsuperscript{179}

In fact the Ankara government had already made contacts with the Syrian opposition group the Syrian National Council\textsuperscript{180}. The SNC had been formed in Turkey in August and contained a large element of the Syrian Muslim Brotherhood which had been outlawed by the Assad regime. Ahmet Davutoglu met the group and gave agreement for them to be based in Istanbul\textsuperscript{181}. According to Yasar Yakis, the Ankara government wrongly (although perhaps understandably) presumed at this stage that Bashar Al Assad would fall quickly and that the Syrian National Council with its Sunni Muslim Brotherhood ethos would take over.

To Turkish foreign policy makers, siding with the opposition looked like investing in the immediate future of Syria. This assumption turned out to be wrong as well.\textsuperscript{182}

As well as betting wrongly on the fall of the Assad regime, Turkey also misjudged the complexity of the Syrian opposition movement which, even in 2011, was far from uniform. The SNC was being challenged by the more secular, progressive organisation, the National Council for Democratic Change, which was based within Syria and was not happy with the Islamist influence on the SNC\textsuperscript{183}. Since 2011 the opposition has fractured much further in the anarchic circumstances of the ongoing struggle for power. The Ankara government has implicated itself in the sectarian nature of the Syrian conflict which has gone from “a fight for democracy against authoritarianism into a Balkan-style war including ethnic or sectarian armed groups, Islamist extremists, remnants of the old regime, and rebel militias”\textsuperscript{184}. There have

\textsuperscript{177} Syria had harboured the PKK leader Abdullah Ocalan for the decade up to his capture in 1999.
\textsuperscript{178} Agence France Press, November 1st 2011, \textit{US affirms security ties with Turkey: Pentagon}
\textsuperscript{179} Agence France Press, November 15th 2011, \textit{Erdogan warns Assad as Turkey imposes energy sanctions.}
\textsuperscript{180} SNC connected to the Free Syrian Army.
\textsuperscript{181} Agence France Press, October 18th 2011, \textit{Turkey officially meets with Syrian opposition: diplomat.}
\textsuperscript{182} Yakis 2014: 99
\textsuperscript{183} Agence France Press, September 29th 2011, \textit{Dissidents in Syria reject foreign intervention: Kilo}
\textsuperscript{184} Edelman and Abramowitz 2013: 37
been strong rumours\textsuperscript{185} that Ankara has been covertly supplying weapons to Sunni Islamist factions such as Jabhat al-Nusra and Ahrar al-Sham\textsuperscript{186} which have connections to Al Qaeda\textsuperscript{187} and have since splintered into the Islamic State organisation.

Amberin Zaman of The Economist reported the following encounter in Reyhanli after the car bombing in May 2013: 

“In Reyhanli, I encountered a group of fighters from the Salafist Al Farouk and Liwa al Islam brigades. They told me that Turkey provided them with ‘light weapons’ and ‘bullets’.

This policy has certainly involved Turkey deeper in the sectarian and ethnic (ie: Kurdish) divisions of the region pitting itself against the Damascus government and its own Alevi minority in southern Turkey against Sunni refugees from Syria and Turkey’s own Sunni majority. All of this has added to the increasing diplomatic insecurity felt by Ankara.

The Syrian conflict – now civil war – has also led to more traditional military security concerns for Turkey following Ankara’s diplomatic volte face. There have been a series of cross border incursions which have raised the temperature in the Turkish south and angered public opinion. The first was the downing of a Turkish air force plane in June 2012 which may have strayed into Syrian airspace\textsuperscript{188}. In the event a full scale diplomatic incident was avoided after the Turkish government reported that the pilots had ejected safely and a Syrian apology was received\textsuperscript{189}. This was followed by a series of border skirmishes as rebels tried to take control of crossing points and stray shells fell into Turkish territory\textsuperscript{190}.

After an incident in the border village of Akcakale on October 3\textsuperscript{rd} 2012 in which five people died, the Turkish parliament issued authorisation for retaliative strikes although Erdogan, through his deputy, was careful to stress the order was meant to act as a deterrent only. These incidents ratcheted up the anxiety of impending war with Syria leading to peace demonstrations in some Turkish cities\textsuperscript{191} and led to Ankara successfully requesting NATO site Patriot missiles on the border in

\footnotesize{\textsuperscript{185} Most notoriously by Seymour Hersh. See the London Review of Books, April 17\textsuperscript{th} 2014, \textit{Red Line or the Rat Line}, 36:8, pp. 21-24. Also an assessment of it by Patrick Cockburn, The Independent on Sunday, April 13\textsuperscript{th} 2014, \textit{MI6, CIA and Turkey’s rogue game in Syria; New claims say Ankara worked with the US and UK to smuggle Gaddafi’s guns to rebel groups}}

\footnotesize{\textsuperscript{186} Jabhat al-Nusra is seen as comprising of jihadists from across MENA whilst the Ahrar al-Sham is a more Syrian based jihadist group.}

\footnotesize{\textsuperscript{187} Edelman and Abramowitz 2013: 37.}

\footnotesize{\textsuperscript{188} Agence France Press, June 22\textsuperscript{nd} 2012, \textit{Syria confirms it shot down Turkish fighter jet: agency.}}

\footnotesize{\textsuperscript{189} Agence France Press, June 22\textsuperscript{nd} 2012, \textit{Erdogan says Syria apologised for Turkish jet crash: media.}}

\footnotesize{\textsuperscript{190} Agence France Press, September 28\textsuperscript{th} 2012, \textit{Syrian shell crashes into Turkey town, one hurt.}}

\footnotesize{\textsuperscript{191} Agence France Press, October 4\textsuperscript{th} 2012, \textit{Erdogan: Turkey has no intention of war with Syria.}}
December 2012\textsuperscript{192}. The insecurity was exacerbated further by the Reyhanli car bombings of May 2013 which killed around 50 people and injured another 100\textsuperscript{193}. The Turkish government blamed the Syrian government for the bombings although this was denied by Damascus\textsuperscript{194}. The bombings raised tensions in southern Turkey between locals and Syrian refugees who were blamed for bringing misfortune to the town\textsuperscript{195}. There was a widespread perception that among the refugees were members of the various rebel groups and locals also blamed the AKP for exposing them to danger. "The common refrain was that by allowing the rebels to use its territory as a rear base, the government had invited this disaster upon the country"\textsuperscript{196}.

Conclusion

This paper has argued then that the illiberal turn in Turkish politics has come at the wrong time for Turkish accession. The Arab Spring had offered an opportunity for the Turkish case to break the deadlock of the years following 2005 because it highlighted the geostrategic value of Turkey to the EU. A resurgent Turkey was playing a role in international relations with Iran and Syria as well as the wider Middle East, Caucasus and Central Asia. It was deemed to be at the centre of energy security and trans-national crime concerns and there was also a sense (in Brussels and Washington) of the need to rein in some of the AKP government’s foreign policy excesses such as with Israel over the \textit{Mavi Marmara}. All of these issues meant that after 2010 the EU was inclined to be more conciliatory towards Ankara.

However this time frame also marked the realization of the increasingly illiberal nature of the Ankara regime. There were serious concerns emerging internationally about press freedom, the rule of law, the presidency issue and Erdogan’s hubris. These moved out of the realm of CHP conspiracy theory and into the mainstream as the evidence over Ergenekon and Balyoz unravelled and finally disintegrated following the split with Fetullah Gulen. At the same time Turkey has become synonymous with a lack of press freedom.

That the EU continued to mollify Ankara and press ahead with the Positive Agenda and a fairly muted response to the Gezi Park protests is testament to Turkey’s geostrategic value. Since 2012 the situation in its “neighbourhood” has deteriorated much further and continues to do so at the time of writing. The success of what was

\textsuperscript{192} Agence France Press, December 4\textsuperscript{th} 2012, \textit{NATO approves Patriot missiles for Turkey.}
\textsuperscript{193} Agence France Press, May 11\textsuperscript{th} 2013, \textit{Dozens dead in Turkey car bombings blamed on Syria.}
\textsuperscript{194} Agence France Press, May 12\textsuperscript{th} 2013, \textit{Damascus denies responsibility for Turkey bombings.}
\textsuperscript{195} Agence France Press, May 12\textsuperscript{th} 2013, \textit{Turkey protect Syrian refugees after bombings backlash}
\textsuperscript{196} Amberin Zaman, GMF Analysis, May 30th 2013, \textit{Turkey’s Syria reset. See also The Economist, May 18th 2013, An explosive border; Turkey and Syria.}
then ISIS (Islamic State of Iraq and Syria) and is now IS (Islamic State) in Syria and northern Iraq has raised profound security issues for Turkey. It also highlights the role of the Kurdistan Regional Government in northern Iraq and the ramifications for Turkey’s dealings with its own Kurdish minority. The region is extremely unstable and the insecurity cuts across ethnic, sectarian and religious lines making it extremely volatile and hard to predict.

The consequence of this will be that Turkey’s accession process with the EU will continue but it won’t progress. The EU is a geostrategic actor, with acute geostrategic concerns at the moment, but it also operates within a normative environment. The EU’s identity as a beacon of liberal democracy is very strong. Turkey can only progress if it proceeds with the constitutional reform necessary to meet the Copenhagen criteria and with Erdogan in charge that seems unlikely in the short or medium term.

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