



Geneva Centre for the Democratic Control of
Armed Forces (DCAF)

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**Prime Movers, Specific Features and Challenges of
Security Sector Reform in a “Guardian State”:
The Case of Turkey**

Ümit Cizre

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Ümit Cizre

Introduction

In the post-Cold War Euro-Atlantic region, the concept and practice of security sector reform (SSR) aims to provide stability and security through efficient and accountable provision of security by those tasked with the identification of threats, and the formulation and implementation of security policies. SSR must also ensure that those elected and non-elected civilian bodies with the responsibility to oversee the sector “can effectively” do so. Reform in this sector is implemented largely via the communication of particular values and norms from Euro-Atlantic organisations in the form of conditionalities expressed as accession requirements for these same organisations.

The European Union (EU) explicitly endorses the notion of security sector reform (SSR) as part of its *acquis* for its actual and prospective members. The objective of the EU’s engagement with SSR is, however, not just to build up capacities of security forces and modernise them. Security system reform for the Commission is an integrated process of “strengthening of good governance, democracy, the rule of law, protection of human rights and the efficient use of public resources”.¹ SSR, in other words, is part and parcel of the concept of democratic governance of a society in general and of the security sector in particular.

The rationale of weaving SSR around the democratic governance approach comes from the new emphasis on packaging “security for all citizens” together with the need to address the “governance deficits” of the wider political and civil society, individual citizens and representative organs of democracy.

As a development- and democratic governance-based approach, SSR then is not simply a product of improvements in war-fighting operations or technologies. Rather, it represents a constructivist approach to democracy as it largely depends on the transfer and diffusion of particular Euro-Atlantic values and norms to transitional societies. Often the norms are manifested as “conditionalities” articulated in the accession requirements of NATO, the European Union and the Organisation for Security and Cooperation in Europe (OSCE)².

¹ Communication from the Commission to the Council and the European Parliament, A Concept for European Community Support for Security Sector Reform. 2006, Brussels: Commission of the European Communities (24 May 2006), page 6.

² The “NATO Study on Enlargement” specifies military reforms to raise armies up to Western standards. See www.nato.int/docu/basicxt/enl-9502.htm. The EU does not specify SSR items, but the 1993 Copenhagen European Council resolution, the “Copenhagen Criteria”, draws guidelines for candidate countries to carry out reforms in the security sector consistent with the stability of institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities. See <http://europa.eu.int/comm/enlargement/intro/criteria.htm>. Additionally, the Agenda 2000 resolution of the European Parliament included more specific norms for the accountability of the police, military and secret services, and the principle of conscientious objection, as conditions to meet for accession to Europe. See www.europarl.eu.int/. The OSCE’s Code of Conduct of Politico-Military Aspects of Security signed in Budapest, CSCE

Greater awareness in post-Cold War times of “the discursive process through which social groups label something as a threat”³ has helped to reconceptualise “whose security we should be concerned with”⁴. Thus, in post-Cold War times, it is imperative that principles and policies of defence and security are connected with a wider process of democratisation and new political priorities requiring that civil society, citizens, the media and representative institutions play a greater role in their formulation. That is why SSR is a governance issue or an issue of “quality of democracy” defined as the operation of the security sector interacting with the wider government apparatus, civil society, the media, the rule of law, and citizens.

The Turkish regime’s paradigmatic commitment to European integration provides a catalyst for SSR in Turkey. While the core catalyst for reform in the sector is the conditionalities of the European Union, principles and challenges include building civilian capacity for democratic governance of the sector, integration of the value of human security, a clear delineation of responsibilities in the sector and transparency. One formidable problem Turkey shares with other democracies is the “timing” of the SSR: the call for reform in the sector comes at a time when the global reshaping of the world after the Cold War has had two contradictory policy implications for most countries in the world. While the implosion of new internal security threats has encouraged the tendency for more security, less democracy, and more military response, the EU and other international organisations have been defining a new set of norms and policies for what constitutes democratic governance of the security sector and its reform in this direction. It is a well-established fact that in some developing contexts, contrary to the global trend, the end of the Cold War has not led to diminished security perceptions, reduced budgets and a less securitised domestic agenda. On the contrary, it has strengthened the traditional concept of national security⁵ at the expense of the expansion of individual rights and normalisation of politics. Turkey has attested to the paradox of living up to the democratic reform requirements of entry into the EU while maintaining a physically and politically strong military which plays the role of guardian and sustains influence over public affairs.

This paper aims to address the propellants and nature of SSR in Turkey, the problems and challenges therein, and the impact of reform on the system. The period it covers extends basically from the beginning of the new century, when the idea of reform gathered some force, to the end of 2005 when the political ideal of full membership in the EU was still seen as a realisable project, rather than a lost cause. The broader objective of this paper is to contribute to the conceptual understanding of SSR, which benefits from comparative case analyses, study of the socio-political roots of threats, security structures and power distribution within the sector in various contexts. The issue of SSR is of particular relevance for those EU states that are considering whether to proceed with the accession talks with Ankara and also for those which belong to the same alliance system as Turkey.

While the democratic governance approach acknowledges shared values in the Euro-Atlantic region and the need to learn from the experience of other countries, SSR takes

Summit, 5-6 December 1994, is the strongest document in this regard. See www.osce.org/docs/English/1990-1999/summits/buda94e.htm. See Fluri, Philipp and Eden Cole. 2003. “Security Sector Reform in South East Europe: a Study in Norms Transfer.” In *Challenges for Security Sector Governance*, eds. Heiner Hanggi and Thedor Winkler. Munster: Geneva Center for Democratic Control of Armed Forces, Lit Verlag, page 124.

³ Forster, Anthony. 2002. “New Civil-Military Relations and Its Research Agenda.” *The Political Quarterly* (2), page 80.

⁴ *Ibid.*

⁵ Chanaa, Jane. 2002. *Security Sector Reform: Issues, Challenges and Prospects*, Adelphi Paper 344, New York: Oxford University Press, IISS, page 53.

place in a diversity of contexts reflecting and responding to different requirements and specific circumstances. Therefore, this article takes into account a fundamental Turkish specificity that the military has a historical and continuing “guardian” role over the political system. SSR can take place in Turkey only if priority is given to democratic civilian control to achieve the accountability of military forces to constitutionally-elected civilian bodies and civil society, the media being a very effective instrument in monitoring the process⁶. A related task of the reform in Turkey is to rescue the conventional mechanisms of perceiving “threats” and formulating “security policy responses” from the exclusive control of the military agents. Moreover, the reform agenda includes a civilian “empowerment” dimension: this entails building up the will, information and expertise of civilians⁷ regarding defence, security and strategy issues to be able to oversee the sector efficiently. Finally, to promote an effective and healthy cooperation in the sector as well as between civilians and the security bureaucracy, the reform process involves establishing unambiguous principles for the division of functions within the sector, especially between the civilian and military spheres.

This paper is organised in four sections: in the first part, the political specificities of the Turkish case which have emphasised the civil-military equation rather than non-military security bureaucracies as the dominant focus of democratic reforms are identified. In the next part, attention is given to the twin approaches used by reform-makers in addressing this feature of Turkish politics. The third section analyses the dilemmas and challenges standing in the way of further reform in the sector. The last part focuses on reform vis-à-vis non-military sectors as a component of the overall SSR agenda.

I. Civil-Military Imbalance: The Primary Focus of Security Sector Reform in Turkey

SSR measures, in most cases, “may not be achievable and are certainly unsustainable unless effectively integrated within a governance reform programme that at the very least addresses weaknesses in the democratic process”⁸. The Turkish case fits this description as the political role of the Armed Forces has profoundly altered the formulation of public policy, the relationship between state and society, and the establishment of a regime of rights and freedom, impeding Ankara’s political entry into the European Union.

Since the founding of the Turkish Republic in 1923, six of the nation’s presidents have had military backgrounds. Furthermore, the Turkish military has intervened in politics, in different modalities, four times, in 1960, 1971, 1980 and 1997. Turkey’s is the second-largest standing army in NATO after the United States. The armed forces consists of three services, Army, Navy and Air Force⁹. The Gendarmerie (responsible to the civilian Ministry of Internal Affairs, but located within the military sector in terms of education, appointment

⁶ Wulf, Herbert. 2005. “Security Sector Reform in Developing and Transitional Countries.” Berghof Research Center for Constructive Conflict Management, pages 2-17.

⁷ Forster, Anthony. 2002. “New Civil-Military Relations and Its Research Agenda.” *The Political Quarterly* (2), page 78.

⁸ Evans, Roderick. 2003. “Security Sector Transformation from a Donor Perspective.” In *Security Sector Reform: Its Relevance for Conflict Prevention, Peace Building and Development*. Geneva: United Nations in Geneva and Geneva Center for Democratic Control of Armed Forces, page 38.

⁹ Sariibrahimoglu, Lale. 2006. “Turkish Armed Forces.” *Almanac 2005 Security Sector and Democratic Oversight*, ed. Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Center for Democratic Control of Armed Forces, pages 56-86.

and promotion policies), police and civilian intelligence services fall outside the armed services. While total land forces personnel number about 400,000, Navy personnel number 63,000, Air Force personnel about 53,000.

The National Security Council (NSC) is the body which sustains the military's power and influence in the public policy arena. Determination of threats and the formulation and implementation of national security policies are confined to the NSC Secretariat which consults with the General Staff and Foreign Ministry. Until the latest reform package of August 2003, which amended the 1983 Act 2945 on the National Security Council and the National Security Council General Secretariat, the Council of Ministers had been required to give "priority consideration" to NSC decisions. In practice, the Council of Ministers has always carried out the NSC's recommendations. Provisions of the 1983 Act assigned broad powers to the NSC "not just for the defence of Turkey's territory and its political and economic interests, but also for the preservation of its 'Kemalist' legacy"¹⁰.

The position of Chief of the General Staff has similarly been a matter of controversy in terms of the incompatibility of that position with prevailing EU practices and global principles of democratic civilian control of armed forces: Since 1961, he has been responsible directly to the Prime Minister, rather than to the Minister of Defence, thus largely supplanting the role of Minister of Defence.

Since the 1999 EU Helsinki Summit decision to extend candidate status to Turkey, the possibility of EU accession has become the main driving force for democratic reforms in the security sector and civil-military relations (CMRs). The EU's democratic reform requirements, however, have focused on CMRs rather than on a broader change of the entire security sector. Indeed, the 'political criteria' inscribed in the Accession Partnership Document (drawn up by the EU in 2000 and most recently revised and adopted in January 2006) and the EU's regular progress reports have suggested the need for structural changes¹¹ in the organisation of civil-military relations to enhance democratic civilian control and bring the institutional structure in line with EU standards. The chief reason for the emerging paradigm of SSR in Turkey being military-centred is the "guardian" role of the military. The EU's "use of pre-conditionality"¹² as an effective instrument for the promotion of the capacity of state and non-state bodies to oversee and manage security sector activities is primarily directed towards reducing this role.

Despite the progress made to align Turkey's laws with the EU¹³ and despite the fact that accession negotiations were opened on 3 October 2005, both the 2005 and 2006 Progress Reports published by the EU Commission continue to note that the political influence of Turkey's military exceeds that of the armed forces in European member states: "since 2002, Turkey has made good progress in reforming CMRs... but the armed forces continue to exercise significant political influence... and Turkey should work towards greater

¹⁰ Jenkins, Gareth. 2001. *Context and Circumstance: The Turkish Military and Politics*. Adelphi Paper, No. 337. New York: Oxford University Press, IISS, page 46.

¹¹ Regular annual reports on Turkey since 1998 contained detailed analyses of the National Plan for the Adoption of the Acquis (NPAA) and the Accession Partnership Document.

¹² Edmunds, Timothy. 2003. "Political Conditionality and Security-Sector Reform in Post-Communist Europe." *Conflict, Security and Development* 3 (1): 32-46, page 139.

¹³ Through two major constitutional reforms made in 2001 and 2004 and eight legislative packages passed between February 2002 and July 2004, three areas of structural reform as required by the EU have been dealt with. The exception is the position of the chief of general staff (he is still responsible to the prime minister rather than the defence minister).

accountability and transparency in the conduct of security affairs in line with member states' 'best practices'"¹⁴. The latest Annual Report of 8 November 2006 notes that "overall, limited progress has been made in aligning civil-military relations with EU practices... the civilian authorities should fully exercise their supervisory functions in particular as regards the formulation of the national security strategy and its implementation, including with regard to relations with neighbouring countries"¹⁵.

Distribution of power between civilian and military agencies in the sector since the last decade has been skewed towards the military: Turkey's definition of security has been more in military than non-military terms and the preponderance of the military considerations in the sector has been reflected in the perpetuation of the absence of clear functional lines of demarcations in the sector. The burning question underlying this state of affairs has continued to be the absence of separation of internal/domestic from external/national security. Contemporary democratic principles dictate that domestic security is the responsibility of the police and the defence of the country that of the military; the Turkish Armed Forces (TAF) have nonetheless historically been deployed for internal security roles.

Increasing preoccupation with internal threats coming from radical Islam and separatism – as perceived by the establishment – combined with the expansion of a military-dominated national security to encompass all aspects of life in the 1990s has led to overlapping authority structures, lack of cooperation, and inter-agency competition in the sector between the police and the military forces. It is clear that under these conditions, a democratic reform agenda cannot bring results unless it gives primacy to altering the underlying sources of power imbalance in the sector¹⁶, simply because the entire security sector may be constructed to reproduce the guardian role of the military.

The “Guardian” Model and Broad Definition of Security Impinging on Security Sector Reform

If a key factor preventing Turkey's potential accession to the European fold is the prevailing civil-military relationship, the central feature of this relationship is the Armed Forces' self-appointed guardian role and self-defined prerogatives to watch over the regime it created. This guardian role can be defined as the long-term capacity of the military to define and redefine the ideology of the regime; identify its corporate existence with it; submerge itself beneath the surface and yet be able to support long-term political order; and to define and redefine threats to the regime and formulate responses more substantially than in liberal democracies. This role-belief does not just pervade the military's mind but creates and sustains a particular culture where the military is not just a professional organisation dealing with defence issues but a core element of the political system. The regime is in civilian hands but the custodial role of the military allows it a free entry into policy-making.

¹⁴ European Commission, Turkey 2005 Progress Report. Brussels, 9 November 2005, page 14.

¹⁵ European Commission, Commission Staff Working Document, Turkey 2006 Progress Report. Brussels, 8 November 2006, page 8.

¹⁶ Wulf, Herbert. 2005. "Security Sector Reform in Developing and Transitional Countries." Berghof Research Center for Constructive Conflict Management, page 11.

The foundation of the TAF's political autonomy is its defence of Kemalism, the official ideology named after the Republic's founder, Mustafa Kemal Atatürk¹⁷. During the 1990s, Turkey's military establishment escalated its guardian role by formally declaring Kurdish separatism and political Islam to be internal threats to the character of the Turkish state, and put greater emphasis on securitising the regime¹⁸. However, there is a clash between the military's self-assigned mandate and the pre-conditions for Turkey's formal acceptance into Europe. The EU conditionality implies that militaries should be professionally strong against external threats, but politically weak with regard to internal public affairs. The European Commission's Recommendations – accompanying Regular Reports – since 1998, have all expressed the view that the reform laws passed to comply with the Copenhagen criteria¹⁹ have shortcomings and implementation deficiencies. Basically, this failure was considered to be due to the suppression of public debate on key issues which were considered to be within the military's preserve. As a result, representative organs and the civilian governments have consistently subcontracted the resolution of fundamental problems to the military bureaucracy²⁰.

One key question seems to be how to change Turkey's traditional notion of security, which is defined too broadly around the protection of the state from external and internal threats.²¹ If the Copenhagen criteria are to be met, it needs to shift to a more individual notion of security based on the primacy of the individual and which rules out the guardian mission of the TAF²². Especially following its last intervention in 1997²³, the military's guardianship role has been seen as problematic for the regime's democratic credentials. The EU Regular Report of 2004 speaks of “a degree of autonomy” of the military concretised in the legal and administrative provisions and which are not accountable to civilian structures;²⁴ while the 2005 and 2006 Progress Reports reiterate the point that there are still provisions which enable the military institution to exercise significant political influence which is irreconcilable with the stipulations of the Copenhagen Criteria. The 2005 report emphasises the need to “work toward greater accountability and transparency in the conduct of security affairs in line with member states' best practice”²⁵ while the 2006 Report

¹⁷ Jenkins, Gareth. 2001. Context and Circumstance: The Turkish Military and Politics. Adelphi Paper, No. 337. New York: Oxford University Press, IISS, pages 9-20.

¹⁸ Cizre, Umit. 2003. “Demythologizing the National Security Concept: the Case of Turkey”, *Middle East Journal*, 57 (2) (Spring 2003), pages 213-229.

¹⁹ The membership criteria were standardised at the 1993 Copenhagen European Council meeting. The “Copenhagen Criteria” require that candidate countries achieve stable democratic institutions, the rule of law, human rights and the respect and protection of minorities.

²⁰ Cinar, Menderes. 1997. “Mission Impossible.” *Private View* 2(5), pages 72-78.

²¹ See Article 2A of the National Security Council Law which defines security as pertaining to political, social, cultural, economic interests, internal and external threats.

²² Kaldor, Mary and Andrew Salmon. 2006. “Military Force and European Strategy.” *Survival* 48(1), pages 19-34.

²³ The military-dominated National Security Council issued the elected coalition government of the day an 18-point list of measures designed to clamp down on “reactionary Islam”, effectively forcing the coalition to resign.

²⁴ The EU Regular Report of 2004 singles out five such strategic provisions/obstacles to the full exercise of civilian oversight of the TAF on p.23. They are : 1) Articles 35 and 2) 85/1 of the TAF Internal Service Code which define the duties of the Armed Forces as the protection of the territorial integrity and secularism of the Republic; 3) Article 2 a of the Law on National Security Council Secretariat which defines national security in such broad terms that it could be interpreted as covering virtually all aspects of policy; 4) lack of capacity on the part of civilian authorities to fully exercise their supervisory functions over the formulation of national security strategy; and 5) their lack of full parliamentary oversight over the defence budget.

²⁵ European Commission, Turkey 2005 Progress Report. Brussels, 9 November 2005, page14.

suggests the need for civilian authorities to fully exercise their “supervisory functions... as regards the formulation of the national security strategy and its implementation...”²⁶.

The quality of the TAF’s long-established, deeply-rooted tradition of “guarding” the regime must be distinguished from post-conflict and post-Soviet societies displaying weaker military traditions²⁷. In these societies, strong international pressures to help reduce conflict and create the conditions for sustainable SSR are less likely to meet resistance than similar reform pressures in Turkey, where the military maintains a privileged position in society vis-à-vis non-military groups, insofar as it is able to initiate or veto policy without any meaningful checks and balances being imposed by the country’s constitutionally-elected governments²⁸. More importantly, given the prominence of the military in the security spectrum, a goal-oriented approach to SSR will have to address the issue of dismantling the built-in bias in the system towards the “guardianship” role.

The “guardian” role requires that the military retain primary responsibility for defining threats and formulating security policy responses to them. However, the “new conceptual focus in CMRs”²⁹ which underpins the EU’s accession conditions – in spirit, if not in words – redefines the civil-military interface around a more egalitarian dialogue between the two sides: one new approach is centred on the notion of “shared responsibility in civil-military relations”³⁰ which places threat perception, security and defence issues at the centre of the civil-military equation and yet creates a model in which civilian and military sides speak in the same vernacular and in the same political and technical terms. The assumption of a shared relationship, however, raises the parallel problem of bridging the knowledge gap between the two sides before a healthy partnership can be achieved: in countries where the military has historically guarded over “permanent national objectives”³¹, there is little expertise, intellectual interest and knowledge on the civilian side to understand and discuss defence and security issues. Even in advanced western democracies, “asymmetry of knowledge” is a big problem in establishing national policy and budgetary frameworks of control by elected civilian authorities.

Strengthening democratic civilian control also has to recognise the specific nature of Turkey’s geopolitics: the “guardian” model is reinforced by the perception that Turkey occupies a unique strategic position regionally. This argument is frequently posited by military and civilian leaders emphasising the country’s military and political value to the

²⁶ European Commission, Commission Staff Working Document, Turkey 2006 Progress Report. Brussels, 8 November 2006, page 7.

²⁷ Cizre, Umit. 2004. “Problems of Democratic Governance of Civil-Military Relations in Turkey and the European Union Enlargement Zone.” *European Journal of Political Research* 43 (1), pages 107-125.

²⁸ Sakallioğlu, Cizre, Umit. 1997. “The Anatomy of the Turkish Military’s Political Autonomy.” *Comparative Politics* 29(2), pages 151 - 166.

²⁹ Forster, Anthony, Timothy Edmunds and Andrew Cottey. 1999. *Democratic Control of Armed Forces in Central and Eastern Europe: A Framework for Understanding Civil-Military relations in Post-Communist Europe*. ESRC Working paper 1/99. Sussex: University of Sussex; Born, Hans, Marina Caparini and Philipp Fluri, eds. 2002. *Security Sector Reform and Democracy in Transitional Societies*. Baden Baden: Nomos Verlagsgesellschaft; Born, Hans, Karl Haltiner and Marjan Malesic. 2004. *Renaissance of Democratic Control of Armed Forces in Contemporary Societies*, eds. Baden Baden: Nomos Verlagsgesellschaft.

³⁰ Bland, Douglas L. 1999. “A Unified Theory of Civil-Military Relations.” *Armed Forces and Society* (26), pages 7-26; Bland, Douglas L. 2004. “ ‘Your Obedient Servant’: The Military’s Role in the Civil Control of Armed Forces.” In Hans Born, Karl Haltiner and Marjan Malesic, eds. *Renaissance of Democratic Control of Armed Forces in Contemporary Societies*. Baden Baden: Nomos Verlagsgesellschaft, pages 25-36.

³¹ Koonings, Kees. 2003. “Political Armies, Security Forces and Democratic Consolidation in Latin America.” In *Governing Insecurity, Democratic Control of Military and Security Establishments in Transitional Democracies*, eds. Gavin Cawthra and Robin Luckham. London and New York: Zed Books, page 125.

West, and justifying a large armed force with a substantial budget. There has been a repeated emphasis on the “specificity of the Turkish system” and on its location – “directly in the middle of a region full of risks and challenges such as ultra-nationalism, religious fundamentalism, the proliferation of weapons of mass destruction, terrorism and ethnic conflicts which emerged following the Cold War period and intensified in the Balkans, the Caucasus and the Middle East”³², Turkey is variously said to have a vital “geo-strategic position”, act as “a bridge”, occupy “a key position”, be a “gate opening to Eurasia” and to be “centrally located”³³. While for some independent observers all these factors “have made Turkey the most powerful state in the area”³⁴, from the viewpoint of the armed forces, responsibility for defending national security and addressing emerging internal and external challenges requires a greater role for the military in political and foreign policy issues.

The Turkish example shows that in a context where the ultimate justification for the political predominance of an army rests on its “guardianship” role and on “a doctrinal position” defending an official ideology³⁵, we face a “political army”³⁶ which plays a powerful part in shaping the dispersion of authority throughout the security community. SSR, in such conditions, should prioritise a review of civil-military equilibrium and stress the democratic governance dimension aimed at ending the persistence of military politics “behind the formalities of civilian and democratic governance”³⁷. In these contexts, unless it focuses more on limiting the political role of the military through various mechanisms, a sustainable and systematic SSR cannot be achieved. The Turkish example, in other words, shows that where the armed forces have the capacity to define the configuration of the security sector, an effective reform strategy of the sector should give primacy to reforming the country’s model of civil-military equilibrium as underpinned by its “threat” perception and “national security” policy-making.

The contribution the Turkish case makes to the conceptualisation of SSR is that democratisation as a check-list of institutional reform is not by itself a guarantee of effective democratic alterations in the security sector³⁸ if it does not address power disequilibrium in the sector. The Turkish case suggests that rather than the hypothesis that SSR can take place as a subset of wider political reform and democracy-deepening, in some contexts where the guardian function of the military is a fundamental basis for its legitimacy, wider democratisation should be regarded as a by-product of SSR.

³² White Paper-Defense. 1998. Ankara: Ministry of National Defense, page 6.

³³ *Ibid.*, page 5.

³⁴ Abramowitz, Morton. 2000. “The Complexities of American Policymaking on Turkey.” In *Turkey's Transformation and American Policy*, ed., Morton Abramowitz. New York: The Century Foundation Press, page 159.

³⁵ Koonings, Kees. 2003. “Political Armies, Security Forces and Democratic Consolidation in Latin America.” In *Governing Insecurity, Democratic Control of Military and Security Establishments in Transitional Democracies*, eds. Gavin Cawthra and Robin Luckham. London and New York: Zed Books, page 125.

³⁶ *Ibid.*, page 124.

³⁷ Luckham, Robin. 2003. “Democratic Strategies for Security in Transition and Conflict.” In *Governing Insecurity, Democratic Control of Military and Security Establishments in Transitional Democracies*, eds. Gavin Cawthra and Robin Luckham. London and New York: Zed Books, page 14; Luckham, Robin. 1996. “Faustian Bargains: Democratic Control over Military and Security Establishments.” In *Democratisation in the South, the Jagged Wave*, eds. Robin Luckham and Gordon White. Manchester and London: Manchester University Press, pages 127-128.

³⁸ Wulf, Herbert. 2005. “Security Sector Reform in Developing and Transitional Countries.” Berghof Research Center for Constructive Conflict Management, page 17.

II. Approaches to Addressing Civil-Military Imbalance: Direct and Indirect Reforms

“Pre-conditionality” for NATO and OSCE amounts to a different set of reform requirements to those required for EU accession. The reason for this difference is found within the “security-oriented nature of the Alliance” of NATO³⁹ which stipulates more “technical issues concerning military modernisation, inter-operability and professionalisation”⁴⁰ than the non-technical, norm-diffusing dimensions of the SSR agenda. As Turkey has been a member of NATO since 1952, this particular pre-conditionality does not apply.

In place of NATO, as part of the accession process, the European Commission has been assessing Turkey’s progress based on the fulfilment of political criteria set out in the 1993 Copenhagen European Council meeting. In its process of recalibrating civil-military relations, however, two approaches have been suggested by the EU and deployed by Ankara governments in a combined manner to frame Turkey’s efforts to introduce the principles of more accountability and democratic oversight in the security sector: indirect and direct approaches. The “indirect” approach considers the civil-military imbalance as well as problems in the management of the sector as products of the absence of conditions for a broader democratic context. It therefore recommends “broader” measures to improve democracy via legal and constitutional reforms. On the other hand, from 1998 onwards, specific annual reports published on Ankara’s accession progress, and the “political criteria” of the Accession Partnership Document of 2000, have suggested the need for a “direct” approach so as to produce a deeper, paradigmatic shift, an alteration in the fundamental rules of the game in organising civil-military relations to enhance democratic civilian governance. While the indirect approach can be said to have targeted empowering civil society, academia and the media so as to enable them to put more input into security issues and oversee the sector more effectively, the direct approach has aimed at building up the capacity of Turkey’s political class and representative organs to achieve the same result.

The Indirect Approach

Turkish governments have enacted legislation, including comprehensive constitutional amendments in October 2001, and subsequent reform packages passed in February 2002, August 2002, June 2003 and May 2004, to expand fundamental rights and freedoms and bring Turkey into line with EU requirements. Changes addressed four main categories: freedom of expression and other basic rights, broadcasting in the Kurdish language, abolition of capital punishment and narrowing crimes against the state, the last one meaning the abolition of anti-terrorism provisions that had authorised punishment for propaganda threatening the unity of the state. A package of reforms, passed in August 2002 and June 2003, went still further in easing restrictions in these areas by abolishing anti-terrorism provisions and by establishing retrial rights for citizens whose court decisions are overturned by the European Court of Human Rights. The understanding embodied in this

³⁹ Edmunds, Timothy. 2003. “Political Conditionality and Security-Sector Reform in Post-Communist Europe.” *Conflict, Security and Development* 3 (1), page 141.

⁴⁰ *Ibid.*

indirect approach to security sector reform via legislation is that by setting right Turkey's torture and human rights record and by abolishing crimes against the state, civil society's political influence over the security sector would be enhanced, the security sector's political accountability would be improved and the military institution's political role would be curtailed.

Real experience shows a variation in the outcome of the indirect approach: laws and amendments increasing the political influence of civil society and introducing broader democracy have reduced the absolute autonomy of the security agencies and led to the removal of the military from the centres of power in the Philippines and Thailand. But in Indonesia, although democratic transformation has challenged the military's political role, it has not brought profound changes in the security sector's behaviour. Even when we accept that the examples from the South-East Asia cannot be generalised, the fact remains that where the military institution plays the role of the king-maker in national politics and where democratic civilian control is weak, an added problem for the reformers seems to be widespread corruption and abuse of power within the military, obstructing civilian attempts at democratic reform.

The European Commission's evaluations of Turkey's accession since these reforms also endorse the view that broader measures of democratisation cannot guarantee that elected and non-elected civilian bodies will develop effective capacity to exercise democratic oversight over security agents. Both the 2004 and 2005 Progress Reports on Turkey's progress toward Accession argue that there are still provisions that enable the military institution to enjoy a degree of autonomy and retain its significance as a political actor. While the European Commission's 2005 Enlargement Strategy Paper of November 2005, for instance, quite explicitly draws up a list of reforms still to be implemented,⁴¹ the EU's Common Position Paper issued after the Turkey-EU Partnership Council meeting in June 2006, maintains that progress has been made but the pace of change has slowed in Turkey in the last year. Therefore, the Strategy Paper recommends significant further efforts regarding the implementation of reforms in human rights; civil-military relations; security affairs; fundamental freedoms; torture and ill-treatment; non-violent expression of opinion; freedom of religion; cultural rights; protection of minorities; domestic violence and "honour" killings and the normalisation of relations between Turkey and EU members including the Greek Cypriot government.⁴²

How consistent is this evaluation with the October 2004 assessment of Turkey's progress to accession which expresses the view that "...The Commission considers that Turkey sufficiently fulfils the political criteria and recommends that accession negotiations be opened"⁴³ (Recommendations of the European Commission on Turkey's Progress Towards Accession 2004, p. 2)? Likewise, what to make of the decision of the European Council of Heads of State of 25 member countries in December 2004 to open accession negotiations with Turkey on 3 October 2005?

⁴¹ "...significant further efforts are needed as regards fundamental freedoms and human rights, particularly freedom of expression, women's rights, religious freedoms, trade union rights, cultural rights and the further strengthening of the fight against torture and ill-treatment" (Communication from the Commission, 2005. Enlargement Strategy paper. 2005. Brussels: European Commission, 9 November 2005, page 5).

⁴² The EU Common Position Paper's online address is: <http://www.turkishpress.com/news.asp?id=128408>

⁴³ European Commission, 2004 Regular Report on Turkey's Progress toward Accession. Brussels, 6 October 2004, page 2.

To understand the discrepancies between different discourses at different times and between discourse and reality regarding the EU-Ankara relations on accession, it is important to note that although on 3 October 2005 accession talks opened and EU-Turkey interaction entered “a new phase”⁴⁴, this has caused alarm among the European “right” at the prospect of a large Muslim nation not “European enough” to join the bloc. This cannot be dismissed as part of the reasons for the EU leadership to adopt a double discourse regarding Turkey. But the key to understanding the seeming contradiction between the vocal criticisms within the EU regarding Turkey and its encouragement for Turkish entry is to recognise the fact that the EU reconfirms the centrality of democratic criteria for accession where Turkey lags behind,⁴⁵ simultaneously with Turkey’s new relevance as a secular country with a moderately Islamic government blocking the spread of radical Islamist movements in the region. Moreover, the December 2004 decision to open accession negotiations with Turkey on 3 October 2005 was open-ended⁴⁶ and carried the stipulation that Turkey must extend the Association Agreement with the EU to all new member states including the Republic of Cyprus.⁴⁷

The Direct Approach and Reducing the “Knowledge Asymmetry”

The “direct” approach to reform in Turkey’s security system has targeted two areas: the first concern has been to make changes in the conception, preparation and formulation of national security policy in terms of incorporating more civilian input. Thus the focus is on the demystification of the concept of “national security”, the process of making it and the organ that prepares it, the National Security Council. The second area of focus, however, is to end the “knowledge asymmetry” between civilian and military sectors on security, defence and strategy matters.

Threshold legislation regarding the first target is the August 2003 Democracy Package formally put into effect on 7 August 2003 and called the 7th Harmonisation Legislation – bringing laws into harmony with EU requirements. This democratic package is a distinct legislative accomplishment by Turkey’s historical standards as it is aimed directly at curbing the army’s influence in politics and shoring up the legitimacy of civilian perspectives in the security sector’s governance as a counter to the vested military interests which dominate national security policy-making. As it came from a civilian viewpoint, the package demystified the military community’s presence in the security morass and changed the civil-military equation in the civilians’ favour. The legislation contained amendments to some articles of the 1983 Act on the National Security Council and the General Secretariat of the

⁴⁴ European Commission, Turkey 2005 Progress Report. Brussels, 9 November 2005, page 4.

⁴⁵ The 2005 Progress Report published by the EU Commission on 9 November 2005 reiterates the progress made to align Turkey’s laws with the EU and notes the fact that although Ankara received the green light to start accession talks with the EU on October 3, 2005 and that “since 2002, Turkey has made good progress in reforming CMRs... but the armed forces continue to exercise significant political influence... and Turkey should work towards greater accountability and transparency in the conduct of security affairs in line with member states’ “best practices”” (European Commission, Turkey 2005 Progress Report. Brussels, 9 November 2005, page 4).

⁴⁶ Talks on all 35 “chapters” are expected to take about 10 years.

⁴⁷ Full diplomatic recognition of the Cyprus Republic is, however, regarded as the “red line” for Turkey’s establishment, led by the military which has 30.000 troops in northern Cyprus. In the end, Turkey agreed to sign its 1963 association accord with the EU’s forerunner, the Customs Union, extending it to cover all EU members, including Cyprus. The fact that the EU has formally opened accession talks with Turkey has not, however, prevented Cyprus from being an obstacle in the ongoing negotiations so as to force the EU presidency to broker a deal when there is a deadlock. This happened in the first round of talks in June 2006 when the Cypriot government demanded that the EU press Turkey for official recognition and for opening its ports to Cypriot shipping.

NSC, converting it to an advisory body, and repealing the NSC's executive powers which had overlapped or even superseded the executive branch. The package,

- increased the civilian members of the NSC to a majority voting position;
- reduced the scope of the Secretary-General's role by repealing the old provision that ministries, public institutions, organisations and private legal persons shall submit regularly, or when requested, non-classified or classified information and documents needed by the General Secretariat of the council;
- revised the procedure for the appointment of the Secretary-General and made it subject to the approval of the President on the proposal of the prime minister. This change allowed for a non-military person to serve as Secretary-General. The views of the chief of general staff are to be taken into account if a member of the TAF is to be appointed to the post;
- cut down the number of departments under the authority of the Secretary-General from 11 to 7 along with the transfer of surplus personnel to other state departments;
- reduced the number of times the NSC meets from monthly to bimonthly⁴⁸;
- allowed if not full, at least greater parliamentary scrutiny of the military budget;
- decreased the NSC's budget by 60 percent;
- removed the confidentiality rule surrounding the activities of the NSC by stipulating; that a new by-law be passed on the rules and regulations of the NSC;
- paved the way for the appointment of the first civilian Secretary-General to the Council.

Moreover, new regulations governing the operations of the NSC Secretary-General made public on 8 January 2004 introduced the principle of "transparency". The NSC's department for "Relations with Society", the unit which evoked the most criticism by virtue of its mandate to carry out "psychological operations" without accountability, was abolished. Additionally, two more amendments were enacted prior to the European Council meeting of December 2004. The first involved removing military representatives from the Council on Higher Education, the second addressed the abolition of State Security Courts, which have tried crimes against the state. Both were legacies of the period following the 1980 military coup. Furthermore, the current government plans to take measures to increase parliamentary oversight of defence spending in 2007.

Although it directly addressed the NSC, an institution that was considered by the government members themselves to be "the shadow government"⁴⁹, the package has not signalled a total retreat of the military from politics and the establishment of a democratic basis for civil-military relations. Civilian capacity to debate and shape security issues and policies remains limited and security is still regarded as a "control of the society" issue⁵⁰. Even when it is accepted that the reform package represents a major move towards weakening the military's role in politics, it would be misleading to suggest that the TAF's

⁴⁸ In accordance with this new provision, the October 2003 monthly meeting of the NSC was not held for the first time in 41 years.

⁴⁹ Foreign Minister Abdullah Gul used the term in a speech he made in New York. See "MGK Golge Hukumetti", (The NSC Was the Shadow Government), *Milliyet*, 29 September 2004.

⁵⁰ Cizre, Umit. 2003. "Demythologizing the National Security Concept: the Case of Turkey", *Middle East Journal*, 57 (2) (Spring 2003), pages 213-229.

political role has been automatically degraded. Clearly, a reduced military influence in politics is not equivalent to democratic control over the armed forces unless there is a firm commitment to establish all dimensions and parameters of democratic governance and reform of the sector.

It should be noted in this regard that a fundamental requirement of SSR is the adoption of an integrative approach toward its constituent parts, i.e. there should be a holistic attempt linking the shift from state-centred to human-centred approaches to security and to the empowerment of the elected and non-elected civilian parties on security, threats, defence and strategy issues and to setting clear demarcations lines within the sector and between external and internal security issues. This means that these pillar principles of the reform must be dealt with simultaneously and that there should be a coherent process of change in the security system. It is not possible to claim that this is what happens in Turkey. One could also argue that the perception by the military of the environment in which a political party with Islamic roots is in power is all the more reason for them to overtly continue their guardianship role. The Turkish Armed Forces high command's approach towards the new government has been detached and yet ready to step in when it considers that secularist principles are violated. The ruling party is reminded continually that the "February 28 process" continues.⁵¹

The second reform area of the direct approach has been on lessening the knowledge gap between the civilians and security community. This objective refers to the need to democratise the "secrecy" surrounding defence and security issues and create the conditions for the diffusion of specialised knowledge about the key institutions and policy issues of the security sector. A leading NGO, The Turkish Economic and Social Studies Foundation (Turkish acronym TESEV)⁵² has single-handedly been playing a pioneering role since 2003 in sensitising the public to security issues; creating a security-conscious community capable of monitoring and overseeing the sector; and in establishing the norms and principles of the issues of the democratic governance and oversight of the security sector. Its line of activities covers publication of studies, reports, Almanacs; organising conferences, workshops, book launches; and holding training seminars for target groups.

III. Challenges to Security Sector Reform in Turkey

Building up Civilian Capacity

Turkey's national security "rationale and policy" feeds into and is fed by the enhanced political autonomy of the military; it maintains a privileged position vis-à-vis non-military groups in terms of initiating and vetoing policy-making on fundamental issues which are securitised, whilst at the same time remaining beyond the knowledge and oversight of elected governments. Building up civilian capacity – in terms of expert knowledge and ability to act on that knowledge – to reset the civil-military balance in contexts like Turkey

⁵¹ "The 28 February process" denotes the military's plan to refashion Turkey's political landscape along republican secular lines in the aftermath of its last mode of intervention on 28 February 1997, without actually having to take power directly. (Cizre, Umit and Menderes Cinar. 2003. "Turkey 2002: Kemalism, Islamism and Politics in the Light of the February 28 Process." *The South Atlantic Quarterly* 2/3 (102), pages 309-332).

⁵² See <http://www.tesev.org.tr>

where the political role of the army is prominent also depends on whether a government is politically secure, if not from the threat of a military intervention, then from the threat that the military leaders will publicly disrupt the effectiveness of civilian policies or challenge the elected authorities.

The historical position of the military and its self-assigned capacity to guard the regime have played a major role in detracting further from civilian ability and responsibility to assume control over the “security” environment and to manage the key political problems effectively. That is not to say, however, that Turkey’s political parties do not bear a very heavy burden of responsibility for failing to carry out independent policies on major political issues, adapt to changing needs, implement reforms to reverse their “destiny” of not being able to shape defence and security issues and contribute to democratic governance.

It is clear that the safer the governments feel from a show of political muscle by the military, the greater is their potential margin to attempt reforms even at the cost of antagonising the armed forces. The present government has made significant strides in this direction; it has embraced the EU issue as a window of opportunity to gain a margin of safety against a reaction to its reforms from the military. However, since its latitude depends on strong performance in office, any slip in policy delivery – and it has slipped many times – causes it to lose the margin of freedom necessary to resist the constraints imposed by the military. The government’s loss of vigour and determination in its approach to the EU for example, has meant a loss of its capacity to take issue with the powerful military.

A significant step the government took to create a more balanced framework for civil-military relations was its attempt to address the military’s monopolisation of the preparation and formulation of Turkey’s key national security document, the National Security Policy Document (NSPD), deemed “the secret constitution” of the country.⁵³ After it came to power, the current Islam-sensitive government tried to delay the formulation of the NSPD in accordance with its EU-driven reforms and its particular concern to prevent political Islamists being branded an internal security threat in the NSPD. When the Document was finally ready to come out in October 2005, although its content remained more or less the same as before, there was clearly more civilian involvement than before. This shows that the current government carries the intention – if not the capacity – to civilianise and politicise security issues in a way rarely seen in the past.

Rivalry between Security Sector Units

In order to cope with perceived Islamist threat, following the last military intervention of 28 February 1997, a new unit called the Western Study Group (WSG — *Bati Calisma Grubu*)⁵⁴ was instituted within General Staff headquarters to collect information about the political orientations of civil society groups, mayors, governors, government employees,

⁵³ The previous NSPD had been formulated in April 29, 1997 with a radical change in content. While the previous NSPD of November 18, 1992 had singled out Kurdish terrorist acts as the foremost security threat to the state, the 1997 document identified Islamic activism and Kurdish separatism, in that order of priority, as the key security threats.

⁵⁴ At its March 2001 meeting, the NSC agreed, on the basis of a WSG-generated report, that the struggle against Islamic reactionism should be stepped up.

political party cadres and media personalities. The establishment of this body having clear “intelligence” and “police” duties within the General Staff underscored the perennial problem of rivalry and lack of trust among the organs of Turkey’s security sector, a problem which frequently results in army units taking over police functions, and subjecting civilian intelligence organisations to army control, usually through leadership appointments of former military officers.

Moreover, by a government decree published in the Official Gazette on January 9, 1997, a new organ called the “Prime Ministerial Crisis Management Centre” (Basbakanlik Kriz Yonetim Merkezi) was formed within the NSC secretariat to observe and report on “crises” caused by Islamic reactionarism and to formulate policy responses. As the centre was placed within the NSC but named “Prime Ministerial,” it had an ambiguous structural and functional position. It bypassed parliamentary control and, while nominally responsible to the Prime Minister, was actually accountable only to the NSC. Although its activities seem to be nullified under the current government, the establishment of the WSG illustrates the concept of dividing the lines of duty within the security sector by the general staff: since the National Intelligence Agency (Milli Istihbarat Teskilati — MIT)⁵⁵ is responsible to the Prime Minister, and that of police intelligence to the Minister of the Interior (in turn answerable to Prime Minister)⁵⁶, the General Staff feels that intelligence reporting on extreme Islamic activities is likely to be tempered by the more permissive attitude of civilians. Therefore, the General Staff feels that it would be safer to establish WSGs of some kind as its own intelligence arm targeting Islamic activity.

The TAF’s insistence, since 1997, on expanding national security to encompass all political, cultural and economic factors, even after the end of those circumstances permitting NSC intervention, led to the establishment of security institutions with overlapping authority and provided an environment conducive to a strong rivalry between civilian police, intelligence, and the military. This rivalry appears to continue to the present. Since the last decade, the General Command of the Gendarmerie (GCG) has expanded its scope of duties and increased its operational efficiency through the inclusion of a traffic and aviation unit, a criminology system, and an internal security agency within itself⁵⁷. Although it is authorised to perform duties in rural areas, in reality it has expanded its operations to the cities where the actual jurisdiction lies with the police. In addition, the gendarmerie is responsible to a dual authority: while it is responsible to the Ministry of Internal Affairs and its provincial representatives for its functions of keeping peace and order, it is integrated with the General Staff Headquarters for promotions, training and performance of its military duties in times of State of Emergency, Martial Law and War. In peaceful times too, however, it seems to operate under the authority of its own command structure rather than the civilian authorities.

⁵⁵ Unlu, Ferhat. 2006. “National Intelligence Organisation.” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Centre for the Democratic Control of Armed Forces, pages 158 - 171.

⁵⁶ Eryilmaz, Bedri. 2006. “Police Intelligence” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Centre for Democratic Control of Armed Forces, pages 148-157.

⁵⁷ Sariibrahimoglu, Lale. 2006. “Gendarmerie.” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Center for Democratic Control of Armed Forces, pages 100-111.

“Reinvention” of Conventional Security

The end of the Cold War has led not to softened security perceptions and a less securitised domestic agenda in Turkey. Rather, it has reinforced the traditional concept of national security as the preserve of the state, and as a control problem rather than a democratic contract with society built into the protection of culture, environment, everyday routines, and as a way of thinking about one’s own life rather than the life of the state. The 1990s were the years when Turkey’s Cold-War internal security concerns on subversive elements connected with international communism were “reinvented” to confront Kurdish and Islamic identity politics. The Ministry of Defence’s White Papers for 1998 and 2000, in a section titled “Principles of National Security Policy”, specify the nature and sources of internal security threats as “threats to Turkey’s unitary state quality and to the principle of secularism guaranteed in Articles 2 and 4 of the Constitution”⁵⁸. The issue of secularism is defined as the independence of the state from religious rules and considered to be an “issue of great significance in terms of our internal security”⁵⁹. Before being removed or revised gradually by legislative reforms, the “State of Emergency”, “State Security Courts” and “Article 312” of the Penal Code were, over the last decade, critical agents in consolidating the primacy of national security over democracy.

If “the practice of militarisation is not necessarily synonymous with military rule, but is present also in civil regimes” and are “...durable and resourceful in their invention...”⁶⁰, the risks pointed out by Chanaa are perfectly valid for the Turkish context: elements of the traditional security sector “either reinvent themselves or compete and undermine new security structures”⁶¹ and may reappear in the form of “national security considerations” justifying a suspension of basic democratic guarantees in the face of terrorism or crime. Given the political prowess of the Turkish military, another facet of the reinvention of Cold War security was the strong reaction of the defence and security establishment to EU conditionalities.

Nevertheless, given the right convergence of domestic and international forces, the Turkish case proves that reform can be viable, as was the case with the government’s breakthrough in its approach to the military problem through its August 2003 reform. Popular support for the civilian administration and the presence of a civilian consensus on the EU and related issues has assisted this viability. Moreover, the TAF’s insistence in the last decade of the 20th century on expanding national security to encompass all political, cultural and economic factors, even in the absence of the circumstances that permitted the earlier NSC intervention, created fertile ground for a democratic reaction. Worse still, the political inertia⁶² and failings of successive coalition governments that took office between 1997 and 2002 demonstrated the limits of military/security solutions to what were essentially political problems.

⁵⁸ White Paper-Defense. 1998. Ankara: Ministry of National Defense, page 14; White Paper-Defense. 2000. Ankara: Ministry of National Defense, page 3.

⁵⁹ White Paper-Defense. 1998. Ankara: Ministry of National Defense, page 14.

⁶⁰ Chanaa, Jane. 2002. Security Sector Reform: Issues, Challenges and Prospects, Adelphi Paper 344, New York: Oxford University Press, IISS, page 43.

⁶¹ *Ibid.*, page 47.

⁶² Cizre, Umit and Menderes Cinar. 2003. “Turkey 2002: Kemalism, Islamism and Politics in the Light of the February 28 Process.” *The South Atlantic Quarterly* 2/3 (102), pages 318-320.

IV. Reform in the Non-Military Security Sector

The majority of conflicts today are intra- rather than inter-state, and day-to-day security is the most pressing concern of ordinary people⁶³. Hence, an important objective and component of the SSR is to rebuild the capacity of non-military law enforcement institutions. Indeed, if one major issue confronting the security policy-makers in Ankara on SSR has been the need to bring the TAF under civilian control and make it accountable to the executive, legislative and judicial branches of the government, the other major problem has been to integrate the requirements of the Acquis of the European Union into the laws and practices of the institutions of the police, intelligence and gendarmerie, and adjust the perceived roles of their personnel.

National Police Force

The Turkish National Police Force is organised under the “General Directorate of Security,” responsible to the Minister of Internal Affairs. It comprises judicial and administrative police and totals about 175,000 active policemen of all ranks, providing internal security and law enforcement in urban areas. In rural areas, the gendarmerie is authorised for this role⁶⁴. As yet, no serious plans exist to transform the structure or formation of the gendarmerie. The priorities of transformation of the police force, however, are addressed as reform targets in the National Programme for the Adoption of the Acquis (NPAA).

The mechanisms used to reform the police force have included several constitutional amendments, from October 2001 to the present, and a subsequent process of bringing law enforcement statutes into line with new constitutional principles. Other measures to bring implementation into line with EU standards include improvement of the administrative capacity of police units responsible for law enforcement and enhancement of cooperation between different law enforcement bodies.

Foremost among the targeted areas are the fight against torture and ill-treatment in police custody, to ensure Turkey’s compliance with the European Convention for the Prevention of Torture. Considerable reviews and revisions of police procedures regarding torture and ill-treatment have been made: improvement of the right of persons detained to inform a relative; access to counsel; reduction of the maximum period of police custody; lifting of the emergency rule in the south-east in June 2002 and, finally, amendments to the “Regulation on Apprehension, Police Custody and Interrogation,” adopted in January 2004, shifting the procedure on apprehension, detention and statement-taking toward more evidence-based prosecutions.

Other initiatives, such as intensive training on human rights for law enforcement officials, have also addressed the problems of torture and ill-treatment. Yet when riot police used

⁶³ Charpentier, Georg. 2003. “Justice and Security Sector Reform.” In *Security Sector Reform: Its Relevance for Conflict Prevention, Peace Building and Development*. Geneva: United Nations in Geneva and Geneva Center for Democratic Control of Armed Forces, page 23.

⁶⁴ Cerrah, Ibrahim. 2006. “Police.” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Center for Democratic Control of Armed Forces, pages 86-99.

truncheons and tear gas to break up an International Women's Day demonstration in Istanbul in March 2005, the visiting EU delegation in Ankara headed by Olli Rehn, EU enlargement commissioner, issued a statement saying it was "shocked by images of the police beating women and young people"⁶⁵. To some, the incident's significance belied the fact that, as Martin Schulz, leader of the socialist group in European parliament put it, "the police behaviour demonstrates the gulf that exists between the official position that reforms are under way and the reality on the underground"⁶⁶. In effect, the beatings reinforced lingering EU doubts concerning Turkey's readiness for membership.

Restructuring the national police and gendarmerie's capacity to fight organised crime, money laundering, financial crimes and drug trafficking, is the next priority for the Accession Partnership and NPAA. A final group of police reforms concerns the integration of modern scientific methods into police investigative procedures and practices including improved forensic capacity.

Another underlying challenge to reform police governance stems from police rivalry with the Gendarmerie. This is a product of the civil-military imbalance, tilted toward the latter. It is no secret that police officials believe that their powers and functions are 'kept intentionally weak' by the Gendarmerie General Command (GGC) and that some functions of their organisation, such as intelligence operations, are being gradually subsumed by the latter.

Coast Guard Command and Border Guards

The Coast Guard Command (CGC) is placed organisationally within the Turkish Armed Forces. It is responsible to the Ministry of the Interior, however, for its peacetime duties. By request of the Turkish General Staff, the CGC becomes subject to the Naval Forces high-command during states of emergency or war⁶⁷. Total active duty officers in the CGC number 2,200, plus 460 civilians. With the escalation of efforts against smuggling, illegal migration, terrorism and drug trafficking, the reform project here seems to focus on physical modernisation rather than any radical change in operational principles.

The border guard regime in Turkey is managed by the gendarmerie. This issue is subject to criticism, as the Acquis requires that border control should be transferred to a professional, non-military body and the effectiveness of border control units in the fight against illegal immigration and human trafficking enhanced. An inter-departmental working group within the Ministry of the Interior was created to prepare a strategy for harmonising the law and practice with the Acquis requirements.

⁶⁵ Castle, Stephen. 2005. "Turkey's Tear-Gassing of Women Hits EU Entry Bid." *The Independent*, 8 March 2005. ([http://www. News.independent.co.uk/europe/story.jsp](http://www.News.independent.co.uk/europe/story.jsp))

⁶⁶ *Ibid.*

⁶⁷ Sariibrahimoglu, Lale. 2006. "Coast Guard." *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Center for Democratic Control of Armed Forces, pages 112-117.

Gendarmerie General Command

The Gendarmerie General Command (GGC) is organised to allow the performance of civilian, military, judicial and other duties assigned by government decrees. It is organised at the “general command” level, responsible to the Ministry of the Interior for its civil/public function of keeping peace and order; and to the General Staff for the performance of its military duties in situations of states of emergency, martial law and war⁶⁸. Like its counterpart organisations in many parts of the world, the GGC operates primarily in rural areas. However, since the last decade, the GGC has expanded its scope and increased operational efficiency and effectiveness through traffic and aviation, criminology and internal security systems of its own. Thus it is authorised, in reality, to perform duties not only in rural areas but also in cities where the actual jurisdiction lies with the police.

Division of responsibilities between the GGC and the police force is a problematic aspect of SSR in Turkey simply because the existing situation contradicts those founding principles of the SSR agenda stipulating a clear and unambiguous delineation of the respective functions and responsibilities of civilian and military agents. Police officials privately defend the idea of reorganisation in the form of a merger between the GGC and the police at the level of an “undersecretariat”, abolishing the “general directorate” structure.

Reorganisation of the police force in Turkey is not an isolated issue divorced from the political influence of the military in public life. At first glance, it may appear that tensions between the GGC and police forces are precipitated by the dual nature of the GGC’s duties (military/police). But an analysis of power distribution between civilian and military sectors regarding ‘internal security threats’ over the last decade shows instead a connection with the nature and increased extent of military influence in the securitisation of public life and policy. More importantly, the Turkish military regards the structure, recruitment and operational principles of the police as further evidence of the civilian government weaknesses, partisanship, inefficiency, corruption and lack of discipline⁶⁹.

The war against the separatist Kurdish PKK in the 1990s, carried out mainly by regular military forces, emphasised this problem of trust. The Ministry of the Interior created civilian “Special Teams”⁷⁰, which were police paramilitaries drawn from, and trained in, a radical right-wing ultranationalist mentality, to combat the PKK. Until these were disbanded in the late 1990s, the military “complained that the police’s widespread use of torture in predominantly Kurdish cities was alienating local people and swelling the flow of recruits for PKK units in the mountains”⁷¹. Simply put, poor relations between the TAF and the police tend at times to aggravate the level of insecurity in the Security Sector.

⁶⁸ Sariibrahimoglu, Lale. 2006. “Gendarmerie.” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Center for Democratic Control of Armed Forces, pages 100-103.

⁶⁹ Jenkins, Gareth. 2001. “Power and Unaccountability in the Turkish Security Forces.” *Conflict, Security and Development* 1(1), page 87.

⁷⁰ Bese, Ertan. 2006. “Special Operations Unit.” *Almanac 2005 Security Sector and Democratic Oversight*, ed., Umit Cizre. Turkish Economic and Social Studies Foundation and Geneva Centre for Democratic Control of Armed Forces, pages 118-127.

⁷¹ Jenkins, Gareth. 2001. “Power and Unaccountability in the Turkish Security Forces.” *Conflict, Security and Development* 1(1), page 88.

V. Conclusions

In pointing out problems pertaining to the security sector, the European Commission's Progress Reports on Turkey have consistently singled out the military's and the military-dominated National Security Council's influence in Turkish political life as the chief difficulty in aligning Turkey's security sector with EU practices through providing increasing accountability and transparency. As the EU-Turkey negotiations gained intensity and speed towards the end of the 1990s, the incongruity between the military's guardian role and principles of democratic governance became more starkly apparent. Therefore, Progress Reports never ceased to point out the spill-over effects of military authority and its security considerations over major areas of national politics with the parliament having virtually no say. They have noted over and over again that this reality has conflicted with the Turkish commitment to reduce the role of the armed forces. It has become a commonplace criticism for the reports that individual military members of the National Security Council as well as other senior members of the armed forces have continued to regularly express their opinions on domestic and foreign policy issues via public speeches and press briefings, and that this situation has continued even after accession negotiations were started in October 2005 and the Accession Partnership Document was revised and adopted in January 2006.

This is not to completely rule out the possibility that the EC reports have been influenced by growing opposition across Europe to allowing a predominantly Muslim and poor nation to join an expanding Europe. What it clearly says is that when the security sector status quo in a country is shaped by an entrenched "guardian" model of the military institution – supported by its civilian allies – even though the historical roadmap of the country points at some kind of integration with Europe, the military high command's concern with retaining its predominant role over "security" issues, internal enemies and external defence and foreign policy presents a point of resistance to reforms to dismantle that role. It is logical to think that a number of substantive changes in the distribution of power between elected civilians and the military and among security sector agencies may come about only if priority is given to correcting the civil-military imbalance in favour of civilians.

What useful hints or hypotheses can be noted for countries having parallel conditions and structures, or for admirers of the NSC-dominated Turkish political system (among whom General Pervez Musharraf of Pakistan who established an NSC on the Turkish model, enshrined in Pakistan's constitution since 1999, is noted)?

First, if one focuses on the "limited" but nevertheless observable "progress"⁷² made in the sector, the Turkish experience supports the view that the prime movers of a security sector reform programme are neither entirely technical nor entirely external impositions, but are a combination of externally-created opportunities with local and historical processes. Research shows that over the last two decades where domestic pressures for democratisation are strong, international pressures can provide critical leverage; where domestic pressure is weak or divided, international pressures have less influence⁷³. Applied

⁷² European Commission, Commission Staff Working Document, Turkey 2006 Progress Report. Brussels, 8 November 2006, page 8.

⁷³ Kutz, Ellen and Sikkink Kathryn. 2001 "The International Dimension of Democratisation and Human Rights in Latin America." In *Democracy in Latin America, Reconstructing Political Society*, eds., Manuel Antonio Garreton and Eduardo Newman. United Nations University Press.

to the Turkish case, it is possible to say that the momentum for change has been created by the regime's commitment to reform under the EU conditionalities in the last two decades combined with a popularly elected government in 2002 with a mandate for democratic reform and which welcomes the EU pressure to roll back the military's political prominence. The momentous reform package of August 2003 shows quite clearly that the best formula to generate legitimacy and capacity for elected and non-elected civilian centres in the democratic governance of the security sector is a new strategic context created not just by external circumstances but also by the political will, i.e. the gathering momentum of a government's own policies.

Moreover, there is now a consensus in the country that any reform in the sector should integrate the effectiveness, democratic accountability and rule of law agenda in "security-providing" agencies alongside the "overseeing" organs. In addition, a major theme of SSR is now the security of individuals and minority communities. However, there is also a need to fully understand the sources of the changing nature of conflict and violence revolving around "internal threats" that have sustained the "guardian" role of the military and securitisation of public life in the last two decades. Apart from poverty, political and development failure, indiscriminate violence against citizens, and excessive emphasis on state interests, the role that security agencies played in this conflict has also tended to shape the level of insecurity itself. Therefore, the practical experience of Turkey serves as a reminder that essential values of transparency, accountability and democratic oversight of security institutions must be respected even in the face of establishing effective security requirements against internal and external threats. Unless this is well understood and addressed within the security establishment, attempting to reform the security sector by enhancing its functional efficiency will simply result in a more modernised security establishment able to fight and kill better but becoming a source of insecurity and conflict in its own right in the meantime.

Finally, the Turkish case demonstrates that a significant step towards SSR needs to be based on a clear recognition that no reform package can achieve significant changes in the sector unless the conceptual morass defining threats and national security is demystified and opened to civilian participation. Current policy debates on security sector reform in the country show that the critical threshold of "understanding" this problem has been passed and that some segments of civil society and think-tanks are engaged in activities bridging the asymmetry of knowledge between the security community and civilian parties. That they are not yet conspicuously effective should not obscure the fact that the precepts that shape national security policies are increasingly being debated by civilian bodies. The EU Progress Report of 2005 expresses this fact quite openly: "the question of strengthening parliamentary oversight of defence expenditure has increasingly become a subject of interest for the media and civil society." This fact alone serves to show that civil-military relations in Turkey are characterised by greater dynamism than the historico-cultural frame allows for.



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The Geneva Centre for the Democratic Control of Armed Forces (DCAF) promotes good governance and reform of the security sector. The Centre conducts research on good practices, encourages the development of appropriate norms at the national and international levels, makes policy recommendations and provides in-country advice and assistance programmes. DCAF's partners include governments, parliaments, civil society, international organisations and the range of security sector actors such as police, judiciary, intelligence agencies, border security services and the military.

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