

The “Democratic Opening” in Turkey: A Historical/Comparative Perspective

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ABSTRACT

This article aims to analyze the process of AKP's democratic opening in an historical and comparative perspective with respect to various other experiences of transition to democracy in Southern Europe, Latin America and Eastern Europe. With the current democratic opening, first labeled as “Kurdish opening,” and continuing with a large constitutional reform package, the AKP seems to be engaged in a huge task of deeply transforming the post-1980 regime. Comparing with the experiences in Southern Europe, Latin America and Eastern Europe, the consolidation of a new democratic regime introduced by the democratic opening in Turkey will be a governmental enterprise: a matter of political maneuver to reach a compromise among the various sections of the governing elite with the opposition; a matter of institution building to create channels of mobilization for societal demands; and finally a matter of timing.

The recent opening of the post-1980 Republican regime, covered under the Justice and Development Party (*Adalet ve Kalkınma Partisi*, AKP) government's policy of the “democratic opening” and coordinated by the Interior Minister Beşir Atalay,¹ probably dates back to the capture of Öcalan and the earthquakes in 1999. These crucial developments were compound by the 2001 financial crisis, considered one of the most serious crises since the foundation of the Republic. At this conjuncture, at the Helsinki Summit of the EU in 1999 Turkey was accepted as an official EU candidate, which required it to implement the Copenhagen criteria of democratization and economic reform. All these events brought an end to the traditional conception of the “daddy state” in Turkey in the eyes of the public. In this context, Turkey issued a series of reform packages in a short period of time, radically transforming the legal and institutional infra-

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structure of politics in the country. In particular, the groundbreaking reforms came with the third reform package issued in August 2002, in which Turkey abolished the death penalty, accepted the broadcasting of languages other than Turkish (referring mainly to Kurdish) and recognized the property rights of the

non-Muslim minorities' foundations.

With the current democratic opening, which started being labeled “Kurdish opening,” and continuing with a large constitutional reform package, the ruling AKP seems to be engaged in a huge task of deeply transforming the basic institutional structure of the post-1980 regime. As underlined below, the rise of such a radical democratic initiative, aiming at responding to various forms of societal demands coming from widely marginalized sectors, ranging from conservatives defending the right to use headscarves to the demands of the working classes and the religious and ethnic minorities, has been the result of the mobilization of civil-society forces through European linkages. The current policy of the democratic opening responds to these societal demands with a redefinition of the political community (through the inclusion of qualities to the understanding of citizenship), the recognition of the autonomy of civil society (through supporting grass-roots participation and associability), and administrative restructuring (through the creation of autonomous regional and provincial levels of government carefully integrated to the national one and functioning in a transparent way).

This article aims to provide a brief study of the process of AKP’s democratic opening in an historical and comparative perspective. It aims to analyze the Turkish case with respect to various other experiences of transition to democracy in different parts of the world, particularly in Southern Europe, Latin America and Eastern Europe. The Turkish democratic opening has crucial similarities with the transition experiences in those regions and suffers from very similar limitations. When analyzing the current Turkish “opening” in a historical and comparative perspective, three factors seems to have a crucial significance: the strategy of the actors – government, opposition parties, clandestine opposition and civil society – that have been conditioned by the existing state’s institutional structure; the time constraint in implementing reforms; and the international context. The first part of this article is devoted to a brief review of the literature on democratic transition and consolidation. It draws on a framework of analysis with an inte-

grated assessment of the democratization experiences from Southern Europe, Latin America and Eastern Europe. The Turkish case will be the focus of the second part of the article. The assessment of the current democratic opening will be based on a critical review of the post-World War Two Turkish experience of democratization. The concluding remarks will be devoted to an evaluation of the current Turkish opening from a comparative perspective.

The post-World War Two experiences of regime change have shown that the international context occupies a significant place in the processes of democratization

From Democracy to Democratization

A Framework for Analysis

Modern democracy, as a particular form of political regime, has been an extensive focus of theoretical and historical investigation particularly in the aftermath of World War Two. The European experience of the 20th century dramatically showed that democracy encountered fierce competition with fascism, anarchism, communism and socialism.² Immediately after World War Two, liberal democracy, triumphant against fascism, entered into another serious clash with socialism. Throughout the Cold War, it emerged as the dominant regime of the US-led Western Alliance against the socialist Warsaw Pact led by the Soviet Union. Europe was at the heart of the superpower competition. Beyond that, the ideological struggle expanded to countries newly independent as a result of decolonization in Africa, the Far East and the Middle East. Soon, the ideas of nationalism and democracy faced an authoritarian backlash and dictatorships of different kinds emerged all around the world. In the areas concerned in this article, while Eastern Europe was under the Soviet domination, the democratic experiences of Latin America and Turkey faced breakdowns with military coups and re-democratizations. Southern Europe appeared as a success story with the collapse of the last dictatorships in Spain, Portugal and Greece. The end of the Cold War brought an end to the division in Europe, and liberal democracy gained a renewed strength and currency in all parts of the world as a legitimate and victorious political regime. Some regarded this as an ultimate success,³ but it soon became clear that liberal democracy faced deep-rooted cultural barriers — witness the problems in the Middle East — and a qualified understanding of democracy is required even in the West. However, despite the cultural barriers, the processes of democratization turned into being a crucial area of scholarly analysis as much as liberal democracy turned into a worldwide recognized and legitimate political regime particularly in the post-war period.

The post-World War Two experiences of regime change have shown that the international context occupies a significant place in the processes of democratization.⁴ During the transition process, which can be considered a condense struggle for hegemony within the state, the domestic power struggle is generally conditioned by the international context.⁵ However, political regimes do not simply shift their basic nature from one type to another. On the contrary, many of them get stuck in the middle as hybrid or crisis-prone polities. Apart from the structural determinants of democracy, a dynamic model of democratization, which is more explicit about “temporality”, becomes essential to capture the different dimensions of the actors’ strategy. In this context, Schneider and Schmitter make an analytical distinction between liberalization, transition and consolidation, underlining their multiple and temporally/spatially related dimensions.⁶ Among them the transition process could be considered as a “founding moment”⁷ in the sense that the manner in which the transition is carried out determines the character of the main forces pushing for and leading it and their relative strengths. The pace of transition is among the factors shaping the democratic governance in the successor regimes.⁸

However, few questions regarding the post-transition period remain to be answered: what are the properties of a consolidated democracy, why do newly established democracies face constant regime crisis, and why do non-consolidated democracies not break down all together? Various scholars have looked at these questions. O’Donnell underlines that the consolidation of democracy is a matter of “longevity”, meaning that a democracy gets strength as long as it does not break down.⁹ For Diamond, consolidation refers to two crucial political properties: “legitimacy” and “efficiency”.¹⁰ Democracy is consolidated if the vast majority of population prefers democracy as the system of government and vote for the democrats. Linz and Stephan apply “a checklist approach” and underline five areas of contestation: political, legal, economic, administrative, and social.¹¹ For them, a democracy is consolidated as long as it has free and fair elections, a Weberian civil service governed by a concept of state impartiality referring to an effective and impartial law, interest group participation in the context of active civil society, and respect for property rights. Finally, Przeworski claims that when democracy turns to be “the only game in town”, it is consolidated. Democracy is consolidated as a system — a set of rules — and the political actors can be relied on to follow the established rules and all parties accept the constraints of the democratic process. Przeworski states that “democracy is consolidated... when no one can imagine acting outside the democratic institutions, when all the losers want to do is to try again within the same institutions under which they have just lost”.¹²

An Integrated Assessment

When analyzed within the framework of the democratization theories briefly outlined above, the transition experiences in Southern Europe, Latin America and Eastern Europe show that there are three basic factors, important in different degrees depending on the country case, which seem critical. These are political actors changing strategies constrained by the already existing state's institutional structure, the democracy's time constraint, and the international context of democratization. Throughout the transition process, questions regarding where the main dynamics of the process were initiated — “from the inside or from the outside” — occupy a central role. This is largely related to looking at by whom — the old regime, the opposition or an invasion — the first major steps were taken towards democratization, and to what extent the old regime lost its legitimacy. These questions require an urgent response to overcome the protracted nature of the transition process and to give legitimacy of the whole process in people's eyes.

In Greece, the junta of the Colonels collapsed as a result of the Turkish intervention in Cyprus in 1974. Transition was an immediate affair engineered by the Karamanlis government. The army lost prestige to such a degree that the return to a military junta has not been a serious concern of the new democratic regime in Greece.¹³ In Portugal, the process of democratization was initiated as a result of a foreign policy crisis coming out of a crisis in the colonies. A foreign policy crisis turned into an internal political crisis of the authoritarian regime.¹⁴ Spain has been considered as a paradigmatic case for democratization. That is because, although the international environment including the European Community's (EC) support provided a significant cushion for democratization, the transition process, which started with the death of General Franco in 1975, was largely a result of internal political engineering between the ruling and the opposition political actors, and was therefore different from the cases in Southern Europe and also in Eastern Europe analyzed below. The transition to democracy was largely a domestic process of political engineering initiated by the Francoist regime but generally shared by the opposition forces, which contributed to its strong consolidation. The transition process faced with a significant crisis with the Civil Guard's aborted coup attempt on February 23, 1981, which was overcome by the efforts and the consensus among the leading democratic forces. “Consensus” among the political forces was the motto of the democratization process despite the pressure of violence and terror of the Basque terrorist organization, the ETA.¹⁵ The EC contributed to the creation of a suitable environment to the democratization process in Southern Europe, ending with all three countries gaining EC membership in

the 1980s. This secured the newly established democracies of Greece, Portugal and Spain from sliding backwards to the traditional authoritarian reflexes.¹⁶

During the 1990s, the collapse of the communist regimes in Eastern Europe as a result of a serious crisis of legitimacy made a radical political and economic restructuring inevitable. The democratization experience of these countries was first regarded as incomparable due to the unique experience of communism in that part of the world.¹⁷ However, the role that international actors played in the transition in Eastern Europe by tying the hands of the authoritarian forces from striking back and perpetuating illiberal political regimes suits particularly well to our framework of analysis. The power vacuum left by the collapse of communism was filled by the European Union (EU). The EU's role in the political, administrative and economic restructuring was more active than in Southern Europe. The EU's active leverage had the greatest impact on the configuration, the strength and the agenda of the opposition forces against the undemocratic regimes. This operated by changing the institutional and information environment to improve the competitiveness of the political system. While improving the institutional environment through shaping the political agenda of rival groups and bringing together diverse opposition forces to put pressure on the undemocratic regimes to situate the country in the EU accession process, the EU improved the information environment by enriching the debate on alternative strategies for reform and wearing away the pro-Western façade of rent-seeking elites by criticizing their performance in government. Undermining the political strategies of ethnic nationalism and economic corruption through rewards of immediate financial assistance and foreign investment, the EU encouraged the governments to implement reforms and empower the opposition parties and indigenous interest groups that lacked the means to attack the government effectively. Joining the EU required Eastern European countries to engage in a great transformation of domestic policy making and pooling of sovereignty in several key areas. These enormous requirements of joining the club were combined with the great benefits of being an EU member.¹⁸

As many Latin American cases reveal, the mere establishment of electoral processes is not enough to ensure that a regime will remain democratic over time. Latin American political actors frequently resort to going outside democratically established rules to improve their chances. However, non-consolidated democracies in Latin America do not tend to break down but instead go from crisis to crisis. Latin American democracies have been considered problematic democracies "in spite of elections". The historical experience shows that in spite of the establishment of democracy, many Latin American countries have failed to sustain democratic regimes and easily slide back to authoritarian regimes. The authoritarian turns in

Colombia and Venezuela, and Uruguay and Chile in the 1970s, are examples that stability and longevity might easily give way to crisis and democratic breakdown. Though stable in much broader terms, many democracies in Latin America are non-consolidated in Przeworski’s sense.

Many structural reasons play a role in the crisis-prone nature of Latin American democracies: the state bureaucracy dominated by patronage, a weak judicial power, a weak civil society activism, a lack of secure institutionalization in the economic decision making process, and a priority of state authority. However, one particular reason is the role of the army in politics as they have played a crucial role in Latin American democracies after the transitions through the institutional settings and constitutional structures formulated throughout the transition process.¹⁹ Different from the Southern and Eastern European cases, in Latin America, the Cold War and the US’s priority of winning at any cost caused the collapse of democratically elected governments by military coups and the restoration of authoritarian regimes. In 1973, the Allende government in Chile was overturned by General Pinochet’s US-supported coup. Following the coup in Chile the processes of democratization in many other Latin American countries were negatively affected by the international climate shaped by the power struggle between the US and the Soviet Union. In Latin America, the democratic return had to wait for the weakening of the Cold War from the mid-1980s onwards and the collapse of the Berlin Wall in 1989.

The experiences in Southern Europe, Latin America and Eastern Europe show that the democratization processes have a clear time constraint. In other words, democratization is a byproduct of a particular “conjuncture” of domestic and international politics. These processes of regime change, extremely fragile in nature, could only be possible by the assessment of the political actors of this time constraint, largely determined by a conjuncture of domestic and international circumstances. The evaluation of this time constraint by political actors is as important as providing a public consensus in the transition to democracy. During transition, political actors do not have much time to reach a widespread consensus on new institutional structures and rules, as well as the defining the specific terms of interaction in the new regime. With the misuse of time, the windows of opportunities could easily be closed. The dilemma mentioned above regarding from where the first steps of the democratic opening was initiated — “from the inside or from outside” — underline that democratization, which is carried out by a consensus among domestic political actors, is in close interaction with the in-

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ternational global political context. Democratizing forces, in order to successfully complete the process of democratic opening, face two interlinking crucial tasks. While providing and maintaining a very fragile balance of political forces which could be sabotaged by violence and terror in domestic politics, they have to observe and respond to the rapidly changing international context. In other words, both domestic concerns and strategic calculations play a role in democratization

Democratization in Turkey

A Historical Perspective

There is abundant literature on democratization in Turkey. In spite of the richness of Turkey's democratic experience both before and after World War Two, this literature suffers from a serious weakness, mainly shaped by two basic misdiagnoses. The first major weakness is that the analytical and the conceptual difference between a real process of transition to democracy and a process leading to the establishment of a civilian regime after the military interventions, which could be considered a process of civilianization, has not been established. The second important weakness is related to a shallow approach to democracy. Some essential components of a true process of democratization such as the recognition ethnic/religious identities, the autonomous representation of economic interests and other forces of civil society, and the restructuring of the state, has generally been left out of the analyses. All these inadequacies have been compounded by a lack of a comparative perspective in assessing Turkish democracy.

The introduction of the procedural aspects of democracy with free elections, the functioning multi-party system and relatively free forms of association after the one-party regime ended in 1945 was considered sufficient to regard Turkey as a democratic country. The Kemalist principles, namely nationalism, secularism, populism, revolutionism, republicanism and statism that were formulated by Atatürk in the 1930s provided more than a guideline for the multiparty system: they functioned as insurmountable imperatives. Nevertheless, through elite brokerage and fragmentation under the pressures of an international climate favorable to democracy, Turkey introduced the multiparty regime in the aftermath of World War Two.²⁰ The parties that occupied the political space with the transition in 1950 mainly functioned as tools of elite recruitment. The initiators of the multiparty system thought that a pluralistic political arena was required not only to legitimize the Kemalist regime in the post-war world but also that the parties could work as organizations of national integrity through political socialization. The multiparty system would in the end show that the Kemalist regime was capable of transforming

itself with respect to domestic demands and international pressures. This new political system found large support among the population, tired of the decades of one-party rule and the war-time social and economic problems, even though semi-closed in its founding principles.

In this new configuration, both ethnic and religious pluralism and organized labor, bringing a different form of societal expression vis-à-vis the state as a result of the post-1950 industrialization and urbanization in Turkey, were kept outside of the political space. The major political parties, the Republican People’s Party (*Cumhuriyet Halk Partisi*, CHP) and the Democratic Party (*Demokrat Parti*, DP, later after the coup of 1960 the Justice Party), while monopolizing the political center, kept autonomous expressions of civil society both in political and economic aspects on the periphery.

The bureaucratic elites ultimately maintained their supremacy by military interruptions, legitimized as a mere restoration of the founding principles of Kemalism which was corroded by the inadequacies of the political elites and frictions between parties. In fact, the transition to democracy after each military coup, in 1960, 1971 and 1980, was in the form of a transition from a military to a civilian government — a mere restoration of procedural democracy. The post-war experience of almost 40 years of the multiparty system until the late 1980s demonstrated a dilemma for the Turkish modernization process. Over the past two centuries of modernization, Turkish politics has been characterized by a confrontation between the center and the periphery. There has always been a missing link between state and society, and civil society as an intermediate level of political maneuvering (and governance) has been unable to sustain itself in the Ottoman-Turkish polity.²¹ The state elite — the army together with top diplomats, high level judges and academia — exerted absolute power on designing the basic framework of domestic politics and foreign policy, and pressured the governments to implement those policies. This Republican centralism attributing a regulatory role to the state in the economy affected local politics and cultural politics by harshly suppressing any autonomous expression of local social and cultural dynamics and actors in the name of state integrity and the unity of the Turkish nation.²² The traditional dichotomy of center-periphery has been resolved in favor of the center as a result of a particular relationship of the secular-progressive political regime,

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established vis-à-vis religion.²³ Civil society has been conceptualized in highly nationalist terms and the diversification within the periphery not just through the trade unions and political parties but by Kurdish nationalism and the claims for the autonomous recognition by Alevi (a

Shi'ite section within Islam) has been disregarded.

The mobilization of civil society in the post-1980 period turned out to be the major aspect of the democratization process in Turkey. This has occurred in several respects by the dynamics triggered both from inside and outside of the country. In the international context, the EC, and later the EU, emerged as the key actor of Turkey's political transformation. By claiming an immediate return to democracy and criticizing the junta because of human rights abuses, the EC/EU appeared as an actor of domestic politics in a rather novel form.²⁴ As the European vocation gained a momentum with the Turkish application in 1987, the EC pushed Turkey towards democratization, particularly with respect to human rights. The EU empowered civil society actors by directly supporting them with technical capacity, financial assistance and integrating an international dimension to their activities.²⁵ The impact of the EU demonstrated the limitations of the democratic practice and required building alternative mechanisms of political legitimization in Turkey through the recognition of civil society actors as autonomous and institutionalized entities.

The new political regime established in the aftermath of the 1980 coup inherited an economic program known as the "decisions of January 24" which were taken by the Demirel government on January 25, 1980 under pressure from the International Monetary Fund (IMF) and started to be implemented even before the coup. In fact, continuing with the implementation of these decisions, the post-1980 regime consolidated a new economic system based on export orientation, radically different from the previous one defined by import substitution. Supporting this change since the late 1970s, the business community of Istanbul increasingly recognized the need to conform to global norms not only in the economic sense but also in the political sense and started pressuring the government for a complete restoration of democracy. This export-oriented model soon empowered small- and medium-sized enterprises as new economic actors in Anatolia, challenging also the role of the big business centers in Istanbul. Throughout the 1990s they emerged as a competing class with a political agenda finding its expression in the Islamist parties.²⁶ These Anatolians wanted a political opening for cultural

reasons apart from the economic ones of playing a role in the distribution of the state benefits through privatization. Implying the parallel trajectories and underlining the challenges towards the modernizing elites, Gole states that “If the liberal movement represented the economic dimension of the autonomization of civil society, the Islamist movement represented the cultural dimension.”²⁷

Civilian control of the armed forces has been a major battlefield for the consolidation of democracy in the post-1980 period. This is partly because of the single-handed role of the army in designing the way towards the coup and the formulation of the post-1980 institutionalization of the Kemalist regime. Civilian control of the armed forces has actually been a struggle with a double dimension as the upper hand of the army was just one part of the whole legal-formal edifice found by the 1982 Constitution that was drafted under the tutelage of the military regime. The whole institutional edifice built around the 1982 Constitution provides formal rules to regulate the power structure within the regime and assigns governmental functions to non-representative or semi-representative bodies in various spheres of the bureaucracy such as the universities and the high courts, not just the armed forces. Over the past three decades, the Kurdish insurgency in the southeast of the country has further constituted and consolidated a basis for the military’s involvement in politics. In addition to the extraordinary powers granted through the emergency rule (OHAL) declared in the major provinces of the region, the army continuously prioritized the “military solution” to the Kurdish problem, and narrowed the space for political maneuver.

However, particularly after the Gulf War, Turkey undertook significant steps in the Kurdish problem with domestic and strategic calculations. Meetings of Turkish officers with Kurdish leaders in Iraq were compounded by the lifting of the restrictions imposed on the use of the Kurdish (in February 1991) in arts and media (but not in politics).²⁸ These policy reversals of the coalition government led by Demirel, as Karaosmanoğlu argued, were in line with other measures towards democratization taken by the Motherland Party (*Anavatan Partisi*, ANAP) government to improve Turkey’s image in Western Europe and were motivated by the expectations that they would increase Turkey’s freedom of action in the region, strengthening its position to take on regional roles.²⁹ But, the 1990s witnessed the imprisonment or assassination of Kurdish leaders and prominent members, the closure of a series of Kurdish parties such as the People’s Labor Party (HEP); Democratic Party (DEP); People’s Democratic Party (HADEP) on the basis of their links with the PKK terrorist organization. Silenced almost completely in the political arena, Kurdish demands further radicalized. A “political solution” could only be voiced with the arrest of the PKK leader Öcalan in 1999.

The Turkish “Democratic Opening”: The Dynamics of a Process

The year 1999 was crucial in many respects. Turkey faced a dramatic earthquake in August and the EU recognized Turkey as an official candidate for membership in December. In 2001, a financial crisis came with dramatic consequences. Shaken by all these events and under pressure from the third EU reform package issued in August 2002, which led to serious constitutional changes challenging the basic principles of the Republican regime,³⁰ the coalition government led by Bülent Ecevit collapsed and early elections were held in August 2002. All of this paved the way for the coming of the AKP to power in the November 2002 elections. The AKP, forming a single-party government, had already declared its commitments to the EU’s Copenhagen criteria, the normalization of Turkey’s foreign relations, and the implementation of the IMF-imposed economic reforms. Over the past few years, the political climate substantially improved in Turkey with the high expectation that democratic institutions and economic conditions would soon improve. This proved true with the government’s implementation of economic reforms, and fast move towards issuing six more reform packages.

Instrumentalizing the accession process, the EU requirements gave the new government an opportunity to gain an upper hand in Turkey’s politics, particularly through downgrading the role of the military in politics which was considered one of the most crucial areas of democratic reform.³¹ With the seventh reform package issued in June 2003, the civil-military balance started to be transformed by significantly reducing the power of the National Security Council (NSC) to that of an advisory body and increasing civilian control over the military’s budget through opening it to audit by the Court of Auditors.³² Finally, the NSC secretary-general, formerly a high-ranking military official, would no longer be a military official at all, but rather a civilian nominated by the prime minister and appointed by the President. Prime Minister Erdoğan stated that the Copenhagen criteria would be turned into the “Ankara criteria” and implemented in Turkey whether the EU membership prospect exists or not.³³ The post-2004 experience shows that the new power configuration was very fragile as the AKP’s reformist program was under serious pressure from the military and bureaucracy.³⁴

The start of the EU accession negotiations in October 2005 further intensified the clashes within the Turkish elite. The clash within the state between the established powers — including some sectors of academia, top bureaucracy, the high courts (the Constitutional Court, the Council of State, and the Supreme Court of Appeals) and the army — got bigger with the presidential elections in April 2007. This was because the president, with crucial powers such as appointing the rectors of the

universities and the judges of the high courts, was critical in terms of sustaining the balance of power within the post-1980 institutional set up. Therefore, inevitably, April 27, 2007 witnessed the turn of a political crisis into a regime crisis through an ineffective military intervention a note put at the website site of the General Staff.³⁵

The AKP’s victory of the July 2007 elections, with 46.7% of the votes, and the election of Abdullah Gül as the new president in August 2007 did not bring an end to the regime crisis. Pressures over the government to intervene in northern Iraq on the eve of the July elections to pursue PKK guerillas further contributed to the political turmoil.³⁶ This pressure intensified even after the elections when PKK guerillas organized a raid on a military convoy in Dağlica, located in the southeast frontier, on October 21, interestingly corresponding to the date of the constitutional referendum to change the election procedure of the president.³⁷ For the AKP, taking a radical decision to intervene militarily in northern Iraq would be unwise not just because of simple electoral concerns but also because of the US presence there. The government deflected the pressures of the army by intelligent political maneuvers before the elections, bringing the majority of the votes in the region, even surpassing the total votes of the independent Kurdish deputies.

Soon, another crisis erupted when the chief prosecutor opened the closure case against the AKP on March 14, 2008 on the grounds that “it had become the center of anti-secular activities”. The closure case was concluded on July 30, 2008 and the Constitutional Court decided not to close the AKP, but fined the party in the amount of 50% of its state aid. When announcing the verdict, the president of the court underlined that the court would not undertake the burden of pushing the country into the deep chaos which might occur as a result of closing the AKP. The court did not ignore the international opposition mainly coming from the EU. The European Commission President J.M. Barroso paid an official visit to Turkey just after the closure case, reiterating the EU’s commitments towards Turkey and showing that Turkey’s democratization was an EU priority. The EU criticized the government because of its policy of postponing the reforms and the judges because of extremely narrowing the political space.³⁸ Erdoğan saw the EU as a savior.³⁹

Apart from the international leverage provided by the EU to balance the power of the establishment in Turkey, the leading figures of the AKP saw that their future and the current stage of democratization process particularly since 2002 could be saved from sliding backwards through further opening of the Kemalist regime. Therefore, with the democratic opening, the AKP has engaged in a huge task of deeply transforming the basic institutional structure of the post-1980 regime through enlarging the understanding of citizenship which would lead to

re-defining political community, strengthening association and grassroots participation, and engaging in a relative decentralization of the state with local levels of government carefully integrated to the national centre.

However, the democratic opening started with a label of “Kurdish opening” for two principal reasons arising from interlinked domestic and international factors. Although the normalization of the political situation in the southeast increased hopes for further democratic and economic prosperity, the AKP’s strategy of incorporating the Kurds by using religious roots and economic carrots, applied in the previous two general elections, seems to have reached its limits. The AKP lost some of the eastern and the southeastern municipalities that were previously controlled by the AKP in the latest local elections held in 2009. It was clear that this new period required the government to seriously respond to Kurdish demands regarding freedom of expression, cultural rights and governance. The other major reason was related with the international conjuncture, particularly resulting from the US declaration of withdrawal from Iraq. The US government was stuck in Iraq and the AKP seems to see this as a window of opportunity, a positive international environment, to initiate such a difficult process of political transformation. The EU also would fully support such a democratic initiative.⁴⁰ Such a kind of political opening has long been needed for further democratization of Turkey, faced with the growing deterioration of the Kurdish issue. However, the AKP’s evaluation of the conjuncture of both domestic and international linkages seems crucial in engaging such a radical democratic initiative.

Although governmental circles argued exactly the opposite — meaning that domestic factors played a major role in the opening — the main claim and criticism of the opposition was that the main dynamics of the process was triggered from outside. The short experience of the democratic opening confirms that the democratization processes are rather fragile and could easily be sabotaged. The sabotage could come from inside the regime as well as from opposition and terrorist organizations. The democratic opening process had its first serious crisis as a result of a PKK terrorist attack in Tokat, a central Anatolian province, on December 7, 2009. Seven soldiers died in this attack. The government regarded the attack as an open provocation aiming to sabotage the opening.⁴¹ The terrorist attack was widely protested by the masses in all around the country, almost leading to a dangerous level of inter-communal violence between Turks and Kurds.⁴² Soon after the collapse of the initiative under the pressures of sabotage from the PKK, the Constitutional Court concluded its case against the Kurdish nationalist Democratic Society Party (*Demokratik Toplum Partisi*, DTP) by closing the party because of its alleged links with the PKK.

In addition to the Kurdish opening, another crucial dimension of current democratic initiative was furthering the civilian control of the military. Having survived the closure case, and acknowledging the fact that furthering the reform process would consolidate its power in domestic politics, the AKP started to take bold steps in the area of civil-military relations. In addition to the steps taken in the “Ergenekon” case, which revealed a network organizing acts of political violence in Turkey,⁴³ and the exposure of the “Sledgehammer” plan against the AKP government — a coup plot organized by a group of military officers led by the ex-head of the First Army General Çetin Doğan in 2003 — the prestigious role of the army in Turkey’s politics was damaged.⁴⁴ In addition to the arrest of a number of retired and active duty officers, including General Doğan, the government furthered its efforts to marginalize the role of the military in Turkey’s politics by annulling the controversial Protocol on Cooperation for Security and Public Order (EMASYA), which allowed for military operations to be carried out for internal security under certain conditions without authorization from civilian authorities.⁴⁵ The gradual marginalization of the army from politics has been expected to give the government the chance to deepen the democratization and implement the policies of the democratic opening.

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Another major aspect of the democratic opening is related to responding to the demands of non-Muslim minorities in Turkey. A key piece of reform legislation brought to the parliament in 2004, with the aim of broadening religious freedoms in Turkey, was the draft Law on Foundations, designed to enable the country’s non-Muslim religious minorities to regain their property rights. The Law passed on November 9, 2006 after months of fierce debates, but was sent back again to the parliament by the president of the time, Ahmet Necdet Sezer, on the basis of its unconstitutionality. Finally, the latest version of the Law was issued on February 20, 2008⁴⁶ but its implementation together with the resolution of the outstanding property-related issues regarding non-Muslim minorities still remains a challenge.⁴⁷

The AKP government developed an initiative to improve dialogue with Alevis with the purpose of addressing their complaints.⁴⁸ Soon this initiative was labeled the “Alevi opening”. The deliberations among intellectuals, Alevi community leaders, academics and politicians continued for seven rounds and ended on January 30, 2010. Despite mutual declarations of good will and the preparations of a pre-

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is hidden in the non-conclusive strategy of the AKP government, which demonstrates that the significance of a timely response to societal demands is a critical feature of democratic reform.

Conclusion

The Southern European cases of Spain, Portugal and Greece show that the key point in the democratization process is to benefit from the window of opportunity opened by the internal and the external political environment. Democratization has a clear time constraint, and neither the domestic consensus nor the suitable international environment is permanent. This is true for the AKP's present democratic opening initiative too. As claimed above, through the democratic opening, the AKP aims to benefit from the suitable international environment — the withdrawal of US troops from Iraq and unconditional EU support for democratization — to resolve a major domestic problem, the Kurdish issue, the major domestic problem of the country. By trying to respond to the demands of various societal groups from the business community to ethnic and religious minorities to further democracy, the AKP also aims to consolidate its power in the political agenda vis-à-vis the established circles such as the military, the high courts and the academia. However, the experience of the democratic opening confirms that the processes of democratization are rather fragile and can easily be sabotaged. The opening had its first serious crisis as a result of the PKK terrorist attack in December 2009. Even though the government condemned the attack, the masses around the country, while harshly protesting the PKK, accused the government and its non-conclusive policy of democratic opening as also weakening the struggle against terrorism. Soon, the closure of the DTP by the Constitutional Court came.

In the Spanish democratic transition, we see that a lot depends on how the political forces engineer the transition process in the sense that democratization is not just a governmental enterprise, but requires a serious dialogue between the government and the opposition and the moderation of the opposition demands to an acceptable level. Spain is a paradigmatic case in terms of demonstrating that

liminary report, the initiative was concluded without the formulation of any conclusive strategy towards the problems of this ethno-religious community.⁴⁹ Both in the case of the Alevis and the non-Muslim minorities, the government has been accused of being too slow and even hypocritical. The real problem

a democratic opening was possible even under the pressure of terrorism. Spain overcame this because the government, civil society and opposition groups were all committed to democratization. Thus, as much as governmental decisiveness, the moderation of demands and the marginalization of the extremes — both

on the sides of the old regime and the opposition — by establishing dialogue and consensus played a crucial role in building a new democracy. The extreme political movements resorting to and supporting violence were collectively marginalized in Spain as well as in the Basque country during the transition process. The Spanish case, particularly the marginalization of the extremists during the process of democratization, is particularly revealing for the importance of actors’ strategies for a successful democratic opening in Turkey.

If the latest democratic initiative in Turkey fails, it would mean a victory for the radicals among the Kurds and the Turks vis-à-vis the moderates. So, there seems to be a desperate necessity for a serious deliberation among the Kurds regarding how to formulate a credible voice in Turkey’s current climate of democratization in order to win over the sympathy and the support of moderate Turks. In comparison with Eastern Europe where the EU played a determining role in directing the democratization process, the EU’s role in the case of Turkey, particularly in the context of the present democratic opening, should be qualified. Over the past few decades the EU has played a crucial role in shifting the power configuration in favor of civilians in Turkey’s domestic politics. However, currently, the messages coming from the EU side are becoming rather ineffective in directing, leading and stimulating the process of democratization in Turkey. The lack of clear membership prospects and properly designed incentive structures seriously weakens the hands of the reformists, including the AKP. The EU’s non-conclusive strategy seriously hampers Turkey’s transformation. The AKP’s democratic opening initiative, already weak because of its image of being conducted under the pressure of the US and the EU, becomes more fragile because of the extremely shaky nature of the rewards promised at the end of the accession negotiations. The Turkish case shows that because of its incoherent strategy, the EU, once an external leverage of reform, turns into a source of weakness, easily being exploited by the pro-status quo forces ready to halt the deepening of democracy. So, it is not easy to say that the international context always contributes in a favorable way for transition to democracy, sometimes it makes the efforts of the domestic forces rather vulnerable.

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In comparison to the Latin American cases, when considered in a long-term perspective at least from the early 1950s, the Turkish case shows that the consolidation of democracy suffers from similar diseases such as a state bureaucracy dominated by patronage, weak judicial power, weak civil society activism, weak institutionalization of economic decision making process, and priority of state authority instead of human rights and freedom of expression both in the constitution and political culture. Constant returns to civilian multiparty regimes, both in the Latin American and Turkish cases, demonstrates a clear preference for democracy, yet also shows deep pessimism about the workings of democratic institutions. In this sense, the Turkish democratic opening, in terms of the relatively marginalized role of the military, would allow us to see clearly the internal defects, the capacity problems and the quality of the political class in Turkey.

However, in conclusion, the consolidation of a democratic regime will inevitably be a governmental enterprise. It is a matter of political maneuver in terms of reaching a compromise among the various sections of the governing elite including the opposition (both the legitimate and the clandestine ones) and the bureaucracy. It is a matter of institution building in terms of creating channels of mobilization for societal demands. Finally, it is a matter of timing as the consolidation of democracy — the completion of the above-mentioned political and institutional tasks — has a clear time constraint. In this context, the parameters of the democratic opening turns to a function of re-defining the meaning of the terms such as “state”, “nation”, “civil society”, and “governance”. This could only be possible by inviting the clandestine and excluded societal forces to a democratic deliberation, in addition to the legitimate actors in the political game. Currently, the atmosphere of mistrust and extreme fragmentation, both within the governing elite and society in large, seriously hampers the possibilities of such a deliberation and inevitably the completion of the democratization process. However, again the comparative experience shows that a decisive government, through a conclusive strategy of political reform, would overcome all the difficulties of the extremely delicate processes of democratic consolidation, caused by actors’ strategies, time constraints and the international context.

Endnotes

1. The AKP issued a booklet to share its ideas on the current policy of “democratic opening” and the future of Turkish democracy. See, *Soruları ve Cevaplarıyla Demokratik Açılım Süreci: Milli Birlik ve Kardeşlik Projesi*, (Ankara: AK Parti Tanıtım ve Medya Başkanlığı, 2010).
2. M. Mazower, *Dark Continent: Europe’s Twentieth Century*, (New York: Vintage Books, 2000).
3. F. Fukuyama, “The End of History?”, *The National Interest*, (1989).
4. K.S. Gleditsch and M. Ward, “Diffusion and the International Context of Democratization”, *International Organization*, Vol. 60, (2006), pp. 911-933.

5. L. Whitehead, “International Aspects of Democratization”, G. O’Donnell et.al. *Transitions from Authoritarian Rule* (Baltimore: The Johns Hopkins University Press, 1986), pp. 3-46.
6. C. Schneider and P. Schmitter, “Liberalization, Transition and Consolidation: Measuring the Components of Democratization”, *Democratization*, Vol. 11, No. 5 (2004), pp. 59-90.
7. D. Friedman, “Bringing Society Back into Democratic Transition Theory after 1989: Pact Making and Regime Collapse”, *East European Politics and Society*, Vol. 7 (1993), pp. 481-512.
8. T.L. Karl and P. Schmitter “Modes of Transition in Latin America, Southern Europe and Eastern Europe”, *International Social Science Journal*, Vol. 128, (1991), pp. 269-284.
9. G. O’Donnell, “Illusions about Consolidation”, *Journal of Democracy*, Vol. 7, No. 2 (1996), pp. 34-51.
10. L. Diamond, “Thinking about Hybrid Regimes”, *Journal of Democracy*, Vol. 13, No.2 (2002), pp. 1-35.
11. J.J. Linz and A. Stephan, *Problems of Democratic Transition and Consolidation*, (Baltimore: Johns Hopkins University Press, 1996).
12. A. Przeworski, *Democracy and Market* (Cambridge: Cambridge University Press, 1991), p. 23.
13. P. N. Diamandouros, “Regime Change and the Prospects for Democracy in Greece: 1974-1983”, G. O’Donnell et.al. *Transitions from Authoritarian Rule: Southern Europe*, (Baltimore: The Johns Hopkins University Press, 1986), pp. 138-164.
14. N. Portas and S. Gago, “Some Preliminary Notes on the State in Contemporary Portugal”, R. Scase (ed.), *The State in Western Europe* (London: Croom Helm, 1980), pp.230-240.
15. P. Preston, *The Triumph of Democracy in Spain*, (London: Methuen, 1986); J. Tusell, *La Transición Española* (Madrid: Historia 16, 1996).
16. G. Pridham, “The International Context of Democratic Consolidation: Southern Europe in Comparative Perspective”, R. Gunter (ed.), *The Politics of Democratic Consolidation* (Baltimore: Johns Hopkins University Press, 1995), pp. 166-203.
17. V. Bunce, “Should Transitologists be grounded”, *Slavic Review*, Vol. 54, No. 1 (1995), pp. 111-127.
18. M. Vachudova, *Europe Undivided: Democracy, Leverage and Integration After Communism*, (Oxford: Oxford University Press, 2005).
19. A. Rouquie, “Demilitarization and the Institutionalization of Military-dominated Politics in Latin America”, Guillermo O’Donnell (ed.), *Transitions from Authoritarian Rule*, (Baltimore: The Johns Hopkins University Press, 1986), pp. 108-136.
20. K. Karpat, *Turkey’s Politics: The Transition to a Multi-Party System* (Princeton: Princeton University Press, 1959).
21. Ş. Mardin, “Civil Society and Islam”, J. Hall (ed.), *Civil Society* (London: Polity Press, 1995), pp. 290-295.
22. L. Köker, “Local Politics and Democracy in Turkey: An Appraisal”, *ANNALS*, Vol. 540 (1995), pp. 57-58.
23. E. Gellner, “Kemalism”, E. Gellner (ed.), *Encounters with Nationalism*, (Oxford: Blackwell Publishers, 1994), pp. 81-91.
24. I. Dagi, “Democratic Transition in Turkey, 1980-1983: The Impact of European Diplomacy”, S. Kedourie (ed.), *Turkey: Identity, Democracy and Politics* (London: Frank Cass, 1996), pp.123-140.
25. K. Ulusoy, “Turkey’s Reform Effort Reconsidered, 1987-2004”, *Democratization*, Vol. 14, No. 3 (2007), pp. 472-490.

26. H. Yavuz, "Political Islam and the Welfare (Refah) Party in Power", *Comparative Politics*, Vol. 30, No. 1 (October 1997), pp. 63-82.
27. N. Gole, "Toward an Autonomization of Politics and Civil Society in Turkey", M. Heper and A. Evin (eds.), *Politics in the Third Turkish Republic*, (Boulder: Westview Press, 1994), p. 218.
28. S. Bolukbasi, "Ankara, Damascus, Baghdad and the Regionalization of Turkey's Kurdish Seccessionism", *Journal of South Asian and Middle Eastern studies*, Vol. XIV, No. 4 (1991), pp. 15-36.
29. A. Karaosmanoglu, "The Limits of International Influence of Democratization", M. Heper and A. Evin (eds.), *Politics in the Third Turkish Republic*, (Boulder: Westview Press, 1994), p. 130.
30. I. Dagi, "The Justice and Development Party: Identity, Politics and Human Rights Discourse in the Search for Security and Legitimacy", H. Yavuz (ed.), *The Emergence of a New Turkey: Democracy and the AK Parti*, (Utah: The University of Utah Press, 2006), pp. 88-106.
31. Avrupa Birliği Uyum Yasa Paketleri, Ankara: ABGS, 2007, pp. 71-75.
32. "Başbakan Erdoğan: Kopenhag kriterleri Ankara Kriterleri olacak", *Yeni Safak*, December 14, 2003.
33. G. Jenkins, "Symbols and Shadow Play: Military-JDP Relations, 2002-2004", H. Yavuz (ed.), *The Emergence of a New Turkey: Democracy and the AK Parti* (Utah: The University of Utah Press, 2006), pp. 185-205.
34. "Genelkurmaydan çok sert açıklama", *Hürriyet*, April 28, 2007.
35. E. Güven, "Sıcak takip mi?" *Radikal*. June 3, 2007, and "Hareket değil savaş tartışılıyor" *Radikal*. June 4, 2007.
36. Hakkari'de 12 şehit 16 Yaralı", *Hürriyet* (Turkish daily), October 21, 2007.
37. "AB hem kapatma davasını hem hükümeti eleştiriyor", *Radikal*, April 2, 2008.
38. "AKP yeniden AB'ye sarıldı", *Cumhuriyet*, April 4, 2008.
39. "ABD ve AB'den demokratik açılıma tam destek", *Sabah*, November 22, 2009; "AB'li Parlamenterlerden Ergenekon soruşturmasına ve demokratik açılıma tam destek", www.euroactiv.com, December 25, 2009.
40. "Erdoğan: Açık provokasyon", *Milliyet*, December 8, 2009.
41. "Tokat'ta jandarmaya saldırı", *Hürriyet*, December 7, 2009; "DTP eylemlerine tepki", December 8, 2009.
42. For a critical review of the early phases of "Ergenekon" investigation particularly in terms of investigator's and prosecutor's conduct and motives, see G. Jenkins, *Between Facts and Fantasy: Turkey's Ergenekon Investigation*, (Washington: Silk Road Paper, August 2009).
43. "Darbenin Adı Balyoz", *Taraf*, January 20, 2010.
44. "EMASYA Protokolü kaldırıldı", *Hürriyet*, February 4, 2010.
45. Vakıflar Kanunu, No: 5737, February 20, 2008, Ankara: T.C. Vakıflar Genel Müdürlüğü, www.vgm.gov.tr.
46. Commission of the European Communities, *Regular Report on Turkey*, Brussels, November 5, 2008, p. 19.
47. "AKP Hükümetinin Alevi Planı", *Cumhuriyet*, January 12, 2008.
48. "Alevi çalıştay Aleviler olmadan toplanacak", *Radikal*, January 28, 2010; "Alevi Çalıştay Raporu Erdoğan'a sunuldu", *Radikal*, February 7, 2010.
49. "Alevi çalıştay Aleviler olmadan toplanacak", *Radikal*, January 28, 2010; "Alevi Çalıştay Raporu Erdoğan'a sunuldu", *Radikal*, February 7, 2010.