

# CRS Report for Congress

## Turkey's 2007 Elections: Crisis of Identity and Power

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# Turkey's 2007 Elections: Crisis of Identity and Power

## Summary

The effort of Turkey's ruling Justice and Development Party (AKP) to elect one of its own to be president of the Republic provoked a crisis. The nominee, Foreign Minister Abdullah Gul, has roots in Turkey's Islamist movement and his wife wears a head scarf, which some secularists consider a symbol of both Islamism and backwardness. Moreover, because AKP already controls the prime ministry and parliament, some argue that the balance of political power would be disturbed if the party also assumed the presidency.

The opposition boycotted the first round of the vote for president in parliament and engaged in mass demonstrations against the possibility of an AKP president. The Republican People's Party (CHP) asked the Constitutional Court to annul the vote, and the General Staff of the armed forces warned that the military is the defender of secularism and would act if "needs be." After the Court invalidated the vote, Prime Minister Recep Tayyip Erdogan called early national elections and proposed package of constitutional amendments, including one for the direct election of president. Current President Ahmet Necdet Sezer vetoed the package and parliament passed it again. Sezer cannot veto it a second time; he can only allow it to pass or refer it to a national referendum. CHP has petitioned to the Court to invalidate the package.

In the meantime, the campaign is underway for national elections on July 22. Opposition parties are maneuvering to better combat the very effective AKP political operation. AKP and CHP may be attempting to move to the center, where most Turkish voters reside. A few other parties also have the potential to win seats in parliament. Turkey has been democratizing in recent years, yet none of the major contending parties is consistently democratic. The outcome of the election is uncertain. AKP may again win a majority or only win a plurality and then have to form a coalition. The former result could provoke another crisis if AKP again tries to take the presidency. The latter could produce a compromise. It is not known if or when the pending constitutional amendments will become effective or if they will apply to the choice of president.

The European Union and the United States have urged Turks to adhere to their constitutional processes and warned the military not to intervene. Turkey is a candidate for EU membership, which might give the EU some influence. Yet, that influence is limited because some European countries and many in Turkey have lost their enthusiasm for Turkey's accession. The official U.S. reaction to events in Turkey appeared to lag behind that of the EU. Early statements encouraged Turkey to follow its constitutional processes, while later ones added a warning to the military. The political campaign in Turkey may exacerbate tensions between Turkey and the United States over U.S. inaction against the Kurdistan Workers Party (PKK) terrorist group harbored in northern Iraq, especially if Turkey launches a major incursion against the PKK. The Turkish military may take U.S. warnings and domestic political considerations into account in its decision-making on the issue. This report will be updated if developments warrant.

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# Turkey's 2007 Elections: Crisis of Identity and Power

## The Crisis

### Introduction

The seven-year term of Turkish President Ahmet Necdet Sezer was scheduled to expire on May 16, 2007, and parliament (the Grand National Assembly) was required to elect a successor by that date. Since November 2002, the Justice and Development Party (AKP), a party with Islamist roots which claims a conservative democratic orientation, has controlled a comfortable majority in parliament, but its numbers fall short of the two-thirds needed to elect a president. Sezer, a former head of the Constitutional Court, is an ardent secularist who has often vetoed laws and appointments proposed by the AKP on the grounds that they conflicted with the founding nationalist and secularist principles of the state. Both the AKP and its secularist opponents understand that much is at stake in the choice of Sezer's replacement.

On April 25, 2007, Prime Minister Recep Tayyip Erdogan named Deputy Prime Minister and Foreign Minister Abdullah Gul to be the AKP's candidate for president. In doing so, Erdogan appears to have severely misjudged his opposition and contributed to one of the worst political crises in recent Turkish history.

### Identity

Gul is widely respected as an effective foreign minister who helped to secure the opening of Turkey's membership talks with the European Union (EU) in 2005 and worked to smooth relations with the United States. He promised to act according to secularist principles if elected president. Nonetheless, secularists considered him to be a controversial candidate partly because of his prominent role in two past, banned, Islamist parties and mainly because his wife wears a *hijab* (also called a *turban* in Turkey) or head scarf. Turkish women are prohibited from wearing the head scarf in public institutions, which President Sezer has interpreted to include the presidential palace, Çankaya.<sup>1</sup> Secularists view the head scarf as a symbol both of Islamism and of retrogression to a time before Mustafa Kemal Atatürk, the father of modern Turkey, imposed Westernizing reforms on the country in the 1920s and 1930s. As one of those reforms, Atatürk imported to Turkey the French concept of *laicism*, a

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<sup>1</sup> Sezer has refused to invite head scarf-wearing wives of AKP officials and Members of Parliament to receptions at Çankaya.

stricter version of secularism than that practiced in the United States, to Turkey.<sup>2</sup> Thus, because of Mrs. Gul's head scarf, secularists view the choice of a president became an emotional fight for the identity of the state.

## Power

The opposition also argued that Erdogan's insistence on an AKP president threatened Turkey's balance of powers.<sup>3</sup> The AKP already controls the prime ministry and parliament, and the presidency would allow it to dominate other branches of government because of the president's role as commander-in-chief of the military and his power to appoint Constitutional Court judges, the Higher Education Board, and university rectors -- all still bastions of secularism. The President also has substantial veto powers. President Sezer has used his veto power over other high level government appointments liberally to prevent the AKP from achieving control over more levers of state power in the bureaucracy and has vetoed some legislation, thereby delaying AKP's pursuit of both its reform and religion-favoring agendas.<sup>4</sup>

A counter-argument maintains that if AKP elected a president, then the voters could have restored the balance of power by denying the party a mandate in national elections scheduled to be held in November 2007. From this perspective, the secularists did not need to provoke a crisis over the election of a president to preserve the balance of power. They simply had to win the parliamentary elections.<sup>5</sup> This argument might lead to the conclusion that the opposition lacked confidence in its ability to defeat AKP at the polls and chose other means.

To some extent, the opposition Republican People's Party (CHP) is a party of the armed forces, bureaucracy, legal system, and academe, fighting to retain their powers and vying against AKP, a party seeking to expand its hold over the levers of power.

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<sup>2</sup> At Ataturk's initiative, the assembly of the new Turkish Republic passed sweeping *laicist* reforms in the name of modernization, including abolition of the Ottoman caliphate, whose ruler held both temporal and religious power, closing of religious schools while establishing a system of public education, outlawing of religious brotherhoods, replacing the Muslim calendar with one beginning with the Christian era, supplanting Islamic law with a new civil code based on Swiss law and a new penal code adapted from Italian law, among other measures.

<sup>3</sup> Point made by former True Path Party (DYP) politician Mehmet Ali Bayar, at "Filling Ataturk's Chair: Turkey Picks a President," panel discussion at The Brookings Institution, April 12, 2007.

<sup>4</sup> However, some AKP appointees have served in "acting" capacities for extended periods of time. According to the Turkish Constitution, a president can return laws to parliament for reconsideration. If parliament passes the same law unchanged a second time, he cannot veto it again but can refer the law to the Constitutional Court for a determination of its validity. In some cases, AKP has passed a law unchanged. In other cases, it has retreated, preferring to postpone its fight for another day.

<sup>5</sup> Point made by *Milliyet* Washington correspondent Yasemin Congar on The Diane Rehm Show, National Public Radio, May 1, 2007.

## Opposition

The Republican People's Party (CHP), Ataturk's party, champion of secularism, and the main opposition party in parliament, had called on Erdogan to choose a "consensus" candidate for president and criticized him for not consulting before nominating Gul. Yet, CHP never suggested a consensus candidate or named its own candidate for the presidency.

Even before Erdogan's announcement of the Gul candidacy, CHP leader Deniz Baykal had urged other parties in parliament to boycott the first round of the vote for president in order to deprive the AKP of the votes required to elect its candidate and to force early national elections. Secularist non-governmental organizations had begun mobilizing with a mass protest in Ankara on April 14, then targeting a possible Erdogan presidential candidacy. After the Gul nomination, unprecedentedly large demonstrations followed in major cities and some other urban areas against what participants viewed as a threat of AKP dominance.

On April 27, parliament convened for the first round of voting to elect a president. Under the Constitution, two-thirds or 367 votes from 550 Members of Parliament are required to elect a president in the first two rounds. A majority or 276 votes are required in a third and fourth round. Early parliamentary elections are required if the legislature cannot elect a president. AKP held 353 seats; Gul received 357 votes with 361 deputies present. CHP argued that a quorum of 367 attendees was required for the first round to be valid, as opposed to a normal legislative quorum of 184. The opposition boycotted the vote in order to render it invalid, and CHP then petitioned the Constitutional Court to nullify the vote.

## Military Intervention

The Turkish military founded the modern Turkish Republic, views itself as the protector of the Republic and its secular principles, and has been instrumental in the ouster of four civilian governments since 1960. The armed forces oversaw the drafting of the current constitution after a 1980 coup. The AKP government has passed reforms to diminish the role of the military and to comply with European Union (EU) demands for civilian control over the military. Yet, the military remains the most respected institution in Turkey with considerable influence over non-military matters. It has defined the major threats to the state as separatism and "reactionism" or Islamic fundamentalism.

Many observers believed that the military would not silently permit the AKP, with its Islamist origins, to elect one of its own as the next president. Some secularists appeared to wish openly that the military would intervene in the process. Chief of the General Staff General Yasar Buyukanit issued a clear warning to the AKP on April 12, when he expressed hope that a new president would be committed to secularism "not in words but in essence."<sup>6</sup>

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<sup>6</sup> Text of Chief of Staff Buyukanit's Press Conference, *TRT 2 Television*, April 12, 2007, Open Source Document GMP20070412734001.

Then, shortly before midnight on April 27, 2007, after the first round of the presidential election, the website of the Office of the Chief of the General Staff carried a message entitled “On Reactionary Activities, Army’s Duty.”<sup>7</sup> It stated, “it must not be forgotten that the Turkish Armed Forces do take sides in this debate (about secularism) and are the sure and certain defenders of secularism.... (T)hey will make their position and stance perfectly clear as needs be. Let nobody have any doubt about this.” The posting also described some local public events with fundamentalist overtones that it called “an open challenge to the state, in the apparel of religion.”

In the past, Turkish governments have resigned in response to such warnings. The AKP did not. Instead, the government spokesman reacted strongly to what he described as the “inappropriate” General Staff statement. He declared, “The General Staff is an establishment under the Prime Minister’s Office. It would be inconceivable if the General Staff in a democracy upholding the rule of law made a statement critical of the government about any issue....” He also asserted that the statement was an attempt to influence the Constitutional Court.<sup>8</sup> A battle appeared to have been joined.

Some suggest that the military’s intervention may not have ended with its April 27 message, noting that months passed after a similar demarche in 1979 led to a coup in September 1980.<sup>9</sup> Others consider the message itself to be an unacceptable “e-mail coup.”<sup>10</sup>

## Constitutional Court Ruling

On May 1, the Constitutional Court annulled the first round of the presidential election on the grounds that a required two-thirds quorum was not present. President Sezer had appointed many of the Court’s members and the Court is seen as a voice of the secular establishment. It probably did not need the military’s prompting to reach its decision, although the military was held responsible for the result. The AKP and others viewed the decision as a political one; Erdogan described it as “a bullet aimed at democracy.”<sup>11</sup> The government said, however, that it would respect the decision. Some have compared the Court’s decision and the controversy over it to the U.S. Supreme Court ruling in the 2000 presidential race.

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<sup>7</sup> Text of General Staff Statement “On Reactionary Activities, Army’s Duty,” Open Source Center Document GMP20070428016005, April 28, 2007.

<sup>8</sup> “This Statement Has Been Perceived as a Stance Taken Against the Government,” *Anatolia*, April 28, 2007, Open Source Center Document GMP20070428742001.

<sup>9</sup> Soner Cagaptay, “Turkey’s Ongoing Political Crisis: Where Now?” Washington Institute for Near East Policy, *Policy Watch* #1230, May 9, 2007.

<sup>10</sup> Omer Taspinar, “The E-Coup and Washington,” *Zaman*, June 4, 2007, Open Source Center Document GMP20070604006005.

<sup>11</sup> *Turkish Daily News*, May 2, 2007.

## Constitutional Amendments

After the Court ruling and failure to attain the prescribed quorum in parliament for a replay of the first round of the vote for president, Prime Minister Erdogan called for early national elections. He also proposed constitutional amendments to provide for the direct election of the president in two rounds, a five-year presidential term with the possibility of a reelection (instead of the current single seven-year term), a reduction in the term of parliament from five years to four, definition of the parliamentary quorum at 184 for both sessions and elections, and a lowering of the age of eligibility for Members of Parliament to 25.<sup>12</sup> The last measure is intended to appeal to young voters, who voted overwhelmingly for AKP in 2002.

Parliament endorsed the amendments on May 7. President Sezer vetoed them on May 25, declaring that there was “no justification” for the direct election amendment because a directly elected president would “create problems for the regime.” He suggested that it would be better if the amendments were debated in public and then discussed in parliament. As expected, however, parliament passed the amendments again in the same form on June 1. Sezer cannot veto the amendments a second time; he can only refer them to a national referendum to be held 120 days after publication. If he does not act, the amendments go into effect. He has 15 days to decide. On June 5, CHP petitioned the Constitutional Court to annul the package of amendments, arguing that the one on holding parliamentary elections every four years failed by one vote to meet the two-thirds vote requirement and that the entire package must be invalid if one of its components is invalid. AKP maintains that the vote on the package was valid.

On June 1, parliament approved provisional amendments that would overturn a constitutional prohibition on applying an election-related amendment within a year of its adoption, thereby seeking to allow a direct vote for the next president. In addition, the AKP submitted a bill to shorten the 120-day period before a referendum to 45 days. Neither of the measures received final passage before parliament recessed on June 3 for the election campaign.

## Parliamentary Elections

Parliamentary elections will be held on July 22 instead of November 4, as otherwise scheduled. Turkey has never before held national elections in the summer, when the turnout is normally expected to be low due to voters’ vacations. Given the crisis over the presidential election, however, expectations of a low voter turnout may prove incorrect.

Opposition parties have attempted to coalesce in anticipation of the election to ensure that they obtain at least 10% of the vote needed to enter parliament and to target the AKP. An agreement between the center-right True Path (DYP) and the

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<sup>12</sup> All Members of Parliament are eligible to be candidates for president; outsiders require the support of 110 deputies. Presidential candidates must be 40 years of age and hold a university degree.

Motherland (ANAVATAN) parties to unite as the Democratic Party (DP), however, was short-lived. DYP decided to retain the DP name, which is the same as the first opposition party founded in Turkey in 1946. After the aborted merger, there was a rush of resignations and defections from ANAVATAN to other parties. ANAVATAN then decided to withdraw from the elections and support DP; ANAVATAN's political future may be in doubt. The Republican People's Party (CHP) and the Social Democratic Party (DSP) have been more successful in agreeing to run as an electoral coalition. DSP has 30 slots on CHP's electoral list. This formulation will permit DSP to keep its identity in the new parliament if the coalition, as is likely, passes the threshold.

Standing alone, the Nationalist Action Party (MHP) is considered capable of passing the threshold as it was often represented in parliament before 2002 and may return this time due to a rising tide of nationalism in the country. Its appeal stems partly from its popular demand for cross-border military operations against the Kurdistan Workers Party (PKK) in northern Iraq to combat terrorism at a time of rising incidents. It criticizes the government for subordinating Turkey's national interests to those of the United States and European Union, which have warned Turkey against taking military actions that could destabilize Iraq. Other, smaller parties also will compete but are unlikely to pass the threshold. The Kurdish Democratic Society Party (DTP) and the Islamist/nationalist Grand Unity Party (BPP) have opted not to run party lists, but will field independent candidates in order not to deal with the 10% obstacle.

### Main Contending Parties

| Party                                                         | Leader                  | Seats <sup>a</sup> | Position                                |
|---------------------------------------------------------------|-------------------------|--------------------|-----------------------------------------|
| Justice and Development Party (AKP)                           | Recep Tayyip Erdogan    | 351                | Islamist origins, Conservative democrat |
| Republican People's Party (CHP)/Social Democratic Party (DSP) | Deniz Baykal/Zeki Sezer | 149                | Statist, Nationalist                    |
| Democratic Party (DP)                                         | Mehmet Agar             | 3                  | Center-right                            |
| Nationalist Action Party (MHP)                                | Devlet Bacheli          | 0                  | Extreme Nationalist, Right              |

a. As of recess on June 3, 2007. Motherland, which is not contesting the election, held 20 seats, small parties, 3, independents, 15, and vacancies 9, for a total to 550.

Electoral lists suggest to some that both of the main parties are attempting to move to the center to appeal to voters. Lists are composed at the discretion of party leaders and their closest advisers. Erdogan has not included 154 current AKP Members of Parliament on his party's lists for the election. Most of those excluded are intraparty dissidents or unreformed adherents of the fundamentalist Milli Gorus (National View) philosophy propounded by former Prime Minister Necmettin Erbakan, leader of several earlier and banned Islamist parties, although other such

believers remain on the lists. Erdogan also has given slots to defectors from CHP and the center-right as well as to some minority figures. Meanwhile, Baykal has eliminated about half of CHP's current deputies and placed several prominent former ANAVATAN and DYP members high on his lists.<sup>13</sup>

The outcome of the election is uncertain. Non-AKP parties are not known to have built up grass roots organizations capable of competing with AKP's well-oiled operations, do not control many local governments to aid their electoral efforts, and have not provided social services comparable to those AKP offers to potential voters.

During four and a half years in opposition, CHP failed to present an alternative vision or programs. Under Baykal's leadership, the party opposed many AKP initiatives, polarized the political climate, and fueled growing Turkish nationalism. Although a "leftist" party, it proposed no programs to serve the lower classes. In 2002, the CHP ran what appeared to be a campaign against religion, thereby offending many voters and limiting its electoral successes to the Aegean region. Baykal has indicated that CHP's 2007 campaign again will be a "battle to defend secularism." CHP also may appeal to nationalism. The party is suspicious of the European Union and United States, perceiving their demands for improvements in the human rights of ethnic and religious minorities as threats to divide the country.<sup>14</sup> U.S. failure to tackle the PKK, with its ambiguous goal autonomy, independence, or more democracy in Turkey, feeds these suspicions. CHP criticizes AKP for deferring to the United States in not launching a major offensive against the PKK in northern Iraq.

DP has the potential to attract voters that the center-right lost to AKP in 2002. Many analysts believe that the core AKP "Islamist" vote is not more than 20 to 25% and that it was able to garner 34% in 2002 mainly because of popular disenchantment with parties of the center-right, whose leaders then were widely viewed as corrupt and responsible for a severe financial crisis. According to this analysis, DP could diminish AKP's hold on centrist voters and leave it with its core. Yet, DP had problems filling out its electoral lists, which are incomplete and weaken its competitiveness. DP also gave slots on its lists to some discredited politicians which may lessen its appeal to voters. At the same time, AKP is moving to shore up its centrist credentials in its choice of candidates and in its campaign themes, which could affect DP's prospects. Moreover, the benefits that many center-right voters have enjoyed from the economic growth Turkey has experienced under the AKP may make them happy to retain AKP in office.

Given the deficiencies of the CHP and DP, they may have to rely for their success mainly on the not inconsiderable hope that voters will vote against AKP in order to lessen tensions in the country.

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<sup>13</sup> For analyses of the lists, see Goksel Bozkurt, "Parties Fight to Conquer the 'Center,'" *Turkish Daily News*, June 6, 2007, and Rusen Cakir, "Erdogan has Played with AKP's Genes," *Vatan*, Open Source Center Document GMP20070607742006.

<sup>14</sup> Baykal claims to retain EU membership as an objective, but wants the EU to revise its approach to Turkey.

The AKP appears set to campaign on its economic record and on promises to respect secularism. Since the AKP took office in 2002, the Turkish economy has experienced an average annual growth rate of 7%, a drop in the rate of inflation from 60% to about 9%, almost a doubling of per capita income, and unprecedentedly high foreign investment (more than \$20 billion in 2006). AKP hopes to repeat its 2002 election successes in the Anatolian heartland and in most major cities. Yet its campaign will not have some of the other aids of 2002. Opposition party leaders who had been responsible for a severe financial crisis in the years immediately preceding the 2002 election and were considered corrupt are no longer active or prominent and, therefore, do not provide easy targets. Moreover, AKP cannot openly run against the military, which most people respect. It can, however, argue that the secularists' fear of a state ruled by *seriat* (*shariah*/Islamic law) is irrational and unsupported by AKP's record in office.

## Assessment

The electoral contest is not a simple one between Islamists and secularists, between democrats and republicans, or between the AKP and the military. While Turkey has been democratizing and improving its overall human rights record in recent years, the democratic credentials of the major contenders are deficient. AKP won only 34% of the vote in 2002, but it has governed as if it had won a majority and did not reach out to the opposition until the current campaign. It has indeed passed a series of unquestionably revolutionary reforms to enable Turkey to meet the European Union's political and economic criteria for membership<sup>15</sup> and it calls for even more democratic advances so that religious women can freely wear their chosen attire in public institutions. Yet, the AKP has failed to provide equal treatment for non-Sunni Muslim religious adherents, such as the large Alevi Muslim minority.<sup>16</sup> It increased educational and broadcast rights for Turkish Kurds, but Erdogan never fulfilled his August 2005 promise to provide answers to the Kurdish problem with "more democracy." Instead, he appears to have abandoned even rhetorical suggestions of a political approach and adopted the less controversial military one. An upsurge in PKK violence may account for some of AKP's reticence to launch innovative policies, but resistance from the military and nationalists is probably even more responsible for the government's inertia.

In addition, AKP has not revised the notorious Penal Code Article 301, which criminalizes speech that "insults Turkishness," produced judicial prosecutions of literary luminaries such as Nobel Prize winner Orhan Pamuk, and perhaps provoked the murder of Armenian journalist Hrant Dink in January 2007. Finally, AKP has not attempted to lower the 10% of the vote threshold to enter parliament, which

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<sup>15</sup> The Copenhagen criteria for EU membership include stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities; the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union; and the ability to take on the obligations of membership, including adherence to the aims of political, economic, and monetary union.

<sup>16</sup> Alevis practice a heterodox faith based on Shi'ite Islam, Sufism, and other elements. The AKP does not recognize them as adherents of a different faith than Sunni Islam.

effectively deprives many voters of their franchise and right to be represented in the government.

Some observers believe that Prime Minister Erdogan himself has the same autocratic tendencies that have been characteristic of Turkish party and government leaders. According to such observers, his personal litigiousness against journalists reveals a lack of understanding of freedom of speech. His failure to consult widely regarding the nomination of a president is troubling even if it is his prerogative. His rush to amend the Constitution, without parliamentary or public debate, is equally disturbing. There is a perception that the Prime Minister is seeking to change the rules simply because he could not get his way under the old ones and not to improve Turkey's democracy. Furthermore, the package of amendments contains a potentially undemocratic and controversial provision. The amendment to lower the quorum to 184 out of 550 for all legislative matters and elections would allow a small minority of legislators to decide consequential issues for the entire country. By contrast, the U.S. Constitution defines a working congressional quorum as a majority.

While not seeking a *seriat* (*shariah*) state as its opponents claim, AKP has taken actions to favor Sunni believers over others and proposed programs that have religious overtones. The Directorate for Religious Affairs has appointed about 25,000 new imams since the AKP came to power, an unusually large number without much justification. The party pushed legislation to enable graduates of *imam-hatip* (religious or imam training) schools to enter universities on an equal footing with graduates of state schools who have had liberal educations. Erdogan called for adultery to be criminalized until European officials shouted him down and he questioned the right of the European Court of Human Rights, whose jurisdiction Turkey accepts, instead of religious scholars (*ulema*) to judge the head scarf issue.

For its part, the CHP argues that democracy is impossible without secularism. Yet, its belief in democratic principles may be circumscribed, as the party and its followers often look to the military for guidance and defer to the commanders' judgments. Moreover, the CHP views the granting of rights to Kurds and non-Muslim religious minorities as threats to the territorial integrity of the state, often citing as evidence the unratified post-World War I Treaty of Sevres, according to which the great powers would have carved up Anatolia for Greeks, Armenians, and Kurds. The party's unwillingness even to open the head scarf issue to discussion reveals an underlying strain of intolerance toward the majority of Turkish women who wear head coverings. CHP also has not taken up the issue of lowering 10% of the vote threshold to enter parliament in order to expand participation in the political system. Moreover, some argue that CHP has overblown an unreal threat of a *seriat* (*shariah*) state for political gain and wantonly exacerbated divisions in the country. Finally, many observers note that Deniz Baykal shares with Erdogan the tendency of Turkish leaders to lead his party in an autocratic style.

## Outlook for Elections

The election results are difficult to predict. The 10% of the vote threshold for parties to enter parliament endures. The barrier allowed the AKP to obtain its large

majority in parliament in 2002 with only 34% of the vote. Some 48% the electorate voted for parties which did not make the threshold in 2002 and were thereby disenfranchised, with their votes redistributed to parties that had passed the threshold. The July 2007 election could produce a larger AKP majority or an AKP plurality requiring a coalition government with a fractured parliament consisting of more than the current two parties represented. Three to five parties could end up holding seats in parliament.

It is still uncertain if parliament or the people will elect the next president. Parliament will reconvene five days after the Higher Election Board announces the final results of the July 22 election. Therefore, the new parliament will convene before a national referendum on the constitutional amendments and its first order of business should be to elect a president. If AKP has less than a two-thirds majority in the new body, it may then shelve Gul's presidential candidacy in favor of a compromise candidate less offensive to the secular opposition and the military. The crisis would then end. If AKP achieves a two-thirds majority and proceeds with Gul's election, the crisis may be revived.

Polls indicate that a vast majority of voters support direct election of a president. If a referendum is held and the constitution is amended to allow for a direct election before the presidential election, then the field of candidates would be open. The assumption that an AKP candidate would automatically win a direct election may or may not be correct. Other prominent, as yet unknown, non-AKP candidates are conceivable if nominated by a sufficient number of parliamentarians.

## **The European Union Factor**

The prospect of EU membership may have limited influence over the electoral crisis in Turkey. Over the past several years, the AKP has led Turkey's march toward EU membership, overseeing passage of laws and constitutional amendments to conform to EU political and economic standards. The AKP views the path to EU membership as a way to advance Turkey's democracy and claims that, for the good of the country, it would proceed with the reforms required for membership for the good of the country – even if membership were not achieved. More cynical commentators suggest that the AKP, as the current incarnation of Islamist parties closed as a result of military interference in the political process, is pursuing EU membership mainly in order to restrict the role of armed forces in Turkey.

In December 2004, the EU agreed to begin accession talks with Turkey, with conditions that had not been applied to other candidate countries. Despite Turkey's failure to meet a commitment to open its ports to the internationally recognized Greek Cypriot government of the Republic of Cyprus, the talks have proceeded with only the relatively mild EU discipline of suspending negotiations on eight chapters of the *acquis* (EU rules and regulations) because of the Cyprus issue, but permitting other negotiations to proceed. There are 34 chapters in all. Neither the EU nor Turkey apparently or officially wants to derail the process. Turkey is not expected to be eligible for membership before 2014, at the earliest.

Turks are far less enthusiastic about the EU than they were several years ago, with support falling drastically. They are scornful of EU and European officials' repeated threats that the path to accession could be blocked if Turkey does not recognize an Armenian genocide that occurred in the early 20<sup>th</sup> century, make concessions to the (Greek) Cypriots, or act on a variety of other matters. Turkish military commanders are particularly dismissive of the EU. They charge that Europeans aid the PKK even though the PKK is on the EU's list of terrorist groups, and that EU demands to improve the rights of Kurds and religious minorities are a conspiracy to divide Turkey. Many Turks agree with these views. Moreover, the EU demand that Turkey improve civilian control over the military threatens the military's prerogatives.

Turks know that their chances of obtaining EU membership have diminished markedly. A unanimous vote of all EU member states is required for admittance to the Union. Some EU countries now have leaders firmly opposed to Turkey's membership for cultural (religious) reasons.<sup>17</sup> German Chancellor Angela Merkel prefers granting Turkey a "privileged partnership," but has not pushed the issue out of deference to her domestic coalition partner which supports Turkey's membership. She also has not defined privileged partnership so as to distinguish it from Turkey's existing customs union with the EU and to make it an attractive option. New French President Nicholas Sarkozy made his opposition to Turkey's membership a campaign issue and is bound by a French parliament decision to allow a national referendum to decide the membership question. Most observers expect the French to vote against Turkey's accession. Sarkozy has proposed a Mediterranean Union of states of the Mediterranean littoral, including Turkey, but Turkish officials reject the idea if it is a substitute for EU membership. Because there are other issues on Sarkozy's EU agenda, he apparently has agreed to allow the EU's negotiations with Turkey to proceed for the near term without changing his policy of opposition to membership. Germany and France are arguably the most powerful and influential members of the EU, but other members, such as Austria and Denmark, also oppose Turkey's membership. Some analysts also suggest that Turkey's EU prospects have declined amid growing European public unease over further EU enlargement.

European opposition has fed reciprocal feelings in Turkey. Many in Turkey ignored EU criticism even as the EU commented repeatedly on the evolving election crisis. After the Turkish military's April 27 statement, EU Enlargement Commissioner Olli Rehn said, "The military should be aware that it should not interfere in the democratic process in a country which desires to become an EU member."<sup>18</sup> On April 30, the European Commission urged the Turkish military to allow the Constitutional Court to act "in full independence from any undue influence." Then, on May 2, the Commission elaborated, "The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law as well as the supremacy of democratic

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<sup>17</sup> Some suggest that the AKP did not mobilize demonstrations to counter those of the opposition because the image of masses of its *hijab*-wearing, bearded supporters would reinforce the Europeans' views.

<sup>18</sup> Rehn on General Staff's Statement, *Anatolia*, April 28, 2007, Open Source Center Document GMP20070428734008.

civilian power over the military. If a country wants to become a member of the Union it needs to respect these principles.”<sup>19</sup> The Commission welcomed an early election as a way to ensure Turkey’s political stability and democratic development. On June 4, in meetings with Foreign Minister Gul and State Minister Ali Babayan, Turkey’s EU negotiator, German Foreign Minister Frank-Walter Steinmeier, representing the current EU Presidency, voiced concern about the military’s April 27 message, while emphasizing the need to maintain “democratic secularism” in Turkey. He thereby sent a message that balanced impressions that earlier EU statements may have been perceived as too supportive of AKP.

## U.S. Policy

During the AKP era, the Bush Administration has continued to consider Turkey to be an important ally. This is despite the failure of the AKP-led Turkish parliament to authorize the deployment of U.S. forces on Turkish territory to open a northern front against Saddam Hussein in March 2003. The Administration values relations with Turkey because it is a critical transit hub for the resupply of forces in Iraq and Afghanistan, participates in (and twice led) the International Security Assistance Force (ISAF) in Afghanistan as well as in peacekeeping forces in the Balkans and in Lebanon (UNIFIL) after Israel’s war against Hezbollah in 2006. Turkey also is seen as a critical transportation and energy corridor linking the Caucasus and Central Asia to Europe by routes independent of Russia at a time of increasingly concern about Russia’s energy dominance over Europe. AKP’s criticism of U.S. policies in Iraq, its warm relations with Syria and Iran, and its outreach to the Palestinian Hamas group have not noticeably altered the official U.S. assessment of Turkey’s significance.

As the electoral crisis unfolded in Turkey, U.S. government officials made increasingly critical statements. Early statements redundantly emphasized the need for Turkey to follow its constitution, while later statements contained clearer warnings to the military to stay out of the political process. After the Turkish military intervention via website message, the U.S. State Department spokesman Sean McCormick said on April 30, “We have real confidence in Turkey’s democracy and we have confidence in their constitutional processes and that all the parties involved in the election of the new president will abide by those constitutional processes.”<sup>20</sup> U.S. Assistant Secretary of State for European and Eurasian Affairs Daniel Fried averred, “We hope and expect that the Turks will work out these political issues in their own way, in a way that’s consistent with their secular democracy and constitutional provisions.” Secretary of State Condoleezza Rice declared, “The United States fully supports Turkish democracy and its constitutional processes, and that means that the election, electoral system, and the results of the

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<sup>19</sup> “European Commission Warns Turkish Army Against Defending Secularism,” *Agence France Presse*, May 2, 2007.

<sup>20</sup> U.S. State Department, Daily Press Briefing, April 30, 2007, [<http://www.state.gov/r/pa/prs/dpb/2007/apr/83993.htm>].

electoral system, and the results of the constitutional process have to be upheld.”<sup>21</sup>

In response to a question, she agreed with the EU call for the military to stay out of the dispute. Later, State Department Tom Casey spokesman directly warned the Turkish armed forces, “we don’t want the military or anyone else interfering in the constitutional process or doing anything in an extra-constitutional way.”<sup>22</sup>

Given the low standing of the United States in Turkish public opinion, U.S. support for any side may be viewed as counterproductive and none of the domestic actors seeks it. All appear to have expressed displeasure with the official U.S. views.

Aside from the domestic political crisis in Turkey, U.S. policy makers are concerned about possible spillover of the campaign into Turkey’s policy toward Iraq. Tensions between the United States and Turkey over Iraq could worsen during the election period. Turkish civilian and military officials have repeatedly expressed disappointment in the failure of U.S. and Iraqi forces to act against the Kurdistan Workers Party (PKK), a Turkish Kurdish terrorist group which has established safe havens in the Iraqi Kurdish region of northern Iraq. In the absence of U.S. and Iraqi action, the Turks have claimed a right to act with or without U.S. approval. They appear to be ratcheting up the rhetoric partly for political gain, but also because the PKK continues to attack within Turkey and to inflict casualties almost daily. Until now, the Turkish military has mainly launched short-lived, “hot pursuit” incursions into northern Iraq and larger scale actions in the largely Kurdish southeast Turkey. Recently, it has massed troops along the border and stepped up anti-PKK operations within Turkey. The Turkish parliament must approve a major military offensive against a foreign country. Because it is in recess, parliament cannot grant approval unless called back for a special session, which may not be likely in the midst of the campaign.

U.S. officials have responded to Turkish saber-rattling with calls for restraint and concern about the destabilizing effects of Turkish military action on the situation in Iraq. On June 3, U.S. Secretary of Defense Robert Gates issued a stern warning against such action. Impatient with the lack of U.S. response to repeated entreaties, however, the Turkish military may decide to abandon its restraint and ignore U.S. admonitions. Yet, the military’s calculus also may take the election into account and the military might refrain from launching an offensive until after the election so as not to benefit the AKP because voters might credit such an action to the AKP government and give the party a boost. Meanwhile, the military states that it is awaiting government direction, thereby intimating that the government is to blame for inaction. The government responds that it is waiting for a request from the military for an invasion. However, if yet another major terrorist attack occurs, like the bombing at a crowded Ankara shopping center on May 22 which killed 7 and injured about 100, the military may continue to hold off even if it has unpleasant consequences for the election or for relations with the United States.

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<sup>21</sup> Christopher Torchia, “U.S., EU Warn Turkish Military to Avoid Politics,” *Chicago Tribune*, May 3, 2007.

<sup>22</sup> Quote in “White House Says Turkish Democracy Continues to Function,” *Turkish Daily News*, May 9, 2007.