

The Turkey Analyst

BI-WEEKLY BRIEFING

VOL. 1 NO. 9

20 JUNE 2008

ANALYSIS:

INTERVIEW WITH SÜLEYMAN DEMIREL3

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II. Domestic Politics

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III. Foreign Relations

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THE TURKEY ANALYST

Editors

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Halil Magnus Karaveli
M. K. Kaya

The Turkey Analyst is an English language journal. It is a publication of the Central Asia-Caucasus Institute & Silk Road Studies Joint Center, designed to bring authoritative analysis and news on the rapidly developing domestic and foreign policy issues in Turkey. It is published biweekly, and includes topical analysis, as well as translations and summaries of selected Turkish news reports.

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Analytical articles require a three to four sentence Key Issue introduction to the article based on a news hook. Rather than a general, overarching analysis, the article must offer considered and careful judgment supported with concrete examples. The ideal length of analytical articles is between 1,200 and 1,400 words. The articles are structured as follows:

KEY ISSUE: A short 75-word statement of your conclusions about the issue or news event on which the article focuses.

BACKGROUND: ca. 500 words of analysis about what has led up to the event or issue and why this issue is critical to the region. Include background information about the views and experiences of the local population.

IMPLICATIONS: 500 to 700 words of analysis of the ramifications of this event or issue, including where applicable, implications for the local people's future.

CONCLUSIONS: ca. 200 words that strongly state your conclusions about the impact of the event or issue.

Those interested in submitting an article to the *Turkey Analyst* should send their submission, or an article query describing the main arguments of the article, together with a CV to: info@silkroadstudies.org.

Editorial Coorespondence should be direct to:

Editor, *Turkey Analyst*
Central Asia-Caucasus Institute & Silk Road Studies Program
Institute for Security and Development Policy
V. Finnbodavagen 2, SE-13130 Stockholm-Nacka, Sweden
info@silkroadstudies.org

INTERVIEW WITH SÜLEYMAN DEMIREL

Svante E. Cornell

In late May 2008, three researchers from the Joint Center's Turkey Initiative met with Turkey's 9th president, Süleyman Demirel. This is a summary of his comments, which focused on the background to the current Turkish political crisis. Mr. Demirel, a towering figure over Turkey's conservative forces for half a century, defines the problem as a struggle between modernity and bigotry.

Question: Mr. Demirel, what is at the core of Turkey's problems today?

Demirel: Let me start with a question: **Is secularism possible in Islam?** With the revolution, Mustafa Kemal Atatürk introduced the separation of religion and the state. This was a first in the Muslim world, something new for the conservative, pious masses. He introduced modernity, made Turkey a modern state. What the republic did not do equally well was to explain to the people the separation of religion and state – to explain its essence, which is that you cannot force religion on people. This is the difference between modernity and bigotry: a modern person does not interfere with personal, individual religiosity. The bigot does, wanting to force everyone to pray. Still today, this is what the fight is about. The issue is not that religion has been under pressure – there have never been any obstacles to exercising religion in Turkey. And as you know, I am a believing Muslim, I consider myself a good Muslim. What are the pillars of Islam? The profession of faith, Shahadah. No problems there. Praying five times a day. Have people been stopped from praying? No. Third, Zakat, giving alms. No one has been prevented from giving alms. Fourth, fasting during the month of



Ramadan. Has anyone been prevented from fasting in Turkey? Maybe people get into trouble for *not* fasting in Ramadan, but no one has ever been prevented from fasting. Finally, the *Hajj*, the pilgrimage to Mecca. Has anyone been prevented from that? Well, the Saudi government is the one setting quotas for countries. Within those, anyone from Turkey wanting to go has been able to go. So, has Islam been under pressure, have Muslims

been under pressure? No. So, what are they [the forces in government arguing Muslims have been suppressed] complaining about? What they want, is to force everyone to behave as them, to force everybody to pray.

Question: How did this current crisis come about?

Demirel: It was Bülent Arinç who started it, saying [in 2006] that secularism must be redefined. Then, I stepped up, because I know the implications of this problem from my own experience. What problem? The introduction of religion into politics. When this happens, everything changes, because if in politics you seek to limit the role religion, you are portrayed as anti-religion, as un-Islamic. Then, of course, you lose. So there are really two options. The easiest, but also the worst option, is for *every party* to use religion for its own purposes. But this destroys both – it destroys politics, and it also destroys religion. The other option is secularism. In the Islamic world, religion and the state are like Siamese twins. Separating them is like surgically separating two twins, joint at birth. As we know, in such a surgery, anything can happen – both may die, one may survive, or in the best case both survive! In this part of the world, only in Turkey did we succeed. We had made it in Turkey. But those wanting to introduce religion into politics came in the way. I told people when [Necmettin] Erbakan (Turkey's first Islamist party leader) started using religion for political purposes: "Don't believe people trying to sell tickets to heaven!"

I know the hardship of confronting those who exploit religion for political purposes. Hard-line secularists once accused me of pandering to religion. But remember the context! When they [Erbakan and his followers] exploited religion for their purposes, you had to be very careful, inserting yourself between them and the people. I managed to check Erbakan. And there is a second issue. When the republic was created, there was no nation [*millet*], only the Ummah [*Ümmet*]. So you

had a people, but no nation. This is what the revolution was about! Creating a nation, making Turkey modern. Breaking with the past and its backwardness. I want to break with our past. This is where laws about dress code come into play. People say there is a contradiction between the revolution and democracy. I say there is not. Take the headscarf issue – are you going to take this country into chaos for the sake of seven thousand? [referring to opinion polls showing less than one percent of girls see the ban on headscarves in university as a reason not to study.] Can the republic interfere in people's dress? Yes, because the republic is about modernity. Look at our constitution. Look at paragraph 174. In every constitution we had, from 1924 to 1960 to 1980, a lot of changes were made, but one item always stayed: the protection of the revolutionary laws. What are those? They are many. They relate to education. If you want to be religiously educated, you can go to Saudi Arabia. There is also the "hat law" [the *Şapka* law, which prohibited the fez]. What does the revolution have to do with people's hats? A lot, I say. Because the republic was about leaving the middle ages. Changing the dress code, changing people's mentality – that is what the republic was about. It is about modernity. You are going to change the way you dress, you are to be modern, western.

So what will happen?

In Turkey, the revolution is being pushed back – the past is coming back and challenging it. But sense will prevail [Akil galip çıkacak]. It is not just a prosecutor or a judge facing down this challenge, they are not alone. Nor are there any guns behind them. The generations of the republic are behind them, and will ensure that law and justice will prevail. Have no doubt; there are millions who will defend this republic. We saw them last year (during the republican rallies). We did not find this republic on the street, and we will not abandon it to anyone.

WHAT WENT WRONG WITH TURKEY'S MODERATE ISLAMISTS?

Halil Magnus Karaveli

As the storms gather around the AKP, its rule is by all accounts likely to draw to a close. What went wrong with Turkey's experiment of moderate Islamism? It is tempting for western observers to conclude that it was sabotaged by a supposedly autocratic, dogmatically secularist state establishment which is unwilling to surrender its positions of power. But the fatal mistake of the Islamists has precisely been to expect the seculars to accept surrender.

BACKGROUND: The decision of the Turkish constitutional court to cancel the constitutional amendments lifting the ban on the Islamic headscarf in the universities reveals how the court will decide in the closure case against the AKP, which stands accused of contriving to undermine secularism. With the ruling that the constitutional amendments lifting the headscarf ban were in breach of secular constitutional principles, the consensus developing in Turkey is that the party's closure has become a mere formality.

However, Prime Minister Recep Tayyip Erdogan is not backing down. Turkish political observers generally assume that the AKP will regroup under a new banner, and that Erdogan is planning to call an early general election once the decision of the constitutional court, due this summer, is made public. If, as expected, Erdogan is banned from party politics together with a number of other AKP parliamentarians, the prime minister will not be able to stand as a candidate for the successor party to the AKP. There are nevertheless no legal obstacles to his seeking reelection as an independent candidate. Once re-elected, Erdogan may even be called by president Abdullah Gül to form a new government. Consequently, the ban of the AKP will not in itself be a conclusive blow in

the ongoing confrontation between Islamism and secularism.

The moderate Islamists expect the successor to the AKP to repeat the electoral success of July 2007, when the party received 47 percent of the votes. The AKP's victory followed on the military's intervention, via an e-memorandum, in the presidential election process in April 2007 and the subsequent decision of the constitutional court that stopped Abdullah Gül from being elected president in May that year. "The people will deliver the same answer this time", Nihat Ergün, deputy chairman of the AKP group in the parliament, confidently told this author. No doubt, the AKP benefited from protest votes – not only from the religiously conservative voters – against the interference of the military and the judiciary, even if the extent of that protest is yet to be substantiated in detailed surveys. The interference of the General Staff in particular, may nevertheless have had a demobilizing effect on secular voters who at the time were mounting protests under the banner "No to Sharia, and No to a coup". Yet it can not be assumed that history will repeat itself.

In opinion polls commissioned by the AKP itself after the chief prosecutor submitted the closure

case to the constitutional court, 40 percent supported the ban of the party, while 50 percent opposed it. Other surveys indicate that the AKP has lost support, down to around 40 percent. Perhaps more ominously for the Islamists, a majority seems to hold the ruling party

responsible for the political division of Turkish society into seculars and religious. In one recent poll conducted by A & G, a company renowned for having accurately predicted the results of several elections, 42,6 percent held the AKP responsible for the crisis while 34,7 percent put the blame on the secular opposition CHP, the Republican people's party. 23,6 percent blamed the lifting of the headscarf ban. As that was the making of the AKP (together with the right-wing nationalist MHP), those blaming the policies of the AKP amount to a total of 66,2 percent. It may not be a coincidence that these figures – 66,2 percent versus 34,6 percent – correspond almost perfectly with the results of another recent survey, according to which 63 percent of the population of Turkey identified itself as modern religious, with strong secular sensibilities, while those identifying themselves as traditional religious amounted to 37 percent.



Judges of the Constitutional Court at Atatürk Mausoleum

The percentage of those expressing concern about the fate of the secular order have risen by ten percentage points – to 50 percent – since 2007. The percentage reaches 72 percent among those with the highest education and 60 percent in urban areas.

These surveys suggest that the common international perception of the confrontation in Turkey, as one in which a religious population is seen as pitted against a secularist state establishment, is distorted. Secularism is in fact well implanted at the popular level, and secular sensibilities are far from being restricted to the state establishment or an urban, westernized elite, as it is often depicted. Neither does such a simplistic dichotomy allow for a full appreciation of the ideological and power dynamics of the Turkish state.

The ban of the AKP will inevitably confirm the notion, entertained by western observers and anti-seculars in Turkey alike, of an autocratic, obstinately secularist establishment. It should however be recalled that that establishment, whatever its democratic shortcomings, was responsible for steering Turkey towards the EU, a process that preceded the coming to power of the AKP. The republican state establishment has by and large adjusted itself to the demands of the EU,

acceding to the abolition of the state security courts and the subordination of the military to the government in the national security council.

But above all, since the 1950s there is little support in the republic's history for the presumption that the state establishment is dogmatically secularist, unable to accommodate religious demands, and unwilling to share power with religious orders. The Islamist community led by Fethullah Gülen has in fact come to control vast tracts of the state bureaucracy since the 1990s, notably in the Education and Interior ministries and the police force.

IMPLICATIONS:

Given the history of accommodation of religious ideology – which has come to impregnate the educational system – and the record of power-sharing in the state bureaucracy with religious elites, the judiciary's

intervention against the AKP is not easily explained by reference to a programmatic “kemalist” intransigence of the state. Ideologically, the republic has rather been characterized by conservatism during most of its history. Indeed, a confluence of the centre-right ideology of the state and moderate Islamism – and the inclusion of the ascendant religious bourgeoisie in the establishment coalition of the military and the secular business community – was not

impossible to envisage. Between 2002 and 2007 the AKP notably received the support of the secular, mainstream media controlled by secular business groups. Neither has the military been uniformly opposed to the moderate Islamists, provided they are moderate. Former chief of staff General Hilmi Özkök helped to secure the AKP government

during its first term in power, supporting the EU harmonization reforms and notably cracking down on opposition in the military ranks. And it seems that the incumbent chief of staff, General Yasar Büyükanit, sought an accommodation with the AKP after the row over the aborted presidential election the spring of 2007.

Influential secular, establishment commentators, while being increasingly alienated by the religious reorientation of the AKP, continued to issue calls for compromise as the

Islamist government, emboldened by the resounding electoral victory in July 2007, chose confrontation with secularism. Ertugrul Özkök, editor-in-chief of the country's largest daily, *Hürriyet*, is a case in point. Özkök gave full support to the AKP during its first term in government. He only began to criticize the Islamists when they persisted in electing a “religious” president instead of reaching an



understanding with the opposition, which has been the common practice. When the AKP embarked on the road to a constitutional amendment over the headscarf issue, Özkök pleaded for a reasonable third way, for a solution that would have made it possible for girls wearing headscarves to enter university, while leaving the constitution un-amended. “If the constitution is amended, then suspicions will be aroused that what is sought after is a change of the nature of the regime, and not a practical solution to a problem”, warned Özkök, and several other members of the secular establishment media.

What has galvanized a secular opposition within the state and in civil society during the past year is the AKP’s unwillingness or inability to remain ideologically in the center, and the perception that the Islamists are not ready to share power with the seculars. Significantly, the insistence that the president should be “religious”, with a wife wearing the Islamic headscarf, confirmed long-standing indications that religiosity, measured by the headscarf, is going to be the criterion for advancement within the bureaucracy under the AKP. Indeed, it is already becoming established as such, to which the ongoing changes in the bureaucracy testify.

Professor Mesut Parlak, president of Istanbul University, recently remarked that twenty-four new university presidents are due to be appointed. “If they (the Islamists) get control over the universities, Turkey will be in dire straits”, Parlak warned. It is easy to dismiss such language as expression of the secularist unwillingness to surrender positions and power. But the fatal mistake of the AKP has precisely been to act in a way that has created the impression that the Islamists expect the seculars to accept surrender.

CONCLUSIONS: A substantial reason for the AKP government’s current troubles is that it underestimated the resolve of the secular parts of the state, and their support in society. Indeed, more fundamentally, the AKP is foundering because it failed to take the popular implantation of secular values in society into account. What ultimately makes the intervention of a part of the state establishment against the AKP politically viable is the fact that secularism is espoused by a majority of the population; what lends it certain legitimacy is the have-it-all attitude taken up by the Islamists. That does not make the closure of a party re-elected less than a year ago any more acceptable democratically. However, it does call for a better appreciation of the democratic deficiency of the exhortation to secular surrender.



THE FORTNIGHT IN REVIEW

SECTION I: WHAT THE COLUMNISTS SAY

The deep rift between the government and the state establishment kept columnists busy. Ahmet Hakan sees the headscarf decision as a question of the regime, and Mehmet Ali Birand sees the entire judiciary process as an issue of power. Ismet Berkan terms the confrontation as one between center and periphery; whereas both Ahmet Altan and Etyen Mahçupyan talk of a coup being prepared.

HAKAN: HEADSCARF IS ABOUT THE NATURE OF THE REGIME

I want girls who wear the Islamic headscarf to be allowed to enter the universities, Ahmet Hakan in *Hürriyet* writes. I do not believe for a second that the AKP has a hidden agenda. I am among those who don't think that the constitutional court has decided in accordance with the law (when it cancelled the amendments lifting the headscarf ban). But neither am I prepared to condemn the constitutional court and laud the AKP as the vanguard of democratization. I prefer to criticize those who have proven themselves unable to run the country despite receiving the support of 47 percent. If they fail to assuage the fears they have inadvertently provoked, the dream of a "democratic Turkey", as well as the dream of seeing

headscarved girls entering university will be postponed for at least twenty years..

BIRAND: NEITHER THE AKP NOR THE SECULARS CAN BE WISHED AWAY

Let's not fool ourselves, Mehmet Ali Birand writes in *Hürriyet*. What we are experiencing has nothing to do with democracy or the rule of law. It's all about power, about who is going to rule Turkey. Those who entertain the futile hope that it will be possible to eradicate the AKP with these measures should realize that they are fooling themselves. AKP can not be stopped. But neither will the AKP be able to achieve its goals.

BERKAN: THE REAL DIVISION OF TURKEY

There is a consensus among western observers that the deep crisis that ravages Turkey since last year is a struggle between a “Kemalist establishment” and an Islamist government supported by the people, Ismet Berkan in *Radikal* observes. I would not say that such a characterization is totally invalid. But it nevertheless represents an oversimplification. The real division in Turkey runs between the center and the periphery, and it is not an ideological struggle. Those in the periphery strive for social and economic advancement. The AKP has to a large extent succeeded in opening up the center to the periphery. Of course, there are “Kemalists” in the establishment. But such a description is not valid for the center taken as a whole. The radical kemalism that is being developed by certain parts of the establishment will never succeed in becoming an umbrella for the state establishment. AKP has on the other hand come to represent the center as well as the periphery.

ALTAN: DIRE STRAITS

The ground is being prepared for a coup, Ahmet Altan writes in *Taraf*. But there are also those who are sincerely worried by the policies pursued by the AKP. They don't want a coup, but they are distressed by the replacement of the government cadres and by

the interventions against their lifestyle. How are they going to make their choice in these difficult days? They should realize that the real choice is not one between a coup and the AKP. What counts when deciding societal and ideological preferences is not the nature of political parties. There was no AKP ten years ago. It may not exist ten years from now. The choice is between a coup and freedom. AKP does not represent freedom. What represents freedom is civilian politics. As long as civilian politics is secured no political party will ever be able to isolate the country and interfere with freedom. A coup however will sever Turkey's links with the rest of the world.

MAHCUPYAN: NATIONALIST COUP MOVEMENT

One has to be blind not to see that everything is being done to overthrow the AKP, derail the EU harmonization and to institute an authoritarian regime, Etyen Mahcupyan writes in *Taraf*. It is apparent that the military and judiciary are bent on overthrowing democracy. What is happening is proof that the state is against democracy. Ordinary, secular citizens who have come to believe that the government represents a threat to secularism and who mistakenly believe themselves to have made an ideological choice are simple pawns.

SECTION II: DOMESTIC POLITICS

Summary: News centered on the Constitutional Court's decision to cancel the recent law legalizing the Islamic headscarf in universities. The decision, widely taken as an indication that the AKP itself will be closed down, generated substantial uproar, while speculations on the AKP's next moves – including a possible early election – were rife.

CONSTITUTIONAL COURT CANCELLED THE ISLAMIC HEADSCARF LAW

5 June

Turkey's Constitutional Court annulled the law proposing to lift the Islamic headscarf ban on the grounds that it is an attempt to change non-amendable articles of the Turkish Constitution. The decision was a significant defeat to the AKP, which is currently under pressure due to the closure case. Out of eleven members, nine voted in favor of the cancellation of the law and two voted against, including Court Chairman Hasim Kilic who stated that the reasoning behind the decision will be released as soon as possible and added, "The speculations made on our Court in the recent months saddened us and therefore we decided to announce the ruling in such a way... we are not going to give any information concerning the details of the ruling until the reasoning is released because of speculations about our members". Mr. Kilic avoided making further comments. The case is regarded as a proxy in the closure case filed against the ruling AKP in March, in which the chief prosecutor cited this law as evidence to close down the party.

Turkish president Abdullah Gul stated that this was a legal process and he did not want to make further comments while Turkish Chief of General Staff Yasar Buyukanit called everybody to respect the decision. Deputy Prime Minister and Government Spokesman Cemil Cicek said, "We need to see the legal ground for the decision taken," as the first reaction from the government. MHP leader Devlet Bahceli said this was not a legal, but a politically motivated decision and argued that it would increase the division on the basis of religious belief in Turkey. Conversely, the main opposition party, the CHP, welcomed the court's decision. CHP leader Deniz Baykal said that the ruling means that constitutional amendments could be analyzed in essence, not just procedurally, if it

threatens to violate non-amendable articles of the constitution. Mr. Baykal added that the Constitutional Court's decision was an important practice of Turkish law. (*Hurriyet*)

BUYUKANIT: OUR REPUBLIC WILL NOT BOW

6 June

Turkish Chief of General Staff Yasar Buyukanit gave a number of important messages during his speech in the opening of the symposium "Middle East: Its future within uncertainties and security problems" in the War Colleges Command. Mr. Buyukanit said that Iraq would become the center of instability and one of the main obstacles in the road of stability in the Middle East if the situation appears to be permanent. Underlining that Iran should assure the international community about the peaceful purposes of its nuclear program, Mr. Buyukanit said "A careful policy that will prevent new problems is very important in order to establish a peaceful and stable Middle East, cleared from nuclear weapons. While stating that concepts like the clash of civilizations or crusades are out-of-time concepts, Mr. Buyukanit emphasized Turkey's role in the Middle East as the source of stability and balance with its secular and democratic structure. Mr. Buyukanit said, "We follow the emergence of some circles that are determined to disrupt the structure of Turkey. We can observe that some people are trying to add certain adverbs to the Turkish Republic. Judicial organs of the Turkish Republic will never let that happen. Turkey is the sole example of the Islamic world with its secular state structure that is part of both Europe and the Middle East. Our republic, which was established by Ataturk, is the only reality for our future and no power can change that. No power can make our Republic or its fundamental principles to bow". After his speech, Mr. Buyukanit answered journalists' questions. With regard to a

question which asked him to clarify his words “there are some people trying to put adverbs in front of Turkey”, he responded, “No democratic country in the world has an adverb in front of its name except for Iran. How do we describe U.S.? Moderate Christian? There is no such thing. I said the same thing to Vice President Dick Cheney during my visit to the U.S. I said, ‘stop constructing names for Turkey’”. With regard to the phrase: “nobody can make Turkey bow”, Mr. Buyukanit replied, “The main influence in regional conflicts is the external power. We see the reality but hesitate to admit it. I am saying it; I am saying ‘the emperor is naked’. Can these conflicts occur if there are no external powers? Perhaps, but not in this way” (*Milliyet*)

SURPRISE RESPONSE FROM TOPTAN: ESTABLISH A SENATE

8 June

Turkish Parliament Speaker Koksal Toptan made an unexpected response to the Constitutional Court’s decision to rule out the bill on abolishing the Islamic headscarf ban in universities and opened the discussion for a bicameral system and establishment of senate. Mr. Toptan also stated that in order to relieve the stress caused by the court’s decision, he will organize a “summit of leaders”. Mr. Toptan said, “I believe that this decision did not bring a harmonious result to the mutual, secure and compatible functioning among the powers. This situation causes anxiety for our democracy”. Mr. Toptan also said, “By ruling out a law that had been passed from the Parliament with 411 of the votes, and although with the 148th article of the constitution it is clearly underlined that it can only evaluate the form of the law, the Constitutional Court made a decision about the substance. Consequently, by interpreting the related article of the constitution, the Court has passed its line of demarcation”. Mr. Toptan emphasized that he did not want to lead the constitutional change that would bring the establishment of a senate by placing the issue on the agenda, but rather wanted the proposal to be discussed. Underlining that the senate system exists in many European countries, Mr. Toptan said, “If this system is established, we can lift some of the pressure from the Constitutional Court and we can decrease the intense discussion about the Court. In this way, the Constitutional Court may find the opportunity to work with less difficulty.” Mr. Toptan also declared that he will organize a meeting where all the political party leaders which are represented in the Parliament

will attend. Stating that he can determine the date of the meeting after checking the schedules of the leaders next week, Mr. Toptan said, “The agenda is not fixed, we must discuss everything. It is at least beneficial for us to express our expectations and critiques to each other, face to face. A healthier solution may surface this way”. (*Sabah*)

AKP DEPUTY OFFERED A RADICAL CHANGE TO LIMIT THE COURTS’S POWER

9 June

An official from Turkey's ruling party AKP suggested on Monday that the Turkish Parliament should be able to suspend Constitutional Court rulings. According to the proposal of the Parliamentary Justice Committee Chairman and AKP MP Ahmet Iyimaya, the Turkish Parliament will be able to suspend Constitutional Court rulings in the cases filed for "objecting" to a bill or "demanding the annulment of" a bill passed by parliament. The proposal to demand a suspension of a court ruling shall be made by at least one-third of the MPs in the parliament with a written petition, and the decision to suspend a ruling shall be taken by the approval of three-fifths of the parliament in a secret vote, Mr. Iyimaya said in a statement on Monday. (*Hurriyet*)

AKP: SENATE DOES NOT HAVE A POSITIVE IMAGE

9 June

The AKP administration does not appear to accept the “senate” proposal of Parliament Spokesman Koksal Toptan. While answering the questions of Milliyet, AKP Group Vice President Nihat Ergun considered Mr. Toptan’s proposal and stated, “This system was tested and experienced in Turkey. It does not have a positive image. What will be the function of senate, in which situation it will carry the burden of the Constitutional Court, which laws could not be carried if they are passed from the senate? How are its applications on the inside and the outside? We must also look into these”. AKP deputy Sadullah Ergin stated that a tutorship was established over the Parliament with the decision. Will the Parliament accept this or will a measure be taken against it? Will the institution of politics defend its authority or not? This exactly does the establishment of a tutorship over the parliament by an institution that is responsible to no one, arbitrary and non-controlled by the people, mean? (*Milliyet*)

SEZER: SENATE SHOULD BE DISCUSSED IN A HEALTHY ENVIRONMENT

9 June

Democratic Left Party (DSP) Chairman Zeki Sezer stated that the proposal of the Parliament Spokesman Koksal Toptan should be discussed in a “healthy environment”. While expressing approval for the possibility that the senate system may be beneficial for the well-being of the system, Mr. Sezer underlined that it is inappropriate to discuss a new constitution while the AKP closure case is ongoing. Mr. Sezer also said that he approves the “summit of leaders”, planned by Parliament Speaker Toptan by describing it as an important move. He said that a “free agenda” summit was crucial because the mentality of politics which has surfaced by leaders fighting via media proved harmful for Turkey. Mr. Sezer said, “However, this is the preference the Prime Minister. There is no harm in talking. Let the Parliament Spokesman make his call, and we will see what he will say. We will look and decide accordingly”. (*Hurriyet*)

ERDOGAN: “THE MAIN INSTIGATOR OF THIS SITUATION IS CHP”

11 June

After six days of silence from the announcement of the Constitutional Court’s Islamic headscarf decision, Prime Minister Tayyip Erdoğan talked to the AKP parliamentary group today. He held the CHP responsible for the latest developments related to the decision of the Constitutional Court to annul the constitutional amendment that permitted wearing the Islamic headscarf in universities. “The main instigator of this situation is the CHP” he stated. “They want to put the legislative and judiciary powers, whose borders of competences are clearly defined in our Constitution, against each other. The continuous attempts of the CHP to create a conflict of competences between the legislative and the judiciary have brought us to this point” declared Mr. Erdoğan. Moreover, the Prime Minister criticized the Constitutional Court for making its decision public without having prepared the corresponding statement of reasons. “If our legislative system becomes part of a ‘confusion of competence’, Turkey is greatly damaged... We must keep Turkey out of a ‘conflict of competences’. The Constitutional Court must give us the scientific explanation of its decision concerning articles 10 and 42 of the Constitution as soon as possible. The annulment decisions or cancellations cannot be announced without justification and

without the corresponding statement of reasons. (*Radikal*)

BAYKAL TO ERDOGAN: ACCEPT THE DECISION!

11 June

After the strong reaction of Prime Minister Recep Tayyip Erdoğan on the Islamic headscarf decision of the Constitutional Court, CHP Leader Deniz Baykal called on Mr. Erdoğan to “digest the decision”. “I am warning you; do not even think about making any amendment to the Constitution,” said Mr. Baykal, who mentioned the following in his party’s parliamentary group meeting: “You [Mr. Erdoğan] say that you will not accept guardianship over the Parliament; we know that, but you should not permit any guardianship over the judiciary, the Parliament or the Constitutional Court. The citizens advise you: do not even think about amending the Constitution. We are warning you and we have warned you before. We said that the Islamic headscarf is wrong and you did not listen. Accept the decision and the situation. The reason why we have the Court is to prevent the mistakes of the Parliament. It is to keep you within the borders of the Constitution.” Mr. Baykal pointed out that secularism is very important for Turkey, for the world and for Europe, although Europe appears to be unaware of this. “Turkey can come face to face with the danger and threat of becoming Hamas geography. European politicians are mistaken when they assume that they will not be influenced by this; in fact, they are the ones that will pay the price. (*Milliyet*)

PRESIDENT GÜL: NO ONE CAN PRETEND NOT TO SEE THE PROBLEMS

11 June

When a journalist asked President Abdullah Gül what was his message to the parties of the discussion over the Constitutional Court’s turban decision, he first drew attention to how important is for Turkey to be strong through this period of global economic and political problems. “I believe this is the only way Turkey can come out of the problems it finds herself in. Everyone remembers the crisis of the past; who lost was our country. It was the fault of none of us... Of course, no one can pretend not to see the problems Turkey is involved in, and these should be solved following the universal principles of democracy, the supremacy of law and the guidance of our Constitution” he said. (*Zaman*)

AKP: WE CRITICIZE, BUT COMPLY WITH JUDICIARY'S DECISION

12 June

The AKP severely criticized the annulment of the Islamic headscarf arrangement in the Constitution with the Constitutional Court's decision, and this time came with a new final evaluation of the situation. The Head Representative of the AKP parliamentary group Mustafa Elitaş declared that although they criticize the decisions of the judiciary and may not agree with their content, they accept them as a requirement of respect to the principle of the constitutional state. Mr. Elitaş pointed out that "Avoiding the law is not the AKP's way of doing politics." In this context, Mr. Elitaş also called on MHP Leader Devlet Bahçeli to stop propagating and insisting on the statement "AKP should clone itself". "The AKP is not a party produced in the laboratories of social and political engineers. As such it does not need to put methods on the agenda produced with a social engineering approach such as 'political cloning'...at least for the sake of respect to democracy and the constitutional state principle" he said. (*Radikal*)

CONSTITUTIONAL COURT CALLS PUBLIC PROSECUTORS ON DUTY

13 May

In a written statement the Constitutional Court condemned the criticisms and statements "recognizing no human or moral value" expressed against the decisions taken by the High Court. "While it is clear that the criticisms and statements made about cases in progress are considered offenses by the Turkish Penal Code, the inaction of those who are responsible for the implementation of these legal provisions is notable" pointed out the written statement. The report also stated, "The Constitutional Court took decisions wholly independently, in line with the principle of supremacy of law defined by the Constitution and other laws; i.e. outside of political thoughts and struggles." (*Hurriyet*)

TBB: CRITICIZING COURT IS WRONG

14 June

The President of the Turkish Union of Bars (TBB) Özdemir Özok noted that criticizing the decisions of the Constitutional Court was not suitable within the concept of the constitutional state. "The Turkish judiciary is attacked in an unjust, unnecessary and meaningless manner. The decision taken by the Court is criticized in such a shallow manner. This is wrong," he said. The Union has made no declaration related to

any of the files being processed by the Constitutional Court starting from March 14 2008 to the present, including the case for the closure of the AKP. "... There are clear provisions in the Constitution as well as in the Turkish Penal Code and still they are attacking the judiciary. This will happen even with the decisions of the local courts. Such a situation would be a disaster for Turkey. (*Milliyet*)

"EARLY ELECTIONS TO PROTECT ERDOĞAN"

14 June

CHP leader Deniz Baykal commented on the early election option in the process of the AKP closure case. At the CNN "Ankara Kulisi" program Mr. Baykal stated that it appears that the AKP leadership has placed early elections on the agenda. "The parliament has 10 months to work, but they are considering early elections. Do you know why? Because Mr. Erdoğan cannot stay on his feet without his armor of 'immunity'. How can you change the parliament because of a fight? This is precisely what the Prime Minister wants as he thinks that his immunity is at risk; with this at least he can keep his immunity as a parliamentarian. Knowing that the AKP no longer will have the majority, the entire Parliament will go for the early elections... There are no conditions that require elections, nor does the AKP need them. A new party can be established after the decision to close the AKP is confirmed, this is normal and natural. However, the early elections option will be on the agenda as a result of the personal defensive needs of the Prime Minister" Mr. Baykal declared. He also gave a message of possible talks for those within the AKP who do not want early elections. (*Radikal*)

DEFENSE FROM PUBLIC PROSECUTORS

15 May

The President of the Union of Judges and Public Prosecutors (YARSAV), Ömer Faruk Eminağaoğlu, said that the public prosecutors called to do their duty by the General Council of the Supreme Court and then the Constitutional Court have begun the necessary investigations related to the offenses committed through the press. "However, it does not mean that every investigation opened for offenses made through the press will be reflected immediately in the media. The public prosecutors of the Republic do not need to be called on to do their duty; they themselves should open the investigations concerning committed crimes and offenses, which they do. This

is relevant and the same for both the offenses against members of the judiciary and those against anyone else. When the investigation is not opened and there is no application, then it is necessary to question the government dependence, safety and the shadow over the public prosecutors.” stated Mr. Eminagaoglu. (*Milliyet*)

THE GENERAL STAFF: THEY WILL PAY IN COURT

15 June

The written statement of the Presidency of the General Staff stated that a planned and worthless campaign of defamation had been started against the TSK and its high-ranking officers. In the context of this campaign “The civilized meetings of commanders within the context of their friendship

relations are presented to the public as hidden and planned meetings with specific aims” said the Presidency of the General Staff, referring to the meetings of the Deputy President of the Constitutional Court Osman Paksüt with the Commandant of Land Forces General İlker Başbuğ. The case of the publication of the health report of the Second Head of the General Staff Ergin Saygun was also mentioned in the statement. “The persons and institutions who flatter and attack the judiciary according to their interests will be responsible and punished for their offenses and crimes in front of the very same judiciary” the written statement pointed out. (*Sabah*)

SECTION III: FOREIGN RELATIONS

Summary: In foreign relations, the two main topics were Foreign Minister Babacan’s visit to the United States and his meetings and speeches there; and the decision by the Council of Europe’s Parliamentary Assembly to again discuss Turkey, which had been lifted off the list of imperfect democracies requiring special observation in 2004.

TURKEY – U.S. AGREEMENT FOR PEACEFUL NUCLEAR COOPERATION

4 June

The US Department of State declared that Turkey and the US have settled on an agreement for peaceful nuclear cooperation, indicating MUTUAL development of peaceful nuclear energy. According to the framework of the agreement, which will last for 15 years, Turkey and the US will cooperate on issues such as development of nuclear technology, nuclear reactors and raw materials. The agreement will benefit US companies such as GE, who are interested in investing in Turkish nuclear energy. Furthermore, the agreement stated that the PKK be added to the list of narco-trafficking organizations. Certain analysts argue that Washington used the agreement to persuade Turkey to pursue the US line concerning the Iran issue. Conversely, US Speaker of the Department of State Sean McCormack praised Turkish efforts in the

peace talks between Israel and Syria, while answering questions about the visit of Mr. Babacan. Mr. McCormack said, “The Turkish government should draw applause for its efforts to create peace in the region”. Mr. McCormack added that Turkey also has significant influence in the region. (*Milliyet*)

PACE WILL DISCUSS TURKEY

4 June

The Council of Europe Parliamentary Assembly (PACE) has decided to discuss “The functioning of democratic institutions in Turkey”, setting it as an urgent agenda. It is interesting to note that this meeting was scheduled at the time when the AKP case was being processed, while such meetings have usually been conducted for countries whose democracy was significantly harmed. It is important that Turkish democracy and institutions, which in 2004 entered the EU negotiation process by

withdrawing from the Council of Europe's control mechanism, will once again be the topic of discussion after 4 years. The meeting which was described as "The most important development since Turkey withdrew from the control mechanism" by circles of the Council of Europe. (*Milliyet*)

TURKISH SEED OF PEACE

4 June

A new phase has begun in the peace negotiations between Syria and Israel, which has been mediated by Turkey. With the phrase, "We need the support of the international community, particularly the U.S." Mr. Assad signaled that they will continue the process. Some analysts interpret Mr. Assad's words as indicating that Turkey has accomplished her task successfully. Financial Times commented on the issue with the following statements: "Turkey's efforts are crucial if two enemies are discussing peace instead of war". The talks between Israel and Syria symbolize hope for permanent peace after the war in 1967. In the negotiations, which are indirectly conducted via Turkish mediators, the next phase is the direct negotiation process, which is evidence of the Turkish success in mediating the discussions. (*Sabah*)

'CAREFUL' STATEMENT FROM BABACAN

5 June

Turkish Minister of Foreign Affairs Ali Babacan initiated his U.S. contacts yesterday with a speech in The Atlantic Council, a think tank based on Washington DC. During the question and answer period a journalist asked Mr. Babacan to clarify the phrase, "The Muslim majority in Turkey are experiencing difficulties". Mr. Babacan responded by saying, "Just look at the reforms we have conducted in the last five years. We made those reforms in order to improve the conditions of our citizens regardless of their cultural, ethnic, religious position. We must face reality. If we don't discuss the problems then we cannot find a solution. This is what we did in 2002. We came up with a long list and dealt with the problems one by one. We did what we did for our country. Our people will benefit from the improvement of democracy. For this reason we have to continue. We have to accept that we are not perfect. We have done many things but there are still many things that need to be done. My party and government benefit from the improvements". Upon the reply of the journalist "You did not answer my

question" Mr. Babacan responded, "You have to listen very carefully". (*Milliyet*)

EU TURKEY RAPPORTEUR: A NEW CONSTITUTION IS NEEDED

6 June

In her statement regarding the cancellation of the headscarf law, EU Parliament Turkey Rapporteur Ria Oomen-Ruijten said, "A new constitution will make fundamental liberties the center point of the jurisdiction". By using the sentence: "This decision proved again that Turkey needs modernization", Ms. Oomen-Ruijten wanted the new constitution "to secure democracy, supremacy of law, social harmony and state-religion diversification". Regarding the decision of the Constitutional Court of Turkey, Turkey-EU Joint Parliamentary Commission Co-President Joost Lagendijk said, "We have returned to the beginning with the decision of the Constitutional Court. This situation creates an opportunity for the government to present a proposal of a new constitution which will make the fundamental liberties comprehend all of the Turkish society, rather than a particular group". (*Sabah*)

US: THE ISLAMIC HEADSCARF IS AN INTERNAL PROBLEM OF TURKEY

7 June

The decision of the Turkish Constitutional Court to annul the Islamic headscarf law was with cautious response both by the U.S. and the EU. While the U.S. said, "This is an internal problem of Turkey", some EU circles stated that a new constitution was necessary. U.S. Department of State Europe Bureau Spokesman Chase Beamer evaluated the decision of the Constitutional Court as follows, "This is an internal issue that Turkey will decide. We do not support any way of expression including the Islamic headscarf or another religious cloth. Wearing the Islamic headscarf or not is a personal decision for women to take. The U.S. supports religious freedom". Referring to the European Court of Human Rights decision indicating that banning the Islamic headscarf in universities and public institutions is not a violation of human rights, Ambassadors of the EU countries to Ankara stated. "There is no problem of the Islamic headscarf in Europe, but if a conviction should be referred there is the decision of the European Court of Human Rights. According to Europe, the decision of the Constitutional Court is the internal issue of Turkey". (*Anatolian News Agency, ANKA News Agency, Radikal*)

BABACAN: THERE IS NO CLEAR DEFINITION OF SECULARISM

7 June

Continuing his visit to U.S., Turkish Minister of Foreign Affairs Ali Babacan gave an interview to the national public radio NPR of America. While stating that Turkey was experiencing a period of transformation, Mr. Babacan said that "Turkey is a country in which we are trying to prove that Islam, democracy and secularism can co-exist. The AKP is a democratic and conservative party. We are sensitive to issues of traditions, ethnicity, family, religion and we express ourselves loudly. Our party also supports a real democratic system in Turkey. We support a secular system in Turkey and this means a total division of state and religion. We also believe that secularism entails religious freedoms". Mr. Babacan stated, "Although there is no clear definition of secularism in our constitution, it is expected from the Constitutional Court to judge whether our party's activities are in line with secularism or not. The Constitutional Court is the ultimate decision maker at this point. Whether we like the result or not this will be an ultimate decision and we must obey it". (*Sabah*)

TURKEY REJECTS BRITISH – GREEK CYPRIOT AGREEMENT

8 June

A memorandum of understanding signed between Britain and the Greek Cypriot administration "cast a shadow" on efforts to reach a permanent and a fair solution to the Cyprus problem, the Turkish Ministry of Foreign Affairs stated. British Prime Minister Gordon Brown and Greek Cypriot leader Dimitris Christofias signed a memorandum of understanding on Thursday which made reference to "a federation based on a bi-communal and bi-zonal structure in the ethnically divided island." "The memorandum of understanding, which is not constructive at a time when the two leaders of the island are engaged in a negotiations process, is a negative intervention," the Ministry said in a statement. (*Hurriyet*)

UN SECURITY COUNCIL DISCUSSED BAN KI-MOON'S CYPRUS REPORT

10 June

The U.N. Security Council discussed UN Secretary General Ban Ki-Moon's latest Cyprus report. In his latest report to the UNSC concerning the work of the UN peacekeeping force in Cyprus (UNFICYP), Ban Ki-Moon recommended the extension of the

UNFICYP's mandate for an additional six months. In the report Mr. Ban also welcomed the recent progress and called on Turkish and Greek Cypriots to make an effort and consider reunification since an appropriate environment has been established. "What is especially encouraging is that the leaders, during their meeting on 23 May, reconfirmed the broad outline of a solution, based on a bizonal and bicomunal federation with political equality, as defined by the Security Council in its relevant resolutions.". The council is expected to prepare a draft resolution in line with Ban Ki-Moon's report and adopt it during its meeting on June 13. Greek Cypriot leader Dimitris Christofias previously stated in an interview that he hopes that Cyprus may be heading towards a peace deal that will unite the Greek and Turkish communities, which are being undermined by "reactionary" statements from the Turkish military. He said that progress on a peace deal was hitting a "major obstacle", as Ankara, with a statement in April by Turkey's National Security Council, has reverted to discussing the island's Greek and Turkish communities as two distinct "peoples" - implying that each is entitled to retain a considerable degree of sovereignty. (*Hurriyet*)

PACE: AKP CASE MAY RELEGATE TURKEY TO THE LIST OF SECOND CLASS DEMOCRACIES

10 June

After the AKP case was submitted, the Council of Europe Parliamentary Assembly (PACE) discussed relegating Turkey to the level of weak democratic countries. PACE decided to organize an urgent meeting in its General Assembly on June 26, where it will discuss the option to retake Turkey under its control mechanism. Belgian Christian Democrat Luc Van den Brande said, "If there is a decision to hold an urgent meeting, it is highly likely that Turkey will re-enter into the control mechanism". The Belgian deputy also stated that the main reason for the urgent meeting is the closure case submitted against the AKP. Re-entering into the control mechanism, which only new members of the Council and countries that are in transition to democracy are subject to, will harm EU-Turkey relations. Turkish democracy was taken under the control mechanism in 1996 and after the reforms in line with the EU harmonization process, Turkey was removed from the second class democracies category in 2004. PACE Turkey Commission President and AKP Antalya deputy Mevlut Cavusoglu stated that Turkey would be

considerably damaged by being subjected to the control mechanism, and added that diplomatic efforts would work to prevent such a decision. (*Zaman*)

BUSH: TURKEY SHOULD BE A MEMBER OF THE EUROPEAN UNION

10 June

USA President George W. Bush stated that Turkey should enter the EU. During the speech he held in the press conference after the USA-EU summit in Slovenia, Mr. Bush said, "We believe that Turkey must be a member of the EU". After the summit, Prime Minister of Slovenia and President of the EU Commission José Manuel Barroso organized a press conference. While stating that they evaluated a number of issues during the meeting, Mr. Bush said, "There was an issue we emphasized much in the summit. I want to clarify the position of the U.S. in that matter. We believe that Turkey should be in the EU". Mr. Bush also expressed his content about the democratic and free market reforms and the efforts made in the EU negotiation process. (*Zaman*)

GÜL REPROACHED EU IN CROATIA

12 June

During his visit to Zagreb, President Abdullah Gül reproached the European Union (EU). "Obstacles of political nature are continuously brought up in front of Turkey." When asked what he thought about this issue and that of Cyprus he stated, "From time to time, political issues are exploited for specific ends. Turkey will continue the negotiation process with patience." Croatian President Mesić pointed out that Croatia is advancing at a high pace in the process of EU membership, while Turkey is moving slowly and he declared, "We do not blame the slow progress in negotiations only on the Turkish side. Turkey is part of Europe." (*Sabah*)

REFORM CALL FROM THE COUNCIL OF EUROPE

12 June

The Council of Europe Parliamentary Assembly (AKPM) is preparing to put an emergency article on the agenda on June 26: the functioning of democratic institutions in Turkey. During the work of the general

committee, a report titled "The situation of democracy in Europe" will be examined. The report features a list of criticisms directed towards Ankara. However, there is no direct criticism directed towards Turkey regarding the separation of powers among the main points mentioned in the report. It calls for constitutional reform in countries such as Bosnia Herzegovina, Monaco and Ukraine in order to guarantee the separation of powers and to produce well functioning democratic institutions. The expectations related to Turkey are expressed in the following statement, "Turkey needs a constitutional reform in order to fully adapt to the European Human Rights Agreement. The draft report also calls for the lowering of the election threshold (barrage), which is considered to be too high at its present level of 10 percent. Additionally, the censorship of press, the cases, the arrests and threats towards journalists are listed as negative points for Turkey. (*Milliyet*)

BABACAN: WE MAY STAY OUT OF THE MEDITERRANEAN UNION

13 June

Foreign Minister and main EU negotiator Ali Babacan attended the Afghanistan Conference in Paris and was asked by journalists about the position of Turkey related to the Mediterranean Union Project proposed by France. Mr. Babacan noted that the Mediterranean Union is not yet a completed project. "There are no concrete documents in our hands related to this project. We have not yet decided whether we will participate. After we decide to be part of it, should we do so, then we will pass to the second decision related to the level of participation we prefer" Mr. Babacan pointed out. He added that they are in constant close contact with the European Commission, who is managing the details of the project. Mr. Babacan stated that Turkey "evaluates the project positively" but added that the final decision will be taken only after the clarification of the concrete projects that will constitute the Mediterranean Union. (*Zaman*)