

## COMMENTARY

**Another Long, Hot Summer in Ankara**

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July 9, 2008

The summer months in the Turkish capital are invariably hot and unpleasant, and politicians, bureaucrats, and members of the judicial and military establishments who work there look forward to getting away. However, for the second summer in a row, the agenda in Ankara is proving to be as hot as the weather and, once again, focusing attention on politics instead of on vacation plans.

In 2007, the city was consumed with the crisis over the election of a new president. This summer, Ankara is preoccupied with the closure case against the governing Justice and Development Party (JDP), which is moving toward its conclusion, and the detentions on July 1 of a number ex-generals and prominent civilians associated with an alleged coup conspiracy. Needless to say, a foiled terrorist attack on the U.S. consulate in Istanbul on July 9, which left six persons dead, has contributed to the general level of anxiety. While the 2007 crisis was eventually brought to an end by early parliamentary elections won by the JDP, it is not clear how the current crisis, which may have a major impact on Turkey's economic recovery and EU prospects as well as on its politics, will ultimately be resolved.

The case against the JDP was submitted to the Constitutional Court by chief prosecutor Abdurrahman Yalcinkaya on March 14. Following its unanimous decision on March 31 to review the case for closure on the grounds of activities contrary to the country's secular system, the court then received the written preliminary and main defense submissions of the JDP interspersed with the written response of the prosecution. The court proceeded to hear Yalcinkaya's oral presentation strongly reiterating his case for closure on July 1 and, two days later, the JDP's oral defense by Deputy Prime Minister Cemil Cicek refuting Yalcinkaya.

The vice chairman of the court, Osman Paksut, stated hours after Cicek's presentation that the verdict would "probably be given within 4 to 6 weeks." Ominously, Paksut also predicted that there would "be an upheaval whichever way the verdict goes." Paksut, a former diplomat who is one of 8 members of the 11-member court appointed by the strictly secular former president Ahmet Necdet Sezer, is not exaggerating the repercussions of the court's decision. To be sure, 24 political parties, including 4 Islamist parties, have been banned in Turkey, and governments have been forced out directly or indirectly by the Turkish military on four occasions in the past five decades. However, this is the first time in Turkish political history that a ruling party, which won almost half the votes in an election just one year ago, is facing the prospect of judicial closure and extinction.

The JDP leaders and its supporters are seething with resentment over the closure case and almost unanimously regard it as "a judicial coup" by opponents unable to defeat it at the ballot box. Nonetheless, after initial denunciations, the JDP has been refraining from overt criticism of the process and has not encouraged its followers to organize demonstrations. It has also not used its strong parliamentary majority to push through constitutional amendments to make party closure more difficult, as was widely speculated when the case was opened. The JDP has instead chosen to mount a vigorous legal defense without exercising its option of asking for extensions in the expressed hope that the trial will be concluded "as soon as possible."

Although he had previously stated that he "did not believe that the JDP would be closed," Prime Minister Recep Tayyip Erdogan may have concluded that closure is indeed likely. On July 4, Erdogan publicly acknowledged that possibility for the first time saying "whether we are closed or not we will continue on our path." As a pragmatic politician, Erdogan will surely have interpreted the annulment by the court on June 5 of the February amendment

permitting the wearing of religious headscarves at universities, which was the main JDP action cited in the prosecutor's indictment alongside hundreds of statements, as an indicator of the verdict. Consequently, while Cicek argued that the headscarf decision effectively nullified the prosecutor's case, Erdogan and his party continued to prepare for the day after possible closure.

Erdogan is one of 70 members of the JDP who could face a political ban with the closure of the party. President Abdullah Gul, chosen by the JDP-dominated Turkish Grand National Assembly (TGNA) in August 2007, is also named in the indictment, although he is no longer an active member of the party. As the JDP has 340 seats out of 550 in the TGNA, even if Erdogan and the other 38 JDP members of the TGNA named in the indictment were to lose their seats, a successor party formed by the remaining JDP parliamentarians would still have a comfortable majority. It is significant that there has not been a single resignation from the JDP during this period of great pressure.

For many weeks, speculation has centered on the likelihood of Erdogan seeking reelection as an independent candidate in by-elections (mandated if more than 5 percent of the TGNA seats are vacant) and assuming the post of prime minister as an independent parliamentarian from the interim leader of a new party that he would in effect "appoint." However, perhaps because of legal arguments that have recently been put forward stating that a political ban would apply for the duration of the current TGNA, Erdogan may be more inclined to once again choose the option of early general elections as the head of a new party.

With opinion polls suggesting that support for his party is down only slightly from its 46.6 percent standing in the July 2007 elections and is still far ahead of its rivals and confirming that he remains the most popular Turkish politician, Erdogan could seek a renewed mandate from the electorate with the theme of "democratic secularism," which constitutes the intellectual backbone of the JDP's legal defense. Having argued all along that the JDP was not a continuation of the Islamist parties that were closed down, Erdogan and his colleagues would undoubtedly endeavor to make the case to the Turkish electorate that the current crisis was due not to their rejection of Turkish secularism but to their opponents' undemocratic efforts to defend it.

While it is too soon to look ahead to elections, it seems safe to predict that they would be held in an atmosphere even more highly charged than the last elections. Since the closure case was initiated, Turkish society has become even more polarized between those who are convinced that a continuation of JDP rule would mean the end of secularism and those who are equally convinced that the will of the people has to be respected even if that results in an adjustment of the strict Turkish secular system. Although Erdogan has been cautious in his own observations, Foreign Minister Ali Babacan complained to the European Parliament that "Muslims were under pressure in Turkey," while JDP vice chairman Dengir Mir Mehmet Firat claimed to the *New York Times* that "Turkish society had been traumatized" by the Kemalist reforms that included "dismantling their religious ways."

In the early hours of the very day Yalcinkaya was due to make his oral presentation, the police raids against 21 high-profile individuals for alleged involvement in a coup plot, which must have been sanctioned by Erdogan, have to be seen as a deliberate gambit intended to raise the stakes in the political poker game being played in the Turkish capital. After all, Erdogan had warned a few weeks after the unveiling of the indictment against the JDP that he would not behave "meekly," and the move is characteristic of his combative style. While he has not made a connection between the detentions and the closure case, media outlets close to Erdogan and the JDP have been freely disseminating leaked "evidence" reportedly discovered during and after the apprehensions and suggesting that the alleged plot and the case against the JDP were both part of a broad conspiracy.

The list of those who were detained in the most recent wave of the "Ergenekon plot" investigation, which began in January, included retired four-star generals Hursit Tolon and Sener Eruygur, who were also reportedly involved in the planning of two abortive coups against the JDP government in 2003 to 2004 when they were still in active service. The two men are now reported to be facing formal charges of "conspiring to overthrow the government" as part of an alleged third coup plot codenamed "glove." The arrests of top military figures are unprecedented in a country that has witnessed four coups, and attention has inevitably been drawn to the relationship between the Turkish General Staff (TGS) and the JDP that was severely strained in 2007 because of the presidential election.

The outgoing chief of staff, General Yasar Buyukanit, has pointedly avoided comment. Land Forces commander General Ilker Basbug, who is expected to replace Buyukanit in August despite sustained criticism in the pro-JDP media, noted that “Turkey was going through difficult days,” which necessitated “greater caution and responsibility for everyone.” Basbug also denied reports that the impending detentions had been discussed at his unusual private meeting with Erdogan on June 24. It is worth noting that Basbug also had an equally unusual private meeting with Paksut after the court began its consideration of the case.

Retired chief of staff Hilmi Ozkok, who had served during the first four years of the JDP government and earned the ire of hardliners within the TGS for his willingness to work with Erdogan, said on July 3 that “it was imperative for an official actor to come forward with a movement that has the support of the people to bring order before it is late.” Although President Gul seems to be effectively excluded from being able to play such a role by the controversial nature of his election as well as by his inclusion in the indictment, he has nevertheless invited Ozkok to a meeting on July 10 to discuss the crisis.

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