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Turkey's Referendum: A Looming Challenge to U.S. Interests?

Ariel Cohen, Ph.D.

On September 12, 2010, Turkey took an important political step away from its secular nature—and, indirectly, away from its alliance with the United States and NATO. Minister Recep Tayyip Erdogan forced a nationwide referendum to accept or reject 26 constitutional amendments for an up-or-down vote. The referendum passed 58 percent to 42 percent, a victory that Erdogan claims symbolizes the forward progress of Turkish democracy. However, the referendum increased the Justice and Development Party's (AKP) control of the judiciary, weakened separation of powers and checks and balances, and further defanged the army—the two traditional pillars of secularism ever since Mustafa Kemal Ataturk founded modern Turkey in 1923.

The United States has a strong national interest in close strategic cooperation with Turkey and needs to face the reality of Turkey's political evolution. But instead of expressing concern about Turkey's drift away from secularism and its concentration of political power, the Obama Administration and leaders of European powers and the European Union (EU) offered only plaudits to Prime Minister Erdogan and his incumbent AKP, which triumphed in the referendum.

The U.S. is clearly in favor of democracy, civilian control of the military, and a strong judiciary everywhere in the world. However, Erdogan cannot have his cake and eat it too: He cannot talk about democratization while centralizing political power, clamping down on the media, and preparing to change the secular constitution after the 2011 elections that he is angling to win.

Dress Rehearsal for Next Year's Elections. The referendum was, as Berhan Simsek of the opposition CHP party said, “a poisonous pill coated with chocolate”—a reference to the manner in which the dangerous changes in the judicial system were wrapped with innocuous amendments.¹

Symbolically, September 12 was the 30th anniversary of a military coup—a coup that both the Islamists and the Leftists deeply detested. The vote, which allowed putting the leaders of the 1980 coup on trial, was seen as an act of historic justice by Erdogan, his supporters, and their Leftist allies.

The referendum may be a dress rehearsal for the parliamentary elections next year: It will lend momentum to Erdogan's attempt to entrench his leadership while moving Turkey away from Ataturk's vision of secularism and modernization. After all, Erdogan famously quipped, “Democracy is like a street car. When you come to your stop, you get off.”

The Trojan Horse Referendum. The U.S. cannot quibble with the innocuous majority of the referendum's 26 articles, which include collective bargaining for civil servants, equal rights for women, and a right to petition local authorities.² However, several of the articles have radical implications.

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(202) 546-4400 • heritage.org

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For example, four of the amendments increase the number of Supreme Court judges and place their selection in the hands of the parliamentary majority—currently, the AKP. Another article would expand the membership of the Supreme Council of Judges and Prosecutors from 12 to 22, with the government and president playing a greater role in their appointments. As a result, the Prime Minister brought his long-time foe, the judiciary, under his party's political control. Viewed together with AKP attacks against the opposition media, this development endangers the future of democracy in Turkey—something the U.S. should not condone.

The referendum outcome also emasculates the military, as soldiers discharged by the military courts were granted the right to contest those decisions in a civilian court. Furthermore, soldiers deemed responsible for “crimes against state security” or the country's constitutional principles will be tried from now on in civilian courts. The government has given itself the right to bring to trial any soldier, severely limiting the military's traditional autonomy, its historic role as a guardian of secularism, and its tribunals' jurisdiction. This blow comes after the government-machinated Ergenekon conspiracy to instill fear among Turkish officers.³ Far from increasing civilian control of the military, which the U.S. can support, this change is yet another step to deny the army the constitutional role bequeathed by Atatürk.

By concentrating power in the hands of the AKP's top leadership—Prime Minister Erdogan and President Abdullah Gul—the AKP has damaged the innate balance of Turkish democracy. Turkey is now

on a trajectory to become a one-party, Islamist state. Indeed, as prime minister, Erdogan has taken other steps to limit secularism: He instituted affirmative action to allow madrassah graduates to enter universities and get government jobs, placed AKP loyalists throughout the police ranks, systematically leaked embarrassing information obtained through illegal wiretaps to Islamist media, attempted to criminalize adultery for women, and facilitated extremist Salafi religious education, which had previously been banned.

The Wrong Response. The European and U.S. response to all of this has been myopically supportive. For instance, President Barack Obama lauded the “vibrancy” of Turkish democracy; State Department Spokesman Phil Crowley praised the result as “a very strong, decisive vote to move toward greater civilian oversight of these democratic institutions”;⁴ German Foreign Minister Guido Westerwelle stated that the reforms would bring Turkey closer to Europe in terms of the important issues that have kept the Turks out of the EU;⁵ EU Enlargement Commissioner Stefan Füle announced that “these reforms are a step in the right direction as they [Turks] address a number of long-standing priorities in Turkey's efforts toward fully complying with [EU] accession criteria.”⁶

As these comments make clear, Europe and the U.S. failed to realize that Turkey is crawling toward a one-party state and signaled indifference toward two key audiences in Turkey: the military and the secular opposition.

Geopolitical Implications. Turkey is a key partner for the U.S. vis-à-vis Iran, Iraq, the Eastern Medi-

1. Simon Hooper; “Turks Set to Vote in Crucial Referendum,” CNN World, September 11, 2010, at http://articles.cnn.com/2010-09-11/world/turkey.referendum_1_reform-package-erdogan-s-akp-constitutional-court?_s=PM:WORLD (September 14, 2010).
2. Reuters, “Factbox: Turkey's Constitutional Amendments,” September 12, 2010, at <http://www.reuters.com/assets/print?aid=USTRE68B28B20100912> (September 15, 2010).
3. Garret H. Jenkins, “Between Fact and Fantasy: Turkey's Ergenekon Investigation,” Johns Hopkins University, School of Advanced International Studies, August 2009, at <http://www.silkroadstudies.org/new/docs/silkroadpapers/0908Ergenekon.pdf> (September 17, 2010).
4. Agence France-Presse, “Turkey Should Use Referendum Win to ‘Deepen’ Democracy: US,” September 14, 2010, at <http://www.google.com/hostednews/afp/article/ALeqM5iSd-kSmck34fZEef2D-rJgGiePmQ> (September 17, 2010).
5. Trend News Agency, “German FM: Referendum Brings Turkey Closer to EU,” September 13, 2010, at <http://en.trend.az/regions/world/europe/1749723.html> (September 15, 2010).
6. Agence France-Presse; “EU Welcomes Result of Turkish Referendum,” *Hurriyet Daily News*, September 13, 2010, at <http://www.hurriyetdailynews.com/n.php?n=eu-welcomes-turkey-constitutional-reform-vote-2010-09-13> (September 15, 2010).

terranean, the Black Sea, and the Caucasus. However, the referendum delivered a blow to the Turkish military, once the principal counterpart in the U.S.–Turkish relationship, and to the Turkish judiciary.

In fact, a stronger AKP may be a threat to U.S. policy toward Iran, Israel, the Palestinians, Lebanon, and Syria. Turkey's opposition to the transfer of U.S. troops to Northern Iraq in the spring of 2003, its current support of Iran despite the UNSC sanctions, its launch of a flotilla to boost Hamas in Gaza, and its increasingly vituperative anti-Israeli policy are signs that cannot be ignored.⁷ Congress and the Obama Administration criticized Turkey's cancellation of Israel's participation in the October joint aerial maneuvers.

Washington will be seeking to work with Ankara to minimize friction in relations between the U.S. and Turkey, but the AKP's repeated anti-American rhetoric and policies make such collaboration difficult.

What Should the U.S. Do? The U.S. cannot ignore the current trends, all of which indicate Turkey's ties to the NATO alliance, its Western identity, and its long-term strategic reliability are all at risk. Consequently, the Obama Administration should:

- *Identify* and nominate a U.S. Ambassador to Ankara who would strongly articulate U.S. policies, support democratic values, work well with the opposition and civil society, and protect U.S. interests. The current nominee, Francis Joseph Ricciardone, is facing Republican opposition and a hold by Sen. Sam Brownback (R–KS).
- *Boost* U.S.–Turkey military cooperation by locating a multi-purpose THAAD radar to support a sea-based SM-3 interceptor missile defense aimed against the Iranian ballistic missile threat.

In future, these missiles can be land-based, while the radar can serve a NATO missile defense architecture.

- *Persuade* Ankara to stop its support of the Hamas terrorist organization, curb anti-Israeli invective, repair relations with Jerusalem, and return its ambassador to Israel. The Obama Administration warned Turkey that the U.S. will not participate in the October 2010 air force maneuvers, from which Ankara disinvited Israel. If necessary, the White House should back this signal by action.

Look for Opportunities. The referendum strengthened Prime Minister Erdogan and his AKP 10 months before the crucial 2011 parliamentary elections, which may distance Turkey further from the West. However, glib congratulations over the referendum's dangerous outcome miss the point and send the wrong signal to America's friends in Turkey.

Ankara affects U.S. vital interests in the region as it plays a key geopolitical role in Iraq, Iran, the Caucasus/Black Sea, the Balkans, and the Levant. The U.S. should look for opportunities to boost this crucial relationship without compromising America's values or neglecting her allies.

—*Ariel Cohen, Ph.D.*, is Senior Research Fellow in Russian and Eurasian Studies and International Energy Policy in the Katherine and Shelby Cullom Davis Institute for International Studies at The Heritage Foundation. The author thanks Sally McNamara, Senior Policy Analyst in European Affairs in the Margaret Thatcher Center for Freedom; Jim Phillips, Senior Research Fellow for Middle Eastern Affairs in the Douglas and Sarah Allison Center for Foreign Policy Studies; and Baker Spring, F. M. Kirby Research Fellow in National Security Policy in the Allison Center at The Heritage Foundation for their valuable input to this paper.

7. Sally Mc Namara, Ariel Cohen, Ph.D., and James Phillips, "Countering Turkey's Strategic Drift," Heritage Foundation Backgrounder No. 2442, July 26, 2010, at <http://www.heritage.org/research/reports/2010/07/countering-turkey-s-strategic-drift>.