

Will Turkey Have an Islamist President?

By Michael Rubin

On July 22, 2007, Turks will head to the polls to choose a new parliament which will then select a new president. Tensions are high. The elections this year are perhaps the most important election in modern Turkish history and, already, the most tumultuous. This election season has already witnessed mass demonstrations, a constitutional crisis, Supreme Court ruling cancelling a parliamentary vote, and a controversial military statement have marked the election season. At stake is the future of Turkish secularism. If the ruling Justice and Development Party (Adalet ve Kalkınma Partisi, also known as AKP) retains its parliamentary majority and is able to win the presidency, Islamists would control all Turkish offices and be positioned to erode secularism and redefine state and society.

If Recep Tayyip Erdoğan or, more likely, one of his fellow travelers ascends to Çankaya Palace—the Turkish White House—Turks face the prospect of an Islamist president and a first lady who wears a Saudi-style headscarf. Such a prospect has fueled speculation about intervention by the Turkish military, which traditionally serves as the guardian of secularism and the Turkish constitution. In December 2006, for example, *Newsweek* published an essay entitled “The Coming Coup d’Etat?” predicting a 50 percent chance of the military seizing control in Turkey this year.¹ And, on the evening of April 27, 2007, the Turkish General Staff quietly placed a statement expressing its “concern” at threats arising during the election process to secularism and the Turkish constitution.

While concern about the future of Turkish secularism is warranted, alarmism about military intervention is not. There will be no more military coups in Turkey. Erdoğan and his foreign minister Abdullah Gül have sparked a constitutional crisis in pursuit of personal ambition and ideological agenda, but Turkey’s civilian institutions are strong enough to confront the challenge. The greatest danger to Turkish democracy will not be Turkish military intervention, but rather well-meaning but naïve interference by American and European diplomats who seek stability, downplay the Islamist threat, and assume that the Turkish military poses a greater threat to democracy than the AKP.

The AKP’s Islamist Roots

Why should U.S. or European officials worry about Turkey’s future under the AKP? The AKP eschews the Islamist label and describes itself as a conservative or center-right party.² Its roots, however, are religious. On November 21, 1994, while mayor of Istanbul, Erdoğan said “Thank God almighty, I am a servant of *Shari’a* [Islamic law].” He later described himself as “the imam of Istanbul.”³

The AKP grew out of Necmettin Erbakan’s Welfare Party (*Refah Partisi*), an Islamist party founded in 1993. On June 28, 1996, Erbakan became Turkey’s first Islamist prime minister, but because his party held just 158 of a total 550 seats in parliament, he had only limited power to implement his agenda.⁴ Still, he pushed too far. Pressured by a military establishment upset with both his outreach to Libya and Iran and also by his support for religious schools, Erbakan resigned after just less than a year.⁵ There would be no *Refah* comeback. On January 16, 1998, Turkey’s Constitutional Court

banned the party, a decision subsequently upheld by the European Court of Human Rights.⁶

Refah members, including Erdoğan, regrouped under the Virtue Party (*Fazilet Partisi*) banner. Many retained their jobs, but judicial action soon forced Erdoğan to resign the mayoralty. On April 21, 1998, a security court in the city of Diyarbakir sentenced Erdoğan to ten months' imprisonment for inciting religious hatred at a December 5, 1997, rally. After he exhausted his appeals, he served four months in prison.

Fazilet fared no better than *Refah*. Its platform and operations contravened the constitution. On June 22, 2001, the Constitutional Court banned the party, citing its antiseccular activities. Its members went in two directions: On July 20, 2001, Erbakan founded the Felicity Party (*Saadet Partisi*) to provide a haven for trenchant Islamists willing to compete within the political system but unwilling to compromise their public platform. Erdoğan founded the AKP on August 14, 2001, to provide a base for more flexible alumni of the *Refah* and *Fazilet*.

It proved an astute move. While many Turks did not share the religious agenda of *Refah* or *Fazilet*, they still sought alternatives untainted by the corruption scandals plaguing mainstream parties. Erdoğan's toned-down rhetoric was attractive. The AKP dominated the November 3, 2002, parliamentary elections. Against a backdrop of economic malaise, the electorate punished the five incumbent parties, none of which surpassed the 10 percent threshold necessary to take seats in parliament. The AKP won 34.3 percent of the vote, and the center-left Republican People's Party (*Cumhuriyet Halk Partisi*, also known as CHP), Turkey's oldest political party which had not been represented in the previous parliament, won 19.4 percent. Because no other party surpassed the 10 percent threshold necessary to enter parliament, the AKP took two-thirds of the seats, enough to overcome presidential vetoes, and the largest block in parliament since the inauguration of multiparty democracy in Turkey.⁷

Erdoğan could not initially share in his party's success. Because his 1998 conviction made him ineligible for a seat, his close aide Abdullah Gül assumed the premiership. The AKP used its supermajority both to amend the Law on the Election of Deputies and to overturn a subsequent presidential veto in order to enable Erdoğan to run in a March 9, 2003, by-election in the southeastern town of Siirt—ironically the site of the 1997 rally which led to his imprisonment. He won a landslide victory and five days later became prime minister.

Did the AKP Mortgage Turkey's Economic future?

The AKP had a lengthy honeymoon. While in the five years prior to the AKP's inauguration Turkey's currency depreciated from 200,000 to 1.7 million Turkish lira to the dollar, under Erdoğan's administration, the currency stabilized and even appreciated a bit. Stabilization enabled the government to reissue its currency,⁸ dropping six zeros, and boosting the economic psyche of a country long beset by runaway inflation.⁹ Whereas the AKP might claim 25 percent of Turkey's population as ideological constituents, it won 42 percent of the vote in the March 28, 2004, municipal elections.¹⁰ Four of Turkey's five largest cities—Istanbul, Ankara, Konya, and Bursa—now have AKP mayors.

AKP financial stewardship may be less than meets the eye. Rather than base reform on sound, long-term policies, the Erdoğan administration has turned more toward

short-term sleight of hand. Turkish businessmen are worried.¹¹ Two problems underlie the AKP's management of the economy: debt and an opaque influx of Islamist capital .

Islamist investment has grown concurrent with the AKP's rise. On November 7, 2005, Kürşad Tüzmen, the state minister for foreign trade, announced that Sheikh Khalifa bin Zayid al-Nuhayyan, ruler of the United Arab Emirates, would invest \$100 billion in Turkish companies.¹² On October 9, 2006, Muhammad al-Hussaini, the Saudi ambassador to Ankara, said that trade between Saudi Arabia and Turkey would double, and might even triple, over the coming year.¹³

Investment is healthy and should be welcome. The problem, which Turkish commentators refer to as *Yeşil Sermaye* ("Green Money"), is the opacity of Islamic investment. While Turkish politicians, journalists, and even banking officials acknowledge the influx of capital, it remains largely in the informal economy, subsidizing party coffers, slush funds, and perhaps political allies. The opacity—and the fact that the money appears linked to AKP stewardship—also raises questions about conditionality: is investment in Turkey contingent upon AKP efforts to draw the country away from its Western orientation and more into the Islamic sphere?

An Influx of Illicit Cash?

Not all money enters the economy legally. According to İlhan Kesici, a former under secretary at the State Planning Organization, much enters "in suitcases" and remains outside regulation.¹⁴ Under the AKP administration, the unofficial economy has grown exponentially. In Erdoğan's first year of stewardship, the net error in balance of payments rose from \$118 million to \$4.9 billion. As the AKP approaches elections, the influx of unexplained cash has again approached record levels,¹⁵ raising the possibility that the AKP is using outside capital both to buy popularity and to stave off recession prior to elections. Green Money which now circulates in Turkey surpasses \$13 billion,¹⁶ more than the annual gross domestic product of Estonia, Bosnia, Bahrain, Jordan, and Azerbaijan.¹⁷

AKP officials dismiss speculation about their involvement with Green Money.¹⁸ They counter that persistent net error in balance of payments during their administration derives from private remittances from Germany, where two-thirds of expatriate Turkish workers reside.¹⁹ This explanation is inadequate. Remittances from Turkish workers peaked at \$5 billion in 1998 but declined to less than \$1 billion in 2004 after a prominent holding company's collapse and subsequent judicial lien.²⁰

Central Bank statistics may be only the tip of the iceberg, as it is possible that the AKP has influenced data collection. Take compilation of tourism revenue, for example. Ankara bases its statistics upon visitor exit interviews. Kesici believes that selective sampling might enable a \$2 billion overestimation of tourism revenue, mitigating what would otherwise be an even greater spike in net error.²¹

Senior officials are well-placed to shield the influx of Green Money. Between 1983 and 1991, Gül worked as a specialist at the Islamic Development Bank in Jeddah, Saudi Arabia.²² He is intolerant toward oversight. Prior to the AKP's election, he criticized state scrutiny of Islamist enterprises.²³ Other AKP advisors are involved with Islamist capital. Korkut Özal, for example, is the leading Turkish shareholder in al-Baraka Türk, perhaps Turkey's leading Islamic bank, as well as Faisal Finans, another important Turkish bank with roots in Saudi Arabia.²⁴ Erkan Mumcu, a former AKP

tourism minister who, on February 15, 2005, defected to lead the center-right Motherland Party (*Anavatan Partisi*), accused the AKP in June 2006 of illicit interference in Central Bank operation.²⁵

Erdoğan has placed Islamist bankers in key economic positions. He appointed Kemal Unakıtan, a former board member at both al-Baraka and Eski Finans, as finance minister, and placed at least seven other al-Baraka officials in key positions within Turkey's Savings Deposit Insurance Fund, a body which has used its authorities to harass secular bankers and businessmen. Ahmet Ertürk, one such appointee, was an imam at an illegal anti-leftist commando camp in Malatya.²⁶ In March 2006, Erdoğan brought financial policy to a standstill when tried to appoint an Islamist to govern the Central Bank in the face of a presidential veto.²⁷

Excessive borrowing has accompanied the Green Money influx. Turkey's current account deficit, for example, increased to a record \$13.7 billion in the first half of 2005, a jump of 38.3 percent over the first half of 2004. While Ali Çoskun, the AKP's minister of industry and trade, dismisses domestic concern over the deficit,²⁸ financial industry analysts are less sanguine.²⁹ In 2006, Turkey's current account deficit jumped more than 50 percent, to a record \$34.8 billion for the year.³⁰ CHP leader Deniz Baykal calculated that the state debt accrued by the AKP in its first three years in power surpassed Turkey's total accumulated debt between 1970 and 2000, and when private debt is included, could cost Turkey a total of \$200 billion.³¹ If it were not for the Green Money influx, Turkey might soon face another devaluation of the scale of the 2001 currency crisis³² that led to the ouster of every incumbent party from office.

Islamizing Education and the Judiciary

While Erdoğan has said his views have evolved from his days in *Refah*,³³ his tactics have changed more than his agenda. He has used the AKP supermajority to erode the institutions and mechanisms at the heart of Turkish secularism.

His actions often contradict his rhetoric. He has endorsed, for example, the dream of Turkey's secular elite to enter the European Union,³⁴ but only so far as to enact reforms demanded by Brussels to dilute the role of the military, who traditionally serve as guardians of the Turkish constitution.

Erdoğan is less tolerant of European influence when it counters attempts to forward an Islamist social agenda. After the European Court of Human Rights upheld a decision backing the ban on headscarves in public schools, he complained, "It is wrong that those who have no connection to this field [of religion] make such a decision . . . without consulting Islamic scholars."³⁵ In May 2006, his chief negotiator for European Union accession talks ordered state officials to remove a position paper reference defining Turkey's educational system as secular.³⁶

Education is a hot-button issue. Traditionally, Turkish students had three choices for their secondary education: they could enroll at so-called Imam Hatip religious schools and enter the clergy; they could enter vocational schools to study a trade; or they could matriculate at secular high schools, enter university, and then move into either the public or private sectors. Erdoğan changed the system: by equating Imam Hatip degrees with high school degrees, he enabled Islamist students to enter university and qualify for government jobs, despite never having mastered Western fundamentals.³⁷

Whereas Turkey once regulated supplemental Quranic schools where students can augment their study of Islam beyond what is taught in public schools—to avoid indoctrination of young children by Saudi-funded scholars, the AKP-dominated parliament has not only loosened limits on age and permissible hours of attendance, but also eviscerated the penalties.³⁸ One Turkish newspaper even ran an exposé showing illegal Koran schools advertising openly in local newspapers.³⁹ The number of Koran schools in Turkey now exceeds 60,000, ten times the number in 1995.⁴⁰

Erdoğan has undermined the system in other ways. After the Higher Education Board, composed of university rectors, rejected attempts to make Turkish universities more welcoming of political Islam, Turkish police twice arrested his chief opponent, the rector of Yüzüncü Yıl University in the eastern city of Van, on spurious grounds. The courts dismissed him in both cases.⁴¹ Then, over the objections of Turkey's president, the AKP-dominated parliament proposed a bill to found fifteen new universities, a move which would allow Erdoğan to handpick new rectors.⁴²

An equally great a threat to Turkish secularism has been Erdoğan's interference in the judiciary. Just as U.S. president Franklin Delano Roosevelt once tried to stack the Supreme Court by augmenting his power of appointment,⁴³ so too has the prime minister. At Erdoğan's insistence and over the objections of many Turkish liberals, the AKP passed legislation to lower the mandatory retirement age of technocrats, enabling the prime minister, in theory, to replace nearly 4,000 out of 9,000 judges.⁴⁴

The AKP's willingness to run roughshod over the judiciary is real.⁴⁵ In May 2005, parliamentary speaker Bülent Arınç warned that the AKP might abolish the constitutional court if its judges continued to hamper his legislation.⁴⁶ More than a year later, the Supreme Court of Appeals chief prosecutor chided the AKP for its attempts to interfere in the judiciary.⁴⁷ Erdoğan's refusal to implement Supreme Court decisions levied against the government underlines his contempt for rule-of-law.⁴⁸

In the past year, the AKP has moved more boldly to impose an anti-Western agenda. AKP-run municipalities have begun to ban alcohol in conformity with Islamic precepts.⁴⁹ The Ministry of Health surveyed employees about their religious beliefs⁵⁰ and Turkish Airlines recently surveyed employees about their attitudes toward the Koran.⁵¹

Why AKP Corruption Matters

Corruption has eroded the AKP's support since its March 2004 peak. In the U.S. government, even midlevel employees must declare their assets. Leading politicians often make their tax returns accessible to journalists. In Turkey, prime ministers do the same; but Erdoğan initially refused, saying his wealth was his own and not a matter of public concern.⁵²

When Erdoğan eventually relented, his declaration showed he was a multimillionaire. This raised further and, as yet, unresolved questions. Court documents show him to have only \$330,000 in assets prior to assuming the premiership. He has not explained the source of his wealth. His accounting was also problematic. His declaration neither itemized his assets nor did it include gifts or property registered under others' names.⁵³ There remain questions, for example, about the arrangements under which Erdoğan occupies a house in Ankara and a multimillion dollar villa in Istanbul. The latter appears to be provided by Erdoğan's brother, whose own wealth has grown in proportion to Erdoğan's career. The two have a curious financial relationship. Prior to assuming the

premiership, Erdoğan transferred shares of companies in which he had interest to his brother's stewardship. Such stocks did not appear among Erdoğan's assets, although he appears to benefit from them. Erdoğan failed to vacate all interests upon taking office. He remained a major shareholder in three major companies, all of which did business with or distribution for the confectionary giant Ülker, a company which enjoyed close ties to the *Refah* government and also purchased Faisal Finans.⁵⁴ Ülker has thrived under Erdoğan. Only a sustained press outcry forced Erdoğan to announce divestment of shares.⁵⁵

More recently, Erdoğan has allowed business associates to pay his son's Harvard University tuition. While on a state visit to Moscow, his wife accepted a necklace worth over \$10,000 as a personal gift, and only returned it after a press uproar.⁵⁶ In each of these cases, Erdoğan's willingness to conflate business and favor with politics raises questions about conflicts of interest. Still, Erdoğan will enjoy immunity until he leaves office, but when he does, he may have a busy court schedule: he faces more than a dozen court actions for financial impropriety, corruption, and illicit AKP fundraising during and subsequent to his tenure as mayor.⁵⁷

The AKP's corruption problem goes beyond Erdoğan. Allegations also surround finance minister Unakıtan, who first used parliamentary immunity to escape tax evasion charges and then legislated amnesty for such "financial crimes."⁵⁸ His subsequent sleight-of-hand, though, sparked calls for impeachment. On February 15, 2006, the Turkish parliament debated a censure motion for Unakıtan's alleged violation of banking laws and alleged manipulation of a tender for a cruise-ship facility in Istanbul.⁵⁹ He also faced court action for erecting a luxury villa in a posh Istanbul neighborhood without permits.⁶⁰ To protect Unakıtan from censure, Erdoğan instructed the AKP to maintain solidarity. The AKP did, and Unakıtan survived three censure motions.⁶¹ Such action transformed the AKP's image from a party fighting corruption into one condoning it.

Fissures developed within the party. Turhan Çömez, an AKP deputy from Balıkesir, a town in western Turkey's Marmara region, sent a five-page letter to Unakıtan calling on him to resign. His letter elaborated on internal AKP unease about further impropriety and abuse of office.⁶² In one instance, the finance ministry reduced taxes on imported corn for a short period of time, during which his son's food-processing company imported 4,400 tons of corn. Unakıtan's son then unveiled a line of pasteurized egg products just after the Turkish government culled farmers' chickens in the wake of the avian flu scare.⁶³ When questioned about the coincidence, the finance minister quipped, "What do you want? Shall they starve?"⁶⁴

While AKP corruption might normally be more a matter for the Turkish electorate than a U.S. concern, AKP impropriety has impacted U.S. national security. Cuneyd Zapsu, Erdoğan's chief advisor, has donated money to Yasin al-Qadi, a Saudi businessman identified by both the U.S. Treasury Department and the United Nations as an al Qaeda financier.⁶⁵ While Zapsu initially denied the charges—and even threatened to sue those repeating them⁶⁶—Council of Financial Crime Investigations files leaked to the press confirmed that Zapsu had donated \$60,000 to a foundation run by al-Qadi in 1997. Two years later his mother transferred another \$250,000.⁶⁷

After the terrorist attacks of September 11, the government of Erdoğan's predecessor froze al-Qadi's assets. But with his business partner serving as advisor to the prime minister, al-Qadi appealed on technical grounds. Erdoğan endorsed the appeal, vouching for al-Qadi and even calling him a philanthropist in a Turkish television

interview.⁶⁸ The prime minister acknowledged knowing al-Qadi personally, which raises an important question: how did Zapsu introduce his business partner to the prime minister, and if so, why? Only subsequent court intervention forced Erdoğan to keep al-Qadi's assets frozen.⁶⁹ The questionable company chosen by Zapsu has become the rule rather than the exception: on March 27, 2006, Erdoğan traveled to Khartoum for a two-day Arab League Summit. While there, he skipped an official dinner to meet instead with Fatih al-Hassanein, a Sudanese financier with ties to al Qaeda and arms smuggling.⁷⁰ Erdoğan has yet to explain the purpose of this meeting.

The Coming Showdown

Corruption and attacks on secularism have taken a toll on the AKP's popularity. In the first six months of 2006, support for the AKP declined from 43 percent to 30 percent.⁷¹ A September 2006 Sonar poll showed the AKP winning only 25.5 percent of the vote. While polls commissioned by newspapers or businessmen associated with the AKP show higher results, most independent polls show AKP support consistent, even after the May 1, 2007 Supreme Court ruling annulling the presidential vote. AKP support likely represents a plurality, but it suggests the party has lost the centrist support which propelled it to victory in 2002. Where did these centrists go? The same poll suggests the CHP has 20.05 percent support, and devastating for the AKP's ability to retain power, it indicated two other parties will surpass the 10 percent threshold: the True Path Party (*Doğru Yol Partisi*, also known as DYP) with 13.1 percent, and the Nationalist Action Party (*Milliyetçi Hareket Partisi*) with 12.2 percent. With the May 5, 2007 unification of the two center-right parties—the Motherland and True Path Parties—into the New Democratic Party (*Yeni Demokrat Partisi*), and the alliance of the two center-left parties—the Republican Peoples Party and the Democratic Left Party (*Demokratik Sol Parti*)—for the forthcoming elections further erode the possibility that the secular parties will split the vote to the same degree as in November 2007 and propel the AKP to a disproportionate share of parliament. Accordingly, even if the AKP were to come in first, it could expect to lose at least half its parliamentary bloc. Mehmet Ağar, the former DYP chairman who has assumed the New Democratic party chairmanship, sees AKP core support to be vulnerable. He now courts religious conservatives.

Erdoğan is an astute politician. He wants to be president⁷² but recognizes that he is a focal point for growing distrust. It was such awareness that led him, on April 24, 2007, to anoint Gül as his party's nominee for the presidency.

Many Turks decried Gül's nomination as undemocratic, for it emerged from a closed-door session with only a small handful of the AKP leadership. Because the parliament selects the president, many Turks suggested the most democratic remedy would be to hold the parliamentary first. But, Erdoğan understands the AKP will lose much of its power in the next parliament and so resisted the idea. And while, following the successful opposition boycott of the parliamentary vote on the presidency, Erdoğan announced his support for direct, popular election of the president, he earlier resisted that course for fear that he would fare poorly.⁷³

Erdoğan's aborted drive for the presidency and his acquiescence to remain as premier may be motivated by more than ambition. Should he leave government, he will face months in court and potentially a lengthy prison sentence. His allies and associates

will have their finances scrutinized. Any subsequent government may requisition documents and open a Pandora's box of investigations.

This creates a crisis in which Erdoğan refuses to step aside, regardless of the risks of instability, leading to speculation about coups. Given Erdoğan's religious agenda, many Turks are loathe to see him ascend to the presidency or, even, hold political sway over its occupant. It is not just a struggle over the headscarf or other such symbolism. The Turkish president has power. Had the AKP assumed the presidency before fresh parliamentary elections, it would have cemented its hold on power, because the president can determine which parliamentary delegations can form the new government. More important are the president's powers of appointment. He chooses under secretaries and general directors throughout the bureaucracy and can approve other nominees forwarded by the parliament. As president, Erdoğan could cover his tracks. He could approve a new head for the Turkish Court of Accounts (*Sayıştay*), the body which audits the government.

The president also selects the Higher Education Board, appoints one-fourth of the justices on the Constitutional Court (*Anayasa Mahkemesi*), nominates the chief public prosecutor, and officially confirms the commanding general of the Supreme Military Council (*Yüksek Askeri Şura*).

Underlying the president's power is the fact that Sezer, as president, vetoed more than 3,000 AKP appointments.⁷⁴ Had he not, Erdoğan might already have transformed Turkey. Reviewing the schedule of vacancies, a retired Turkish diplomat said that a president, supported by a large parliamentary bloc, could use his power of appointment, in theory, to alter fundamentally the system in just nineteen months.⁷⁵

In addition, the president can veto legislation once, and should parliament return it to him, he can direct the dispute to the Constitutional Court for resolution—an action Sezer took more than a hundred times. Such checks and balances frustrate the AKP. Tension erupted into violence on May 17, 2006, when an Islamist lawyer upset with court rulings striking down AKP legislation on the Islamic veil opened fire on the Supreme Court, killing one justice.⁷⁶ Erdoğan did not attend his funeral.⁷⁷

Will the Military Intervene?

Since the inauguration of the multiparty system, the Turkish military has staged coups in 1960 and 1980, and pressured governments to resign in 1971 and 1997. Speculation about military intervention now, however, is unwarranted.

It will not take military action to prevent an Erdoğan presidency. The military is not alone in recognizing the threat to Turkish secularism. Multiple institutions have put the prime minister on notice that he risks pushing the system too far. On August 23, 2005, for example, the National Security Council (*Milli Güvenlik Kurulu*, also known as MGK) warned the AKP that its actions risked becoming extra-constitutional.⁷⁸ While the MGK was traditionally a military body, it now has both a civilian leader and a civilian majority.

Sezer has at least twice warned Erdoğan to stay within the bounds of the law.⁷⁹ The military underlined the warning well before its April 24, 2007 statement. On October 2, 2006, General Yaşar Büyükanıt, chief of Turkey's armed forces, warned military cadets of growing Islamic fundamentalism and said "every measure will be taken against it."⁸⁰ He repeated his warning at a ceremony commemorating the sixty-eighth anniversary

of the death of Mustafa Kemal Atatürk, the founder and first president of the Turkish Republic.⁸¹

When Erdoğan flouted the warnings, there were no tanks in the streets, but rather political and judicial action. The unresolved corruption charges also hampered Erdoğan, raised questions about his fitness for the presidency, and undercut the support he received from broader civil society. Here, there is precedent: former *Anavatan* leader Mesut Yılmaz aspired to the presidency in 2000. While his record at the time was clear, the simple allegation of improper intervention in a supporter's financial crisis pushed his candidacy aside.⁸²

The political maneuvering surrounding the May 2007 constitutional crisis occurred only after Erdoğan refused to consult the opposition in the choice of president. In theory, this was an affront to the office since the president in Turkey is supposed to remain above party politics. Only after Erdoğan insisted only the AKP leadership would nominate the presidency, did Baykal maneuver in parliament to precipitate the constitutional crisis. His strategy—denying the AKP a quorum in parliament to formalize the presidential selection—was not an affront to democracy, but rather its practice. Neither the European Union nor U.S. State Department should condemn parliamentary maneuvering in a democracy. Often, recourse to technicality and the letter of the law provides a check and balance to abuse of power.

Should Erdoğan's stubbornness exacerbate the crisis, the Turkish system will respond with judicial rather than military recourse. In the short-term, the AKP might seek to pass a constitutional amendment to enable direct presidential elections. This may not be a bad scenario, as it would bolster direct democracy. Should the AKP appear to consolidate its monopoly on power, the opposition has alternate cards to play. Any continuing political impasse might spark judicial action which could send the party the way of both *Refah* and *Fazilet*. There is no question that the AKP has violated Turkish election laws. In June 2005, Supreme Court of Appeals chief prosecutor Nuri Ok identified eight AKP bylaws which contravened Turkish law. He criticized the near-dictatorial power enjoyed by Erdoğan within the framework of his political party.⁸³ In addition, the AKP is in violation of the Political Parties Law, which prohibits parties from seeking to unravel Atatürk's fundamental reforms, attempting to change Turkey's secular identity, or exploiting religion in public.⁸⁴ Here, speeches by both Erdoğan and Arınç could provide sufficient grounds for dissolution of the AKP party.⁸⁵

The AKP might also fracture from within. As AKP popularity hemorrhages, Gül, Tüzmen, or another prominent AKP figure might form a splinter party, just as Erdoğan himself once did. They could immediately lay claim to a bloc of at least a hundred deputies and perhaps launch themselves into the premiership.

What Should the West Do?

Across the political spectrum, Turks recognize the crisis. Beginning April 29, 2007, there have been an escalating series of pro-secularism, pro-liberalism street demonstrations, culminating with more than 700,000 people taking the streets in Istanbul on April 29, and more than twice that number in Izmir on May 13. Such mobilization signifies that Turkish fear of the AKP agenda extends beyond the headscarf issue.

What do such scenarios mean for Western policymakers? Turkish democracy might seem convoluted, but it works. Turkey is a secular state and it will counter the

Erdoğan agenda in its own way. U.S. and European officials should be patient and do nothing to imply endorsement for the AKP, its prime minister, or his ambitions. While every diplomat likes stability, U.S. and European interests should remain rooted in Turkey's strong democracy and secular system rather than in any single political leader. Neither Washington nor Brussels should do anything to undercut Turkish secularism or downplay the dangers which it faces.

Here, though, the State Department and many European officials are on the wrong course. After the Turkish military expressed its concern about threats to secularism, Terry Davis, secretary general of the Council of Europe, said, "I am very concerned about the recent public statement by the Turkish military. This statement looks like a deliberate attempt by the armed forces to influence the election of a new President in Turkey. They should stay in their barracks and keep out of politics." Davis ignored the fact that the civilian presidency had also warned about the Islamist threat to the Turkish constitution. After the double warnings by Sezer and Büyükanıt, U.S. ambassador to Turkey Ross Wilson also interjected himself into the debate to defend the prime minister and dismiss concerns about eroding secularism.⁸⁶ To be fair, Wilson only mirrors the attitude of his superiors. On December 14, 2005, as Erdoğan moved to eviscerate the judicial and educational systems, U.S. Assistant Secretary of State for European Affairs Daniel Fried described the AKP as "a kind of Muslim version of a Christian Democratic Party."⁸⁷ It is not. As Erdoğan once quipped, "Democracy is like a streetcar. You ride it until you arrive at your destination and then you step off."⁸⁸ As the presidential election nears, Erdoğan is approaching his destination. A resilient democracy works against the prospect of a constitutional crisis. Washington should let that democracy take its course, even if it means short-term instability.

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² Yusuf Kanlı, "Political Infidelity," *Turkish Daily News*, September 18, 2004, available at www.turkishdailynews.com.tr/archives.php?id=37713.

³ Cited in "Does Prime Minister Erdoğan Accept Turkish Secularism?" *Middle East Quarterly* XIV:2 Spring 2007. pp. 89-90.

⁴ Kelly Couturier, "Turkish Parties Vow Coalition to Keep Islamists Out of Power," *Washington Post*, December 26, 1995.

⁵ Stephen Kinzer, "Pro-Islamic Premier Steps Down in Turkey under Army Pressure," *New York Times*, June 19, 1997.

⁶ European Court of Human Rights, *Refah Partisi (Parti de la prospérité) et autres c. Turquie*, Nos. 41340/98, 41342/98, 41343/98 et 41344/98 (Sect. 3), July 31, 2001.

⁷ See Ali Çarkoğlu, "Turkey's November 2002 Elections: A New Beginning?" *Middle East Review of International Affairs* 6, no. 4 (December 2002), available at <http://meria.idc.ac.il/journal/2002/issue4/jv6n4a4.html#Ali%20Carkoglu>.

⁸ *Law on the Currency Unit of the Republic of Turkey*, Law 5083, enacted January 31, 2004.

⁹ Alper Yoldaş, Ozan Eermiş, and Ceyhun Kuburlu, "YTL'ye geçişte ilk güne tam not" [Top Grade to the First Day for Transition to the New Turkish Lira], *Hürriyet*, January 2, 2005, available at <http://webarsiv.hurriyet.com.tr/2005/01/02/578329.asp>.

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