

The Middle East Institute

Policy Brief

No. 23

April 2009

Turkey's "Deep-State" and the Ergenekon Conundrum

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Executive Summary

"Ergenekon" is the name given to arguably the most important legal process in Turkish history in which around 100 suspects are charged with aiming to topple the ruling Justice and Development Party (AKP) through a military coup. The legal indictment infers that these suspects are in fact a part of a wider network of individuals within the armed forces, intelligence community, executive branches, academia, media, and civil society, suggesting that the network in question is an evolved version of a similar network dating back to the final years of the Ottoman Empire and incorporated into the NATO operations during the Cold War. While the legal process has the potential to be the single most important process that will shed light on the last century of Turkish history, it is also surrounded by many legal and political controversies, including acute anti-American rhetoric.

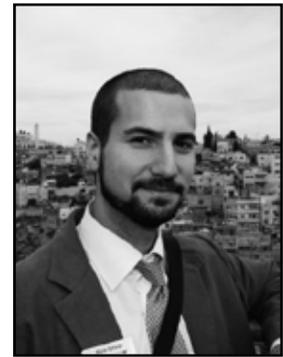
The "Ergenekon process" is certainly one of the most confusing and baffling episodes in recent Turkish politics; while even the people of Turkey have trouble understanding what is really going on, the case becomes almost impossible to follow for foreign observers, with so many different, intertwined layers. In its simplest form, the case concerns nearly 100 individuals — including retired army generals, politicians, media representatives, and civil society leaders — who are charged with having attempted to instigate a military coup to topple the ruling Justice and Development Party (AKP) since the party's 2002 electoral victory. It is important to point out early on in this work that the official-legal name of the case is not the "Ergenekon case" as is frequently and excessively used, rather its legal name is the "case against the infringement of article 313 of the Turkish Penal Code: establishment of a criminal organization;" the "Ergenekon" name was attributed during the police investigation to the alleged clandestine network of which the defendants of the case are believed to be a part. The court also declared that "until a verdict has been made, the organization in question must be referred as 'the alleged Ergenekon terrorist organization'".

This *Policy Brief* aims to provide an introduction and overview to a non-Turkish audience, explaining the main tenets of the case and the alleged "Ergenekon network," as well as introducing some analytical lenses through which the case can be followed.

WHAT IS ERGENEKON?

There are two hypotheses regarding the selection of the term "Ergenekon" to define the network in question. The first hypothesis asserts that the name was chosen in order to highlight the Turkish-nationalist agenda of the organization. "Ergenekon" refers to a mythical, fertile valley in the Central Asian Altay Mountains, which has a symbolic spiritual sacredness in Turkic mythology, similar to the Po Valley in Italy or the Fertile Crescent in Mesopotamia. A central theme of early Turkic literature, the legend of Ergenekon is the story of a she-wolf called *Asena* (depicted as a grey wolf) who helps the Turkic clans stranded in the Altay Mountains by guiding them along the labyrinthine mountain passes into the lush Ergenekon plains, where the Turks could reproduce and survive as an ethnic group. (However, some versions of the legend have the she-wolf guiding the Turks out of the Ergenekon plain.) Essentially a story of Turks facing extinction but being saved by the grey wolf, the legend became a centerpiece of Turkish literature and later evolved into the contemporary Turkish nationalist narrative. The "grey wolf" sign, as well as the unique hand gesture used by Turkish nationalist groups, refers to the she-wolf depicted in the Ergenekon legend. While the name suggests that the alleged Ergenekon network is essentially a far-right nationalist establishment, the Nationalist Action Party (MHP), as well as many other Turkish nationalist groups, deny any official links with the alleged network, claiming that the adoption of the term "Ergenekon" to refer to an illegal organization is an offense against their sacred symbols.¹

The second hypothesis is that the organization was named after retired Colonel



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1. For example, a news report from Turkey's major newspaper *Hürriyet* suggested that Ergenekon, in fact, attempted to take over the Nationalist Action Party's decision-making apparatus, but the attempt was thwarted politically by the MHP's current leadership: "MHP, Ergenekon'un dışında nasıl kaldı?" [How did MHP stay out of Ergenekon?], *Hürriyet*, August 23, 2008. <http://www.hurriyet.com.tr/gundem/9728279.asp?m=1>

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Necibettin Ergenekon, the former commanding officer of Veli Küçük, a former Brigadier General of the army and indicted as the "second in command" of the Ergenekon network. However, Colonel Ergenekon himself had claimed that — if true — such a naming was made without his knowledge, harshly criticizing the network and its members as "traitors."²

Such an invisible establishment is not new to Turkish history; the existence of "deep-state" networks can be traced back to the final years of the Ottoman Empire. The most widely accepted view on the nature of the organization (among those who believe in its existence) is that the alleged Ergenekon network is an obsolete extension of the "deep-state" tradition of late Ottoman times, merged with NATO's stay-behind and other paramilitary organizations established during the Cold War. As many interpretations (most of them bordering on the fictitious and conspiracy-oriented) exist on the nature of the network, it becomes necessary to anchor any analysis to the indictment of the recent legal case which commenced in July 2008. The indictment in question argues that the "Ergenekon network" is at the intersection of three historical processes:



The Ergenekon legend is the cornerstone of modern far-right Turkish nationalism. The "howling wolf" symbol and the crescent, which symbolizes the "Turanist ideal" of uniting all Turkic peoples under one flag, is the "coat of arms" for Grey Wolf branches. (Picture: Flickr, cactus-bones, 2005)

1. The role of the military in Turkish politics and its direct or indirect involvement in the political process dating back to the military-backed revolution in 1908 and the military's self-imposed role as the perpetual guarantor of secular Turkish democracy after the foundation of the republic in 1923.
2. The creation of "deep-state" networks — the oldest being the *Fedayi* groups of 1905 that were later organized under *Teşkilat-ı Mahsusa* in 1914 — which operated under official cover, without any accountability and were mobilized by top military commanders in order to organize rebellions and public mobilizations against particular goals — especially as an invisible alliance between younger officers and local notables.³
3. Turkey's inclusion in NATO in 1950 and the establishment of the Turkish branch of NATO's "secret armies:" clandestine networks immersed in the state-security apparatus that were designed to engage in paramilitary warfare in the event of a Soviet invasion similar to the Allied resistance groups of World War II.

The following two sections will examine these historical processes.

THE MILITARY COUP TRADITION AND "DEEP-STATE" NETWORKS IN TURKEY

It can be argued that the "deep-state" tradition in Turkish politics started with the revolution of 1908, during which the Committee of Union and Progress (CUP)⁴ indirectly took over the rule of Sultan Abdulhamit II, rendering

2. For a report on this see *Zaman* online edition: "Veli Küçük'ün komutanı Ergenekon: Vatan hainleri soyadımı kirletti" [Veli Küçük's commander Ergenekon: Traitors have tainted my surname], *Zaman*, July 19, 2008. <http://www.zaman.com.tr/haber.do?haberno=715853&title=veli-kucukun-komutani-ergenekon-vatan-hainleri-soyadimi-kirletti>

3. Karen Barkey has suggested that the Ottoman method for suppressing rebellions was special. During the first phases of a rebellion, the Ottomans would allow it to develop and become more organized, and when it reached a certain level of maturity, they would intervene and arrest the rebellion's leaders and attempt a reconciliation with them. Such rebel chiefs would be appointed as "officers" in their province of rebellion, with Ottoman ranks and privileges such as *bey* or *pasha* and were used by the Ottomans either to protect the borders or rebel against invading forces. For more on this, see: Karen Barkey, *Bandits and Bureaucrats: Ottoman Route to State Centralization* (Ithaca: Cornell University Press, 1994).

4. In some scholarship the terms "Committee of Union and Progress" and the more-familiar "Young Turks" (originally a French term: *jeunes Turcs*)

subsequent Sultans and governments subservient to the young Ottoman military officers. The CUP was essentially a youth political reformist movement which started out as an intellectual process, but was later taken over and led by young Ottoman army officers who saw an urgent need for the modernization of the empire. During the second Congress of the CUP in 1907, the military officers and intellectuals had agreed that no political achievement was legitimate without the intervention of the army. After the CUP toppled Abdulhamit II in 1908 and established the Second Constitutional Period, it controlled the government not through its own leaders — from its underground base of operations in Thessaloniki — but through controlling the government led by respected, upper-class Ottoman notables such as Hüseyin Hilmi, İbrahim Hakkı, and Sait Pasha. The CUP's indirect and secretive control of the Ottoman government was criticized by its contemporaries, since the secret association was without any political accountability and was the *de facto* ruling organization of the empire. Such critics had coined the term *Rical-i gayb* [invisible people] in order to define CUP rule and its relationship to the government. The CUP, however, had other rivals within the younger echelons of the officer corps: in 1912, another secret society within the army called *Halaskar Zabitan*, or

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"Salvation Officers," openly criticized the CUP for instigating deliberate acts of mass civil violence in order to justify its rule. This was in many ways a decree by one military-secret society to another; the CUP had to step down from administration following this decree by other young Ottoman officers. In 1913, a year after its fall from power, the CUP took over again in arguably the first military coup in Turkish history,⁵ during which an armed group led by Major Enver (who was already the military leader of the CUP and later became Enver Pasha) raided the Sublime Porte (office of the Grand Vizier) during a governmental meeting, killing the Commander of the Army and forcing the Grand Vizier to resign. The subsequent era of the "three Pashas" — Enver, Cemal,⁶ and Talat (who was not a military Pasha) — was regarded as a period of acute military dictatorship, during which all opposition was suppressed and secret police organizations were established in order to impose strict restrictions upon any dissent.⁷

The most important of those secret police organizations was the quasi-institutional secret intelligence agency, *Teşkilat-ı Mahsusa* [Special Organization], which was the institutionalized form of the *Fedayi* groups that became operational as the hitman network of the CUP in 1905 and was officially tied to the War Ministry in 1914 under the direct orders of Enver Pasha, who was also the director of the organization.⁸ Under official authority, but with its existence remaining unknown, *Teşkilat-ı Mahsusa* performed espionage and counter-espionage missions throughout the empire and also organized rebellions in the remote, conflict-ridden provinces of the Ottoman Empire against invading Allied forces — in Libya against the Italians, in the east Balkans against the Greeks and the Bulgarians, and in Egypt and Iraq against the British. *Teşkilat-ı Mahsusa* was officially disbanded in October 1918 with the Ottoman defeat in World War I, although some break-away espionage groups continued operating underground throughout the War of National Liberation (1919-1922), the most notable being the *Karakol*, *Yavuz*, *Hamza*, and *Felah* organizations.

are used almost interchangeably. However, while the CUP had its roots in the intellectual "Young Turk" movement, it was fiercely criticized by many Young Turks for being excessively violent and secretive. Hence the term "Young Turks" will not be used in this Policy Brief to describe the CUP. The issue is presented in more detail in: Şükrü Hanioglu, *The Young Turks in Opposition* (Oxford: Oxford University Press, 1995).

5. One might argue that palace raids of the Ottoman Janissary corps in the preceding centuries might also be called a "coups," but the Janissary raids were not aimed towards acquiring power for themselves, but towards killing an unpopular Sultan and enthroning their favorite. Indeed the CUP coup did not change the Sultan, but rendered the whole institution of Sultanate subservient to the army.

6. Cemal Pasha should not be confused with Mustafa Kemal Pasha (later granted the surname "Atatürk" by the Parliament). The former fled the empire after the defeat in 1918, whereas Mustafa Kemal Atatürk organized and lead the War of National Liberation.

7. For an extensive analysis of this period, see: Şükrü Hanioglu, *Preparation for a Revolution: The Young Turks, 1902-1908* (New York: Oxford University Press, 2001); and Hasan Bülent Kahraman, *Türk Siyasetinin Yapısal Analizi – Kavramlar, Kuramlar, Kurumlar* [Structural Analysis of Turkish politics – concepts, theories, institutions] (Istanbul: Agora, 2008).

8. "[CUP *fedayis*] were given full authorization by the central administrators to eliminate anyone who was deemed to be a threat to the country." Şükrü Hanioglu, *Osmanlı'dan Cumhuriyet'e zihniyet, siyaset ve tarih* [Mentality, politics and history from the Ottomans to the Republic] (Baglam: Istanbul, 2006).

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During the War of National Liberation, Mustafa Kemal (Atatürk) Pasha had tried to bring these minor underground groups under the umbrella of a central resistance intelligence network, but he was categorically against *Teşkilat-ı Mahsusa*, because of its violent and excessive methods.⁹ Therefore, he ordered two entirely new organizations (*Askeri Polis Teşkilatı* — Military Police Organization and *Tedkik Heyeti Amirlikleri* — Inspection Committee Administrations) were all established and supervised by Mustafa Kemal's resistance commander, General Fevzi Çakmak, who also established the Chairmanship of National Security Service (*Milli Emniyet Hizmeti Riyaseti*), which became the first official republican intelligence organization after the victory of the liberation movement and foundation of the Republic of Turkey. The Chairmanship was later tied to the Ministry of Defense in 1927, acquiring an institutional status and existing until 1965, when the modern National Intelligence Organization (*Milli İstihbarat Teşkilatı* — MİT) was founded by the orders of the Turkish Parliament due to a necessity for a central intelligence apparatus.¹⁰

MİT was established five years after the first military coup in the Turkish Republic's history in 1960, when the Prime Minister, Minister of Foreign Affairs, and Finance Minister were hung by the coup administration on the charges of "abrogation of the constitution." In 1971 there was a second coup (although it was not violent and is also known as "the Decree of March 12th"), which contributed to the polarization of political differences and rendered the 1970s one of the most violent periods in recent Turkish history. This vicious cycle was marked by yet another coup in 1980, which was dubbed by many scholars as the "US-backed coup," as the coup generals were also the leaders of the Turkey branch of NATO's Operation Gladio.¹¹ Another non-violent (also called "the post-modern") coup took place in 1998, which ousted the Islamist Welfare Party (in many ways the predecessor of the AKP) on the grounds of "infringing the secular character of the Republic."

Through most of the post-1968 era, the MİT took much flak from Turkish liberals for wittingly or unwittingly providing cover for the deep-state networks that "secretly organize street violence" and "create an environment that would legitimize a military coup."¹² Although MİT had repeatedly denied any such claims, more recent scholarship points to the existence of deep-state branches within the organization that were elusive even to its own director as well as the Commander of the Armed Forces. Critical scholarship, as well as the former President of Turkey, Süleyman Demirel, pointed¹³ to a particular unit within MİT, *Özel Harp Dairesi* [Office of Special Operations] as the connection between the organization and the deep-state networks.¹⁴ Several such networks that benefit from the cover of the state, and yet conduct operations that harm Turkish citizens, were spotted by officials and scholars at various times since the 1960s. Among the best known and most widely criticized of these branches is the Counter-guerrilla Branch, which was established as the military wing of the Turkish arm of NATO's stay-behind operations. It is mostly criticized for organizing street violence and creating an environment justifying a military takeover. There are also more recently-developed organizations that may be considered to be the evolved versions of the old Counter-guerrilla Branch in the

9. On this, see: Nur Bilge Criss, *Istanbul under Allied Occupation, 1918-1923* (Boston: Brill, 1999).

10. The modern National Intelligence Organization considers these groups, including *Teşkilat-ı Mahsusa*, as a part of its institutional history. The Organization has mentioned its predecessors as such in its official history published on its official website: <http://www.mit.gov.tr/english/tarihce.html>

11. See for example: Ihsan Dağı, "Lessons from Pakistan for our coup plotters," *Sunday's Zaman*, August 28, 2008. <http://www.sundayszaman.com/sunday/yazarDetay.do?haberno=151042>

and also İbrahim Doğan "Evren darbe için iki rapor hazırlanmış" [Evren had ordered two reports for the coup], *Askıyon*, September 1, 2008. <http://www.aksyon.com.tr/detay.php?id=31053>

12. The most notable of these critics is MIT's very own former Deputy Director Cevat Öneş; for an interview with Öneş, see: "Hiçbir darbe gizli olmadı" [None of the coups were secret], *Sabah*. <http://www.sabah.com.tr/2007/07/15/haber,33386EA041E549C2A284DDB13135AA77.html>

13. "[Behind the Office of Special Operations lies a particular fear]. Behind this fear lies the collapse of the Ottoman Empire. The founders of the Republic were military officers, and Demirel tells that this fear was dominant among them. They call this fear as 'hufre-i inkıraz' (the brink of downfall) and 'pençe-i izmihlal' (grip of collapse). This fear coming from the Ottoman collapse narrative is one of the central factors behind state affairs. Demirel tells about a state of paranoia." As quoted in Mümtaz'er Türköne, "Derin Devlet ve Kuvva-yı Milliye" [Deep state and National Forces], *Zaman* online, April 29, 2005. Available online: <http://www.zaman.com.tr/haber.do?haberno=168354>

14. As the Greek-nationalist EOKA massacres intensified towards Cypriot Turks, the Office of Special Operations was re-structured after the 1971 coup mainly in order to mobilize Turkish Cypriots against militant Greek Cypriots. The Office also played a key role in the 1974 invasion of Cyprus. See for example; Can Dünder, "Özel Harpçinin tırmanış öyküsü" [The rise of a Special Operations member] accessible through the author's own website: <http://www.candundar.com.tr/index.php?Did=2667>

1990s: Gendarmerie Intelligence and Counterterrorism (JITEM) — which was operational mostly in the southeastern regions of Turkey, taking an active role in the fight against the Kurdistan Workers' Party (PKK) and was criticized for adopting extreme methods such as mystery killings, assassinations, excessive use of force, and torture, and *Özel Harekat Timleri* (Special Operations Units) — also active in the fight against the PKK, and accused of undertaking similar methods to those of JITEM. The alleged "Ergenekon" network has been indicted on the grounds that it acted as the hub of information between the state, deep-state branches, the Counter-guerrilla Branch, and the mafia.

STAY-BEHIND OPERATIONS: NATO AND THE COLD WAR

The bipolar system of the Cold War was seemingly simple. On the one hand, there was the Iron Curtain, which covered a massive area stretching across Asia and Eastern Europe, and on the other hand there was NATO, which represented the "free world." Along clearly defined borders and possible flashpoints, both sides remained on alert and ready for a major field war, in addition to building and stocking a nuclear arsenal that would act as a deterrent or means of retaliation. Yet, there was also a less visible preparation in the NATO countries: the establishment and organization of secret paramilitary networks — what Daniele Ganser had dubbed "NATO's Secret Armies"¹⁵ — which would act the same way against the Soviet occupation, as the Allied Resistance had acted against the Nazi invasions during the Second World War. Throughout much of the Cold War, "special units" from NATO countries participated in a silent mobilization and organization directed by the CIA and the British Secret Intelligence Service against possible invasions by the Soviet Union. They were trained to be ready to perform espionage, sabotage, and assassination missions. Such operations were generally termed as "stay behind operations" and included sub-operations or regional agencies¹⁶ such as:

- Absalon — Denmark
- Aginter — Portugal
- Auxiliary Units — UK
- Bund Deutscher Jugend (BJD) — Technischer Dienst (TD) — Germany
- Gladio (Italy and Central Europe)
- Grupo Antiterrorista de Liberacion (GAL) — Spain
- Informationsbyran (Sweden)
- Intelligence and Operations (I & O) — Netherlands
- Mountain Raider Companies (LOK) — Greece
- Nihtilä-Hahti — Finland
- Oesterreichischer Wander-Sport und Geselligkeitsverein (OWSGV) — Austria
- Plan Bleu — La Rose des Vents — Arc-en Ciel — France
- Projekt-26 — Switzerland
- Rocambole (ROC) — Norway

15. Daniele Ganser, *NATO's Secret Armies: Operation Gladio and Terrorism in Western Europe*. (London: Routledge, 2005).

16. Daniele Ganser, *NATO's Secret Armies: Operation Gladio and Terrorism in Western Europe*, pp. 1-2.

- Service de Documentation, de Renesignments et D'action VIII (SDRA-8) — Sectie Training, Communicatie en Documentatie (STC/Mob) — Belguim

Perhaps the most publicized of these names was "Gladio," which was established in Italy under the orders of the Italian Minister of Defense from 1953-1958 Paolo Emilio Taviani, and the CIA Director from 1953-1961, Allen Dulles, and was overseen by the Supreme Headquarters Allied Powers Europe (SHAPE). Italian Prime Minister Giulio Andreotti's October 1990 confession to the Chamber of Deputies — in the face of growing parliamentary pressure over the possible deployment of Italian troops to the Persian Gulf in connection with Operation Desert Shield¹⁷ — shocked Europe and prompted the European Parliament to issue a resolution on November 22, 1990 condemning Gladio for getting involved in "serious cases of terrorism and crime." Such cases included the 1969 Piazza Fontana bombing, the 1970 failed coup attempt in Italy, the 1972 Peteano massacre, and the 1980 Bologna train station bombing, together with many other extra-judicial acts of violence across Europe. Prior to the right-wing Andreotti's admission, speculation in Italy that these acts of violence had been committed by NATO-related organizations had been dismissed as "communists blaming NATO." However, after the Italian Prime Minister's declaration, the CIA and the US Defense Department became the subject of intense criticism by American and European scholarship for associating with irregular groups (some even called those groups "terrorists").¹⁸ These criticisms were played down to a certain extent in order not to disrupt the NATO alliance against a looming confrontation with Saddam Husayn.

The US State Department published a communiqué in January 2006, explaining that the existence of the stay-behind armies was a reality and that they were established for the purpose of paramilitary resistance against the Soviet Union in case of invasion, but denied the allegations of US-ordered strikes against European civilian targets.¹⁹

Turkey was one of the first of the countries to join NATO's stay-behind networks, as an initial recipient of the Marshall Fund in 1950, and remained the only country where this network remained unpurged until very recently. The first institutional extension of the Turkish branch of the European stay-behind operations was *Seferberlik Taktik Kurulu* [Tactical Mobilization Committee]. It was founded in 1952 and later tied to the Office of Special Operations [*Özel Harp Dairesi*] under the General Staff. Similar to Gladio's extra-judicial mass killings that took place in Italy, there have been numerous such acts in Turkey attributed to the Counter-guerrilla Branch and the Ergenekon.

The first major public operation conducted by the Tactical Mobilization Committee (TMC) was the organization of the Istanbul Pogrom of September 6-7, 1955, where mass riots took place against Greek Orthodox, Armenian, and Jewish targets in Istanbul. The riots were triggered by the fabricated news that Atatürk's birthplace in Thessaloniki, Greece had been bombed by Greek extremists. For about half a century, these pogroms were thought to be the doing of the then-governing Democrat Party. However, very recently, retired Four-star General Sabri Yirmibeşoğlu (Deputy Director of the TMC) made public the involvement of the TMC in the instigation of the pogrom, calling the TMC "a magnificent organization."²⁰

17. Indeed, many left-wing politicians in Italy felt that the country's armed forces should not participate in the US-led operation in the Gulf until the US first issued an apology for acts of violence committed in Italy by NATO counter-guerrilla organizations. See: Daniele Ganser, *NATO's Secret Armies: Operation Gladio and Terrorism in Western Europe*, p. 15

18. See for example: Bruce W. Nelan. "Europe NATO's Secret Armies," *Time*, November 26, 1990. <http://www.time.com/time/magazine/article/0,9171,971772,00.html>; and Arthur E. Rowse. "Gladio: The Secret US War to Subvert Italian Democracy," *Covert Action Quarterly* (December 1994).

19. The full text of the communiqué can be accessed online: <http://www.america.gov/st/pubs-english/2006/January/20060120111344atlahtneve10.3114282.html>

20. For an extended interview with Sabri Yirmibeşoğlu see Cemal Kalyoncu "Sivil General" [Civilian General], *Aksiyon Weekly*, March 31, 2001. Available online: <http://www.aksiyon.com.tr/detay.php?id=13202>

Since the 1950s, hundreds of extra-judicial killings and bombings have been attributed to the stay-behind organizations in Turkey.

A former Italian magistrate, Felice Casson (who had discovered the existence of Gladio in Italy in 1972), argued that stay-behind operations in Turkey had two branches: the "Counter-guerrilla" branch within the elite forces of the Turkish army and the Ergenekon, which was the civilian-political wing. Casson also argued that the Turkish branch of Operation Gladio was the most powerful of all stay-behind branches and was "special," i.e., independent of the European Gladio, lacking a central command, and never having reported to the Supreme Headquarters Allied Powers Europe (SHAPE).²¹

Since the 1950s, hundreds of extra-judicial killings and bombings have been attributed to the stay-behind organizations in Turkey. While it is not accurate to attribute all of these acts of violence to NATO's central command or any other formal NATO structure, the involvement of undercover stay-behind servicemen and, in some cases, plainclothes secret police that are affiliated with regional stay-behind branches, is suspected. Some of the most important such incidents have been the Taksim Square massacres of 1969 and 1977. The latter massacre saw the killing of 36 trade unionists by unidentified gunmen. In 1978, the Bahçelievler and Kahramanmaraş massacres took place. The Kahramanmaraş massacre saw the killing of 111 Alevis by the secret police.²² The Başbağlar massacre of 1993 was another such incident. In addition, stay-behind organizations in Turkey are alleged to have been responsible for the assassinations of numerous journalists and famous public intellectuals including Hrant Dink, Uğur Mumcu, Bahriye Üçok, and Abdi İpekçi. The military coups of 1971 and, specifically, the 1980 coup have been attributed to the stay-behind networks in Turkey, as the commanding generals of these coups were also active members of the Turkish Counter-guerrilla Branch. The first high-level Turkish politician to announce the existence of the deep-state networks was Prime Minister Bülent Ecevit, who survived an assassination attempt by the same group in 1973. The existence of such a clandestine, deep-state operations network was revealed to him by then-Chief of Staff, General Semih Sancar. In an interview, Ecevit explained the difficulties in pursuing this network:

While we (the government) had tried to pursue these matters, we frequently encountered some serious obstacles; some of these obstacles were 'invisible' ones – to the extent that they remained elusive even to the Chief of General Staff.²³

Prime Minister Ecevit was unsuccessful in pursuing the perpetrators of his attempted assassination, and his pursuit of the many other mystery killings met with repeated obstacles, leading to the toppling of his government. Five years later, the Chief Republican Prosecutor, Doğan Öz, who had discovered this network while investigating acts of mass violence and assassinations, was preparing to file a public prosecution against the network. His preliminary report remains one of the clearest accounts of the relationships in question ever written:

These acts of violence cannot be simplified as "anarchic acts." The aim is to eradicate any hope for democracy and instead bring about a fascist order and to execute it through all of its components ... According to us, there is a clear indication of CIA and counter-guerrilla involvements in these acts of violence. These organizations [appear to] be using the state apparatus in the direction of their agenda and to bring about an anti-democratic, fascist rule ... Within all these extra-judicial activities there is participation from the military and civilian security forces. Counter-guerrilla is tied to the

The assassin ... a member of the Grey Wolves branch in Ankara, was found guilty by a military court; but after his attorney submitted a document showing that his file was held by the Ministry of Defense, the military court decision was overruled.

21. For a recent interview with Felice Casson, see "Gladio prosecutor Casson: Ergenekon-like organizations spread like cancer" *Today's Zaman*. Available online: <http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=140315>

22. Indeed, the broad (and often mistaken) generalization at the time was that the Alevis were more sympathetic to communism than the mainstream of Turkish society. For more on Turkish Alevis, see: Paul J. White and Joost Jongerden, *Turkey's Alevi Enigma* (Boston: Brill, 2003).

23. Quoted from Bülent Ecevit's interview with Can Dündar, from TV-documentary series *40 Dakika* [40 minutes], broadcast on January 7, 1997.

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General Staff's War Office; also members of the National Intelligence Organization are being used. These activities are overseen by the Nationalist Action Party and its cadres.²⁴

Doğan Öz was assassinated in March 1978, shortly after this report was written. The assassin, İbrahim Çiftçi, a member of the Grey Wolves branch in Ankara, was found guilty by a military court. However, after his attorney submitted a document showing that his file was held by the Ministry of Defense, the Supreme Military Court of Appeals overruled the decision.²⁵ Two years later, just as Öz had foreseen, escalating street violence between right- and left-wing youth groups provided a reason for the army to initiate a coup.

The 1990s were perhaps the most eventful decade for the Turkish deep-state, since all elements of the military, including the Counter-guerrilla Branch, were called to the frontlines in order to respond to the increasing threat posed by the PKK. At the same time, the 1990s also witnessed the lowest point in Turkish human rights practices, as extrajudicial killings, massacres, and village evacuations became commonplace. In a recent interview for example, Ayhan Çarkın, a former special operations member, claimed that he had "probably killed around 1,000 people" within the context of counter-terrorism.²⁶ Such deep-state activities had become public in November 1996 in what is popularly dubbed the "Susurluk scandal," when a car carrying the deputy chief of the Istanbul police, a parliamentarian who was in charge of the biggest village-guard clan,²⁷ and the former leader of the Turkish Grey Wolves (also wanted on Interpol's Red List due to his involvement in most of the pre-1980 massacres) were involved in a car accident, revealing a seemingly impossible network of relations in its aftermath.²⁸ The incident, although it sparked intense public outrage and media coverage, was covered up in the following months mainly due to the lack of political stability and recurring coalition governments that could not muster enough political will.

THE ERGENEKON CASE AND ITS PROPONENTS

What is referred to today as the "Ergenekon network," as described in the indictment, is believed to be the continuation of the historical processes mentioned above. Two relatively recent incidents have directly influenced the commencement of the process; one was the symbolic bombing of a Kurdish bookstore in Şemdinli by two JITEM operatives in late-2005, with the aim of provoking riots that would legitimize increased military presence and curb the AKP's popularity in the region. The second was a shooting on the Council of State in May 2006, which killed one member of the Council and wounded four others. Although the assassin had initially described himself as an "Islamist fundamentalist," in the later phases of the police investigation, he confessed that the attack was ordered by Veli Küçük, a retired four-star general and believed to be the second-in-command of the alleged Ergenekon network, in order to create public outrage against the governing AKP that would be followed by "republican rallies" that would "call the military to intervene against the Islamists."²⁹

The "Ergenekon process" started officially in June 2007 with a police raid in Istanbul, which acted on intelligence and testimonies collected since 2001. The timing of the operations overlapped with the well-known AKP closure case (which was considered an attempted "judicial coup"), during which the Chief Republican Prosecutor filed a public case against the party for becoming "the focus of anti-secular activities." As the closure case was interpreted as the

24. As quoted in Can Dündar's TV-documentary series "40 Dakika" [40 minutes], broadcast on January 7, 1997

25. As quoted in Can Dündar's TV-documentary series "40 Dakika" [40 minutes], broadcast on January 7, 1997

26. "Ayhan Çarkın: 1000 kişiyi öldürdüm" [Ayhan Çarkın: I killed 1000 people], *Milliyet* online edition. <http://www.milliyet.com.tr/default.aspx?aTtype=SonDakika&ArticleID=1005903>

27. Village guards are the paramilitary forces set up and funded by the Turkish state in order to come up with a local solution to the fight against the PKK. Created in the predominantly Kurdish regions of southeast Turkey and based on a feudal-clan based structure, they were called upon to aid the Turkish military in their counter-insurgency operations.

28. For more on the Susurluk Scandal, and in particular, its impact on counter-narcotics in Turkey, see Philip Robins, "Back from the Brink: Turkey's Ambivalent Approach to the Hard Drugs Issue," *The Middle East Journal*, Vol. 62, No. 4 (Autumn 2008), pp. 630-652.

29. For more on these two events, see: Volkan Aytar, "Recasting a Vital Balance in Difficult Times: How to increase the visibility in Turkey of the new European values and processes of security and human rights," Turkish Economic and Social Studies Foundation Monthly Monitoring Report, May 2006. Available online: http://www.tesev.org.tr/UD_OBJS/PDF/DEMP/CEPS/MARTESEV/200605TESEVMonthlyReport-Aytar.pdf

vehicle for the secular establishment's legal battle against the AKP, the Ergenekon case was regarded as AKP's legal counter-attack against the secular establishment.³⁰ As evidence, files, and documentation were prepared for the closure case against the AKP, dozens of suspects (including retired army generals, the former Secretary-General of the National Security Council, media representatives, academics, businessmen, and civil-society activists) were arrested, and numerous hidden arms caches, as well as three wells filled with corpses, were discovered almost simultaneously throughout Turkey as a part of the Ergenekon process. These parallel events were considered to be the biggest legal showdown in Turkish history, where a judicial coup was attempted against the ruling party, which responded with the most ambitious legal counter-punch in Turkish history. Eventually, the Constitutional Court issued a verdict not closing the party, but issued a "warning," whereas what many commentators had dubbed the "AKP's legal battle against the establishment" intensified and widened.³¹

According to the first indictment,³² arrested suspects of the alleged Ergenekon network are alleged to have engaged in:

- Establishing and directing an armed terrorist organization
- Being a member of and aiding an armed terrorist organization
- Aiming to overthrow a government of the Turkish Republic, and to render it incapable of governing through the use of force and coercion
- Aiming to incite rebellion amongst Turkish citizens against a government of the Turkish Republic
- Acquiring, stocking and using explosive material and/or to entice third persons to commit crimes using such materiel
- Acquiring top secret documentation related to the security of the state
- Recording personal information through illegal means
- Inciting disobedience within the armed forces
- Explicit instigation of animosity and spite within the public

The first indictment included a total of 86 suspects who were alleged to have been involved with the Ergenekon network directly or indirectly, including high-profile figures whose inclusion sparked public controversy, such as the former four-star commander of the Turkish Air Force, the former four-star commander of the gendarmerie forces, and a retired army Brigadier General. The suspects also included seemingly unlikely individuals, such as the chief editor of a newspaper, former university rectors, and a well-known professor of divinity.

The second indictment³³ broadened the investigation, including 56 suspects on the charges mentioned in the first indictment and included an even more confusing array of suspects, including a former AKP deputy (deemed guilty of aiming to topple the AKP), the wife of the Deputy Chairman of the Constitutional Court (deemed guilty of aiding a terrorist organization), and the founder and owner of a Turkish TV channel (deemed guilty of attempting to destroy the Turkish Parliament). A third indictment was being prepared during the writing of this *Policy Brief*. As it is not

30. See for example, an interview by Turkish columnist and academic, Murat Belge, "Ortaya Çıkan buzdağın ucu" [What is revealed, is the tip of the iceberg], *Tempo Weekly*, March 27, 2008. Excerpt available online: http://www.tempodergisi.com.tr/toplum_politika/15660/

31. Although, the AKP strongly denies this assertion.

32. The original version of the 2,455-page first indictment (July 28, 2008 – no. 623/2008) of the Ergenekon case can be found at NTVMSNBC website: "Ergenekon iddianamesinin tam metni" [Full text of the Ergenekon indictment]. <http://arsiv.ntvmsnbc.com/news/454311.asp>

33. The original version of the 1,909-page second indictment (March 8, 2009 – no. 511/2009) of the Ergenekon case can be found through the NTVMSNBC website: "2. İddianamenin tam metni" [Full text of the second indictment], <http://cm.ntvmsnbc.com/dl/ergenekon/2.iddianame.doc>

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finalized, the details are as of yet unknown.

The proponents of the Ergenekon process appear to be concentrated around AKP, the Refah (Welfare) Party's immediate successor, the Islamist Saadet Party, and the Kurdish-leaning Democratic Society Party (DTP). The AKP's political arguments concerning the legal process were that:

1. The Ergenekon case is the "case of the century,"³⁴ as it unearths a network guilty of many "dark" acts in Turkish history.
2. Not only is the network guilty of acts of mass violence, it also systematically has engaged in activities that pave the way to military coups.
3. The AKP is strongly in support of the legal process (Prime Minister Erdoğan had claimed that he was the "public prosecutor" of the case).³⁵

In a similar tone, the Saadet Party arguments³⁶ were that:

1. The Ergenekon process would save Turkey from dark and unaccountable nodes of power within the state.
2. The process should go "as far as it goes" and to "whoever is responsible," similar to the "clean hands" operation in Italy against the Gladio network.

Perhaps even more enthusiastic about the Ergenekon process (mostly because of the first hand experience its Kurdish constituency had with JITEM, Special Operations Forces, and the Counter-guerrilla Branch), the Kurdish DTP's arguments³⁷ were that:

1. The AKP is not pursuing Ergenekon in order to democratize Turkey, but in order to get rid of its components that directly threaten its government.
2. In a similar way, the real focus of inquiry should not be on a fabricated "Ergenekon" or on the AKP's performance; rather the aim of the process should be to "democratize" Turkey, and it is impossible to establish true democracy in Turkey without abolishing all the "gangs" within the state, including Ergenekon.
3. Ergenekon is the direct successor of the Ottoman Teşkilat-ı Mahsusa, which used state-sponsored assassins and carried out many deliberate acts of mass violence — most specifically against the Armenians during the early 20th century.

The process seems almost identical to the operations that were conducted in Europe after the collapse of the Soviet Union, which purged similar deep-state networks in the NATO countries. However, the process and the legal case are also subject to controversies and criticisms.

34. This statement was made by the pro-government *Zaman* newspaper: "Yüzyılın davası Ergenekon başladı" [Case of the century, Ergenekon has started], *Zaman* online, December 31, 2008. <http://www.zaman.com.tr/haber.do?haberno=790094>

35. "Evet, Ergenekon'un savcısıyım" [Yes, I am the prosecutor of Ergenekon], *Vatan* newspaper online, July 16, 2008. <http://haber.gazetevatan.com/haberdetay.asp?Newsid=189246>

36. For an interview with the Chairman of the Saadet Party, Numan Kurtulmuş, see: "Saadet Partisinin Ergenekon açıklaması" [Saadet Party's remarks on Ergenekon], *Haber Aktuel* online, January 18, 2009. http://www.haberaktuel.com/news_detail.php?id=173584

37. "DTP: Ergenekon investigation struggle not for democracy," *Today's Zaman*, March 26, 2008. <http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=137329>

CONTROVERSIES

POLITICAL ALLEGATIONS

The overarching hypothesis of many criticisms regarding the politicization of the Ergenekon case suggests that the AKP is using this case in order to silence groups and individuals that oppose it. However, such arguments also come from the ranks of the AKP itself, accusing the Republican People's Party (CHP) and the Nationalist Movement Party (MHP) of politicizing the court case in order to gain political advantage.³⁸

The first variant of these political allegations concerns the very title of the legal process as "the Ergenekon case." From this perspective, Sami Selçuk, a retired Chair of the Supreme Court of Appeals argues:

A political crime is [different from] the politicization of a legal case ... There is no such case as "the Ergenekon case." There is only a crime of and a case regarding an 'uprising against a government of the Republic of Turkey (article n. 313)'. This is the actual name of the case. The political name on the other hand, is "Ergenekon." Therefore this case is politicized, by the very people who dubbed this case "Ergenekon" in the first place.³⁹

The second variant of criticisms stipulates that the prosecutors who have commenced the legal process had done so, not through independent will, but through the AKP's directions, on political capital-seeking grounds. More specifically, this line of criticism stipulates that the AKP is trying to get revenge for 1997's "28 February process,"⁴⁰ by arresting individuals who had played a more active role against the Refah Party than they did against the AKP. In support of these claims, a retired Brigadier General Adnan Tanrıverdi argues:

Commanding generals of a particular military coup always make sure that like-minded officers and bureaucrats take over their positions, once their tenure is over. This has been the case since the 1960 coup ... Generals of the 28 February process come from the organization of the 1980 military coup, which itself comes from the 1971 coup tradition. We understand that the [generals arrested as a part of the Ergenekon case] in fact, come from the tradition of the 28 February process.⁴¹

The fiercest criticism of the legal process came from the Republican People's Party, especially from its Chairman, Deniz Baykal, who argued⁴² that the Ergenekon case was:

- abused by the AKP in order to take over the executive organs of Turkey

38. See for example, the complaint made by Cemil Cicek, government spokesman: "[Opposition parties] should not seek to divert the case away from its legal grounds into the realm of politics, through abstract accusations," as quoted in "Cicek: Ergenekon'u Siyasete Cekmeyin" [Cicek: Don't Politicize Ergenekon], in NTVMSNBC online: <http://arsiv.ntvmsnbc.com/news/472002.asp>

39. As quoted in: Yetkin, Murat, "Hukuki Ergenekon, Siyasi Ergenekon" [Legal Ergenekon, Political Ergenekon], *Radikal* newspaper online, January 23, 2009: <http://www.radikal.com.tr/Default.aspx?aType=RadikalYazarYazisi&ArticleID=918240&Yazar=MURAT%20YETKIN&Date=23.01.2009&CategoryID=98>

40. "28 February process" refers to the closure of AKP's predecessor, Refah Party in 1997, following the statement issued by the National Security Council on February 28, 1997 warning the RP for its "anti-secular" behavior. Many commentators refer to this process as "the post-modern coup" during which the military exerted political influence in order to force the Refah Party out of the government.

41. For an interview with Tanrıverdi, see: "Ergenekon yapılanması 28 Şubat zihniyetiyle irtibatlı" [Ergenekon structure is related to the 28 February mentality], *Zaman* online, March 2, 2009. <http://www.zaman.com.tr/haber.do?haberno=820827&title=ergenekon-yapilanmasi-28-subatin-zihniyetiyle-irtibatli>

42. "Baykal: Ergenekon Laik Cumhuriyetle hesaplaşmadır" [Baykal: Ergenekon is an attempt to get even with the secular republic], NTVMSNBC Online, January 25, 2009. <http://www.ntv.com.tr/id/24936217/>

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- a process in which the AKP does not get rid of the deep-state but, takes over it
- revenge against the secular principles and the Republic (Baykal had stated that "if Erdoğan is the prosecutor of Ergenekon, I am its public attorney.")

The Nationalist Action Party (MHP) was also critical of the Ergenekon case for several reasons:⁴³

- The fact that the extra-judicial deep-state network was named after a sacred symbol of Turkish nationalism, rendered Turkish nationalists and the MHP either as perpetrators or at least sympathizers with a group or network that they categorically opposed, since the MHP considers itself "against any attempt that aims to change the state order."
- Although the Grey Wolves were one of the key players in civil violence leading up to the 1980 military coup, the Turkish nationalist narrative was that these groups were "used and then discarded" by higher powers. The MHP and its base oppose any association with the deep-state powers, as well as opposing these nodes of power themselves.

The Democratic Left Party (DSP) also argued that there is no evidence that proves the "terrorist" credentials of the Ergenekon network and instead that the AKP was trying to influence the judiciary in order to suppress dissent and criticism.⁴⁴

There are also many non-partisan criticisms of the legal case. Turkish columnist Can Dündar⁴⁵ and Washington-based analyst Soner Çağaptay⁴⁶ have both argued that the Ergenekon case is an attempt by the AKP to quell political activism and criticism by accusing suspects of taking part in normal political processes, such as organizing rallies against the AKP government (which, the authors agree, is a cornerstone of any democratic country). They have also argued that the AKP government engages in wire-tapping phone conversations of people who do not engage in any organized activism against the party, but rather publicly criticize it. This line of argument gained a wider acceptance in Turkish society after the recent controversial 12th wave of arrests in April 2009, during which more than 20 suspects were arrested including rectors of the universities of Başkent, Giresun, İnönü, Ondokuz Mayıs and Uludağ, as well as the director and members of the civil society group Association for Supporting Contemporary Living (ÇYDD – focuses on young girls' education issues) that were arrested for their involvement in "republican rallies." The arrests created public outrage and rifts within AKP's own ranks, most notable being Minister of Culture Ertuğrul Günay's recent criticism.⁴⁷

LEGAL ALLEGATIONS

There are specific legal-technical controversies surrounding the case, as noted by the Turkish Union of Bars. The Union mentioned that while the law directs that the court should first invite suspects to a hearing, all of the hearings were held after mass arrests, and under custody. Second, the Union warned that the case's evidence collection methods — what the police refer to as "technical pursuit" — involved procedures that were considered illegal, such as wiretaps and surveillance of electronic correspondence without a warrant. Third, the Union criticized the court for taking too

43. For an extended news report on MHP's outlook towards Ergenekon, see: "MHP: Ergenekon kutsaldır" [MHP: Ergenekon is sacred], *Gazeteport Online*, July 7, 2008. http://www.gazeteport.com.tr/SIYASET/NEWS/GP_242903

44. See for example, an interview with DSP deputy Emrehan Halıcı: "DSP'li Halıcı'nın Ergenekon isyanı" [Ergenekon outrage of Halıcı of DSP], *Haber 7 Online*, July 20, 2008. <http://www.haber7.com/haber/20080720/DSPLi-Halicinin-Ergenekon-isyani.php>

45. Can Dündar, "Bu bir darbe davası" [This is a coup case], *Milliyet* online, March 26, 2009. Available through author's own website: <http://www.candundar.com.tr/index.php?Did=9399>

46. Soner Çağaptay, "Turkey's Secret Power Brokers," *Newsweek*, March 21, 2009. <http://www.newsweek.com/id/190390>

47. Minister Günay had stated that the case is becoming increasingly damaging against the AKP's interests after the last wave of arrests and criticized the arrest of the director of the ÇYDD, arguing that the legal process is becoming increasingly similar to the March 12, 1980 military coup environment. For a news report, see: "Bakan Günay'dan Ergenekon değerlendirmesi: 12 Mart gibi..." [Ergenekon assessment by Minister Günay: like March 12th...], *Radikal* online, April 18, 2009: <http://www.radikal.com.tr/Radikal.aspx?aType=RadikalDetay&ArticleID=931857&CategoryID=77>

long to prepare the indictment while the suspects were held in custody, rendering the custody period a punitive one. In other words, for eight months (and in some cases, even more) some suspects in custody were held by the police without a legal indictment or knowing of what they stood accused.⁴⁸

A more serious incident perhaps was the death of Kuddusi Okkır, who was arrested on June 20, 2007 in perfect health. He was released ten days after his arrest due to deteriorating health, and died in the hospital five days after his release. His death was met with outrage and the chair of the Turkish Parliament's human rights commission criticized Okkır's arrest, since during his custody period, nobody knew why exactly he was arrested.

Fourth,⁴⁹ other procedural-methodological criticisms concerned the volume of the indictments: an unheard of 4,364-page indictment (this will increase with the third indictment that is currently being prepared) that concerns almost 100 suspects, which is almost seven times larger than the second largest indictment in Turkish history, the case against the leftist DEV-SOL organization, which concerned 900 suspects with an indictment of 600 pages. Proponents of this view argue that perhaps only 100 pages of the 4,364-page indictment are an actual indictment, whereas the rest of the pages concern supplementary documentation that was procedurally presented during the court case process. This line of argument also suggests that the indictment was "intentionally inflated," both in order to make the case appear more important than it actually was and to extend the case period unnecessarily so as to suppress opposition prior to the March 29, 2009 municipal elections.

The fifth criticism involves the suspect-evidence chain followed by all legal processes in Turkey, where the law stipulates that an individual is a suspect only when sufficient evidence is acquired. In this case however, the critics argue that individuals are first arrested and considered suspects and then the evidence could be obtained through their illegal interrogation, which creates a serious legal flaw.

The sixth criticism concerns the fact that the case is being run at the Silivri prison in Istanbul, although the Turkish constitution strictly stipulates that legal cases should be run in the legal organs of the courts. Critics argue that by running the Ergenekon case in a prison, prosecutors are attempting to create a situation in which the arrested individuals are already considered guilty before a verdict is reached.

The seventh criticism involves evidence collection methods, more specifically collection of evidence based overwhelmingly on wiretaps, which renders the evidence collection method illegal based on informatics laws. Proponents of this argument point to the fact that almost three fourths of the indictments include phone conversation transcripts, which cannot be presented as evidence before the court as they were collected through means illegal under Turkish law.

The eighth, and perhaps the most important, criticism involves the reference to the Ergenekon network as a "terrorist organization," which attracts controversy more than any other issue presented here. Critics argue that while the court prematurely, and before a verdict, called the organization a "terrorist," organization, the individuals who were arrested on these charges included the former President of the Council for Higher Education, President of the Chamber of Commerce, university rectors, leading journalists, former Secretary-General of the National Security Council and former commanders of the armed forces. The critics argue that this situation renders both "terrorist organization" claims and the arrests incoherent and indicates that the arrests were made merely because these individuals were opponents of the AKP.⁵⁰

48. The statement made by Özdemir Özkök (chairman of the Turkish Union of Bars) was broadcast by CNN-Turk. The footage can be accessed through the Union's official website: <http://www.barobirlik.org.tr/basin/tv/video.aspx?video=200901-320847.flv>

49. Items 4 to 8 have been put forward by Ömer Faruk Eminağaoğlu, Director of the Union of Judges and Prosecutors; see: "YARSAV'dan Ergenekon soruşturmasına eleştiri" [Union of the Judges and Prosecutors criticize the Ergenekon case], CNN-Turk online, March 16, 2009. <http://www.cnntrk.com.tr/2009/turkiye/03/16/yarsavdan.ergenekon.sorusturmasina.elestiri/518039.0/index.html>

50. This excessive arrest pattern is thought to be one of the reasons behind the demotion of one of the "super-prosecutors" of the case, Murat Gök, whose power to issue warrants was removed by the Ministry of Justice. After his demotion, prosecutor Gök has stated in an interview that had he not

WHAT DOES THE TURKISH PUBLIC THINK?

There is a very limited variety of statistical data sources one can use in order to elucidate the public reaction to the Ergenekon case. The best known polls on the public perception of the Ergenekon issue were conducted by the GENAR,⁵¹ Metro Poll,⁵² and A&G⁵³ survey institutes (See Appendix II).

GENAR's tri-monthly surveys indicate that public perception on the importance of the Ergenekon issue tends to waver. While only 4.9% of the respondents described "operations against deep state networks" as the most important agenda item in Turkey in the first quarter of 2008, this figure rose to 34.6% and 35.9% in the second and third quarters respectively. In the last quarter of 2008, however, the importance of the issue fell to 23.3%, partly due to the fact that the economic crisis became the most important issue on the agenda in Turkey.

Statistical methodology and sample differences can be seen most visibly with regard to a question asked by all three polling organizations: "what is the true nature of Ergenekon?" Most of GENAR's (2008-2nd Quarter) respondents defined "Ergenekon" either as a "profit-oriented criminal organization" or an "organization aiming to topple the government." Metro Poll's survey respondents, on the other hand, expressed more indecision than the GENAR poll and recorded an indecisive respondent group as numerous as the groups that had defined "Ergenekon" either as an "anti-government organization" or a "profit-oriented criminal network." The A&G Institute's poll presented a break down of the answers by party orientation: While most of the respondents defined "Ergenekon" as an organization "responsible for the mystery acts of violence," a great majority of CHP voters called the "Ergenekon process" the "AKP's revenge against the establishment." While an overwhelming majority of AKP and DTP voters defined the organization as being responsible for "mystery/illegal acts," MHP voters appeared to be less single-minded.

Interestingly, although AKP voters appear to be the main proponents of the Ergenekon case, the majority of the respondents in the GENAR (2008-4th Quarter) poll also blamed the AKP for "manipulating the legal process," the runner-ups being the media and the CHP. GENAR's respondents (2008-4th quarter) also appear to be divided between the true nature of the case being "essentially political" or "essentially legal."

Some of GENAR's polling questions, however, suffer from what is generally referred to as "wording bias" — in which the wordings of the questions are value-laden and, as a result, seriously distort sample responses. On page 38 of the GENAR 2008-4th quarter poll for example, one of the questions concerned how respondents perceived operations against the "Ergenekon terrorist organization." This was in many ways a flawed statistical methodology since, first,

One critical issue is that, as long as this case is referred to by a name such as "Ergenekon" or any other title, the bigger picture (which is the democratization and transparency of the state) will be missed.

been demoted, he would have filed warrants for more than 2,000 arrests in the Aegean region. For the full interview, see: "Görevden alınmasaymış 2000 kişiye yasal işlem yaptırılmamış" [Had he not been demoted, he would have ordered legal process for 2000 people], Milliyet online, April 9, 2009. Available online: <http://www.milliyet.com.tr/Siyaset/SonDakika.aspx?aType=SonDakika&ArticleID=1081231&Date=22.04.2009&Kategori=siyaset&b=Gorevden%20alınmasaymış%2020bin%20kişiyeye%20yasal%20işlem%20yaptırılmamış&ver=05>

51. GENAR's tri-monthly polls can be accessed through the institute website: <http://www.genar.com.tr/genar/index.asp>

For 2008 1st quarter poll, see: <http://www.genar.com.tr/genar/toplumsiyaset2008mart.pdf>

For 2008 2nd quarter poll, see: <http://www.genar.com.tr/genar/toplumsiyaset2008temmuz.pdf>

For 2008 3rd quarter poll, see: <http://www.genar.com.tr/genar/toplumsiyaset2008kasim.doc>

For 2008 4th quarter poll, see: http://www.genar.com.tr/genar/2008_4_cayrek_toplum_ve_siyaset.doc

52. The Metro Poll Strategic and Social Research Institute does not have a website. The poll in question was mentioned in the *Yeni Şafak* newspaper; the original link was broken during the writing of this Policy Brief. However, the same news report can also be accessed through *Tüm Gazeteler* online archive: "Ergenekon darbeci bir örgüt" [Ergenekon is a pro-coup organization], *Yeni Şafak*, January 30, 2009. <http://www.tumgazeteler.com/?a=4610361>

53. A&G institute's poll was commissioned by the Turkish news station Haber-Türk. The findings of the poll can be accessed through Haber-Türk's website: <http://www.haberturk.com/haber.asp?id=90963&cat=110&dt=2008/08/13>

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the court had not made its verdict on the "terrorist" credentials of the network (let alone a verdict regarding if such a network really exists) and second, calling an alleged organization "terrorist" indicates polling bias on behalf of the polling institute.

Therefore, it is important to compare any survey report on the Ergenekon case with at least two other reports from different institutes in order to get a better sense of public perception. In some cases survey results differ greatly depending on the quality of polling questions or the content of the multiple choice-based survey.

FUTURE IMPLICATIONS

The Turkish public appears indecisive as to whether the AKP is really trying to get rid of deep-state networks as many NATO countries in Europe did after the collapse of the Soviet Union, or if it is using the process to intimidate its political opposition, or worse, take over the political apparatus entirely. One critical issue is that, as long as this case is referred to by a name such as "Ergenekon" or any other title, the bigger picture (which is the democratization and transparency of the state) will be missed. Such political constructions tend to create scapegoats in the long run, becoming a one-size-fits-all explanation of every unexplainable negative event in a country's history. Therefore it is crucial to "de-Ergenekonize" this process and instead talk about state accountability, transparency, and democratization.

With regard to civilian-military relations in Turkey, some scholars argue that the process has the potential to reconcile long-divergent interests between the civilian and military authorities in Turkey and lead to a consensus through which the military and the civilian authorities could cooperate and get over their differences. Indeed, some authors have claimed that the deep-state networks became increasingly threatening and damaging to the Turkish military itself as they targeted and threatened top-ranking military officials and that the military officials themselves had enabled the civilian authority to indict, arrest, and interrogate former generals and officers in order to get rid of these networks, which seriously damage the reputation of the armed forces and the intelligence institutions. This claim was partly justified by the recently publicized diaries (dubbed the "coup diaries") of the former commander of the Turkish Navy, in which sharp differences between the top brass can be observed. The coup diaries indicate that instigating a military coup is becoming increasingly unpopular among the top officers and pro-coup officers sometimes consider a coup against the Chief of Staff or the rest of the commanding generals (as in 1913 CUP raid on the Sublime Porte) who resist instigating a joint military coup against the political party in power.

The case also concerns US policy, as both sides of this legal case point to the CIA, the Pentagon, and NATO as the underlying factors behind Ergenekon and other deep-state activities in Turkey. While it is true that the Turkish Counter-guerrilla Branch was a part of NATO's stay-behind operations, blaming the United States for every mysterious violent act in Turkey does not answer the question of why other European NATO countries could abolish their own stay-behind operations quickly and democratically after the end of the Cold War. Most other stay-behind operations in NATO countries appear to exist and perform their duties to the extent allowed by the democratic tradition and the importance of state accountability in those countries. On the other hand, history shows us that such networks tend to persist and remain within the state apparatus depending on the extent of that country's militarist-nationalist tradition and the appeal of the far-right ideologies within the public narrative. The strength of far-right nationalism and an underlying militarist ideology in such countries creates a public perception that "whatever the state does is justified," including hidden deep-state establishments. Such networks manage to stay concealed from democratic processes in certain countries mainly because of those particular countries' historical narratives which portray their armed forces as the sole guarantor against a perceived "meta-other" — a constructed and inflated image of a great enemy. It is mainly this type of nationalism that enabled the Spanish Grupo Antiterrorista de Liberacion (GAL), Italian Gladio, and Turkish Ergenekon to remain operational for so long without detection. Still, whatever influence the United States' institutions might have had on the foundation of these networks is amplified and portrayed as if it was the sole source of the problem. Therefore, the Ergenekon case appears to be surrounded by acute anti-American rhetoric, which means that any policy action by the United States regarding this case will be met negatively and with

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stiff resistance. If the US lauds the success of the Ergenekon process in an official manner, it will be interpreted by the secularist-nationalist factions as "supporting the AKP and the Islamists," whereas if the US criticizes the process, it will be considered to be "protecting the CIA's hidden elements within the Turkish state."

With regard to Turkish democracy, the case represents a shift in consciousness, as this is the first time that a military coup attempt was thwarted through non-violent means and its alleged perpetrators tried by the civilian authorities. In many ways, this process can be interpreted as the Turkish military leadership's willingness to yield power to the civilian authority as the democratization of the country is regarded as being on par with the military's modernization goal. Indeed, the Ergenekon process demonstrates that the Chiefs of Staff themselves restrain pro-coup military commanders and that these generals had to pursue their goals outside the armed forces after they retired. The growing unpopularity of military coups within the armed forces eventually lead to such non-hierarchical military coup attempts, outside the cover of the executive institutions, and eventually exposing this alleged deep-state network.

If properly managed, the legal process has the potential to shed light on the last 100 years of Turkish republican history and render the Turkish state as one of the most accountable, transparent, and democratic establishments in the wider region. However, although initiated by the AKP, the legal process now appears to be out of the party's reach, working against its interests, polarizing the society and creating a widespread belief that the AKP is using this process as a way to suppress its opposition, rather than genuinely trying to disband undemocratic and extra-judicial elements within the state.

APPENDIX I: THE 1961 US ARMY FIELD MANUAL

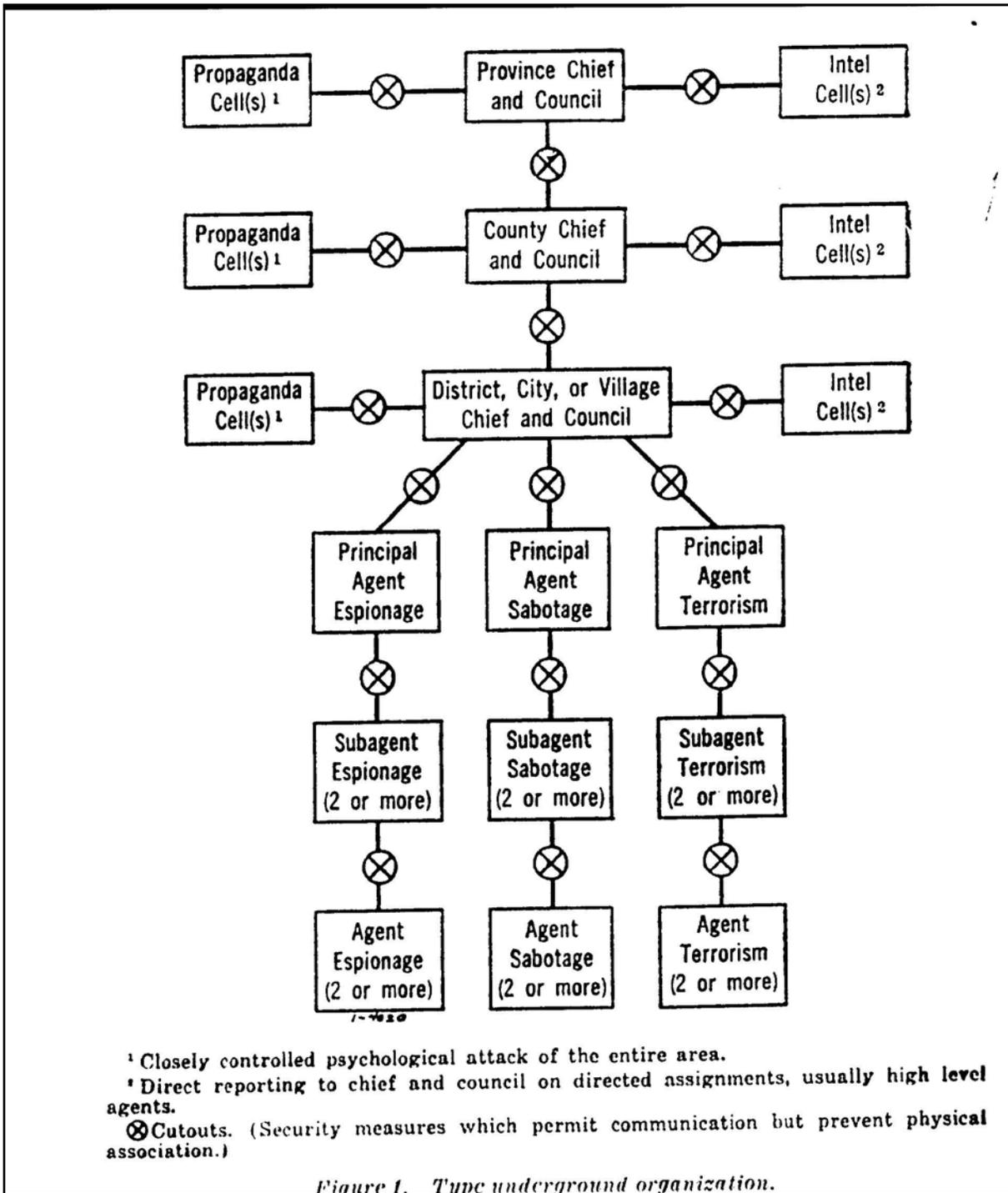


Figure 1. Type underground organization.

Excerpt from the 1961 US Army Field Manual on "Operations Against Irregular Forces:" (pp. 7-8) The suggested organization for counter-insurgency branches served as the framework for the stay-behind branches in many NATO countries. Ergenekon's alleged structure (as suggested by the indictment) is almost identical to the template presented in the manual. For whole document, see: <http://stinet.dtic.mil/cgi-bin/GetTRDoc?AD=ADA310713&Location=U2&doc=GetTRDoc.pdf>

APPENDIX I: THE 1961 US ARMY FIELD MANUAL (CONT.)

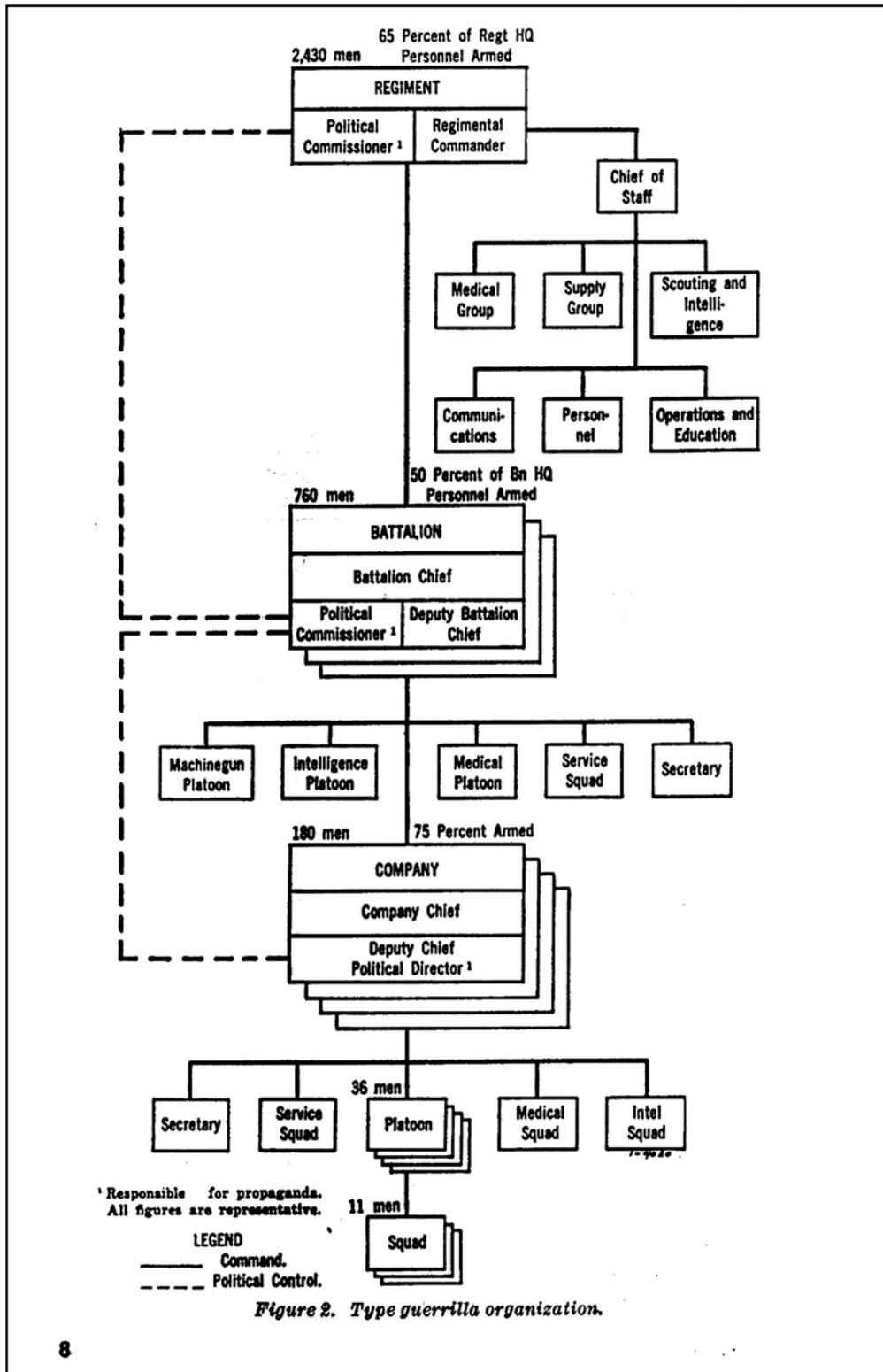


Figure 2. Type guerrilla organization.

APPENDIX II: WHAT THE TURKISH PUBLICS THINKS ABOUT ERGENEKON

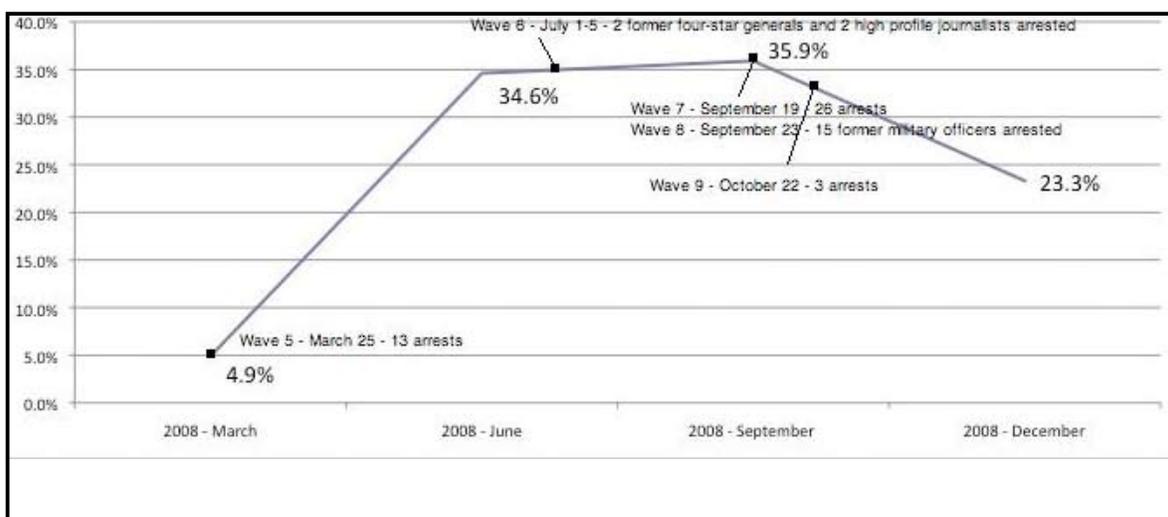
GENAR POLLING INSTITUTE FINDINGS

DATA DERIVED FROM GENAR INSTITUTE POLLS

- GENAR Institute, "2008 Turkey-Society-Politics Survey, 1st Quarter," March, 2008, p. 13. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008mart.pdf>
- GENAR Institute, "2008 Turkey-Society-Politics Survey, 2nd Quarter," July 2008, p. 29. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008temmuz.pdf>
- GENAR Institute, "2008 Turkey-Society-Politics Survey, 3rd Quarter," November 2008, p. 26. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008kasim.doc>
- GENAR Institute, "2008 Turkey-Society-Politics Survey, 4th Quarter," January 2009, p. 26. Available online: http://www.genar.com.tr/genar/2008_4_cyrek_toplum_ve_siyaset.doc

HOW IMPORTANT IS THE ERGENEKON CASE?

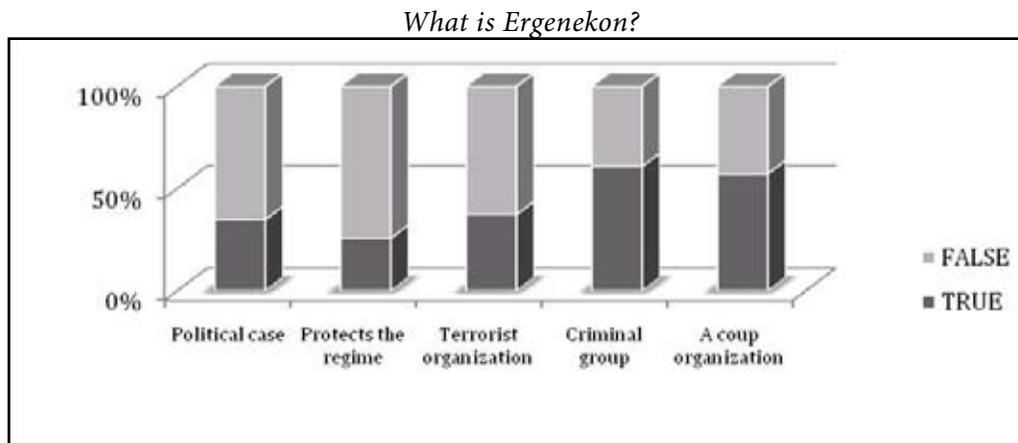
According to GENAR's 2008 1st quarter poll, only 4.9% of Turks defined "operations conducted against gangs within the state" as the top agenda item, whereas this figure was much higher in 2008's 2nd quarter (34.6%) and the 3rd quarter (35.9%). Yet, the 2008 4th quarter poll indicates an observable fall in the importance of Ergenekon, where only 23.3% of the respondents defined it as the most important agenda item in Turkey. The graph, showing the percentage of respondents who claimed that "Ergenekon" operations are the most important agenda item in Turkey. Also shown corresponding 'waves' of arrests; the chart shows that number of arrests don't render the case more important in the public perception. Rather, the profile of the arrested individuals is the main factor behind the change in this perception.



Turkey's "Deep-State" and the Ergenekon Conundrum

WHAT IS ERGENEKON REALLY ABOUT?

When asked about the true nature of the Ergenekon trial, 34.9% of the respondents defined it as an “essentially political case” (65.1% did not); also 25.8% of the respondents expressed that Ergenekon is a network “established in order to protect the regime” (74.2% did not), 37.4% defined it as a “terrorist organization” (62.6% did not), 60.9% defined it as an “interest oriented criminal group” (39.1% did not) and 57.3% defined it as a group “aiming to initiate a coup” (42.7% did not).



- Genar Institute, “2008 Turkey-Society-Politics Survey, 2nd Quarter,” July 2008, p. 33. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008temmuz.pdf>

Also according to GENAR’s 2008/III poll, 67.9% of the respondents had agreed with the statement “Ergenekon is a terrorist network”, whereas 32.1% did not agree with the assertion.

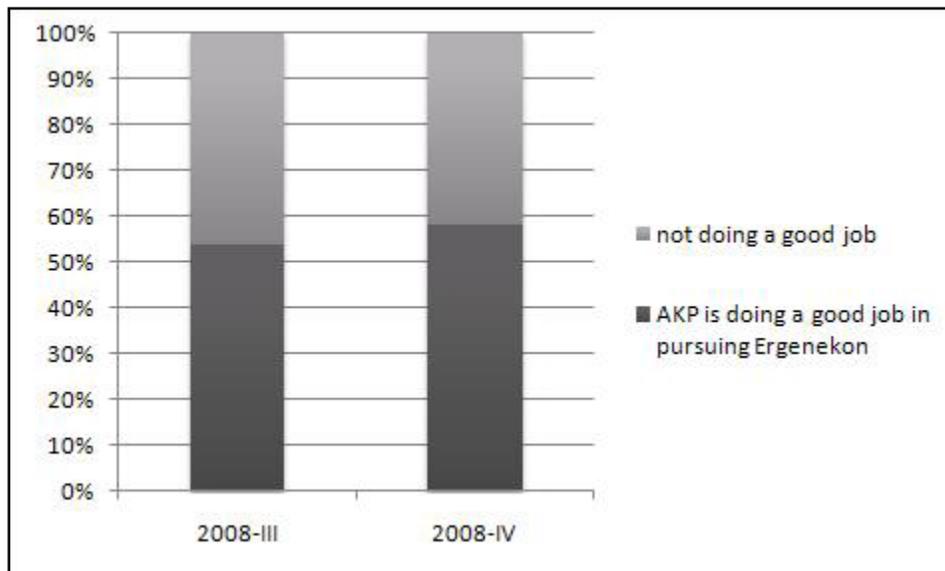
Is Ergenekon a terrorist organization?

Yes	No
67.9%	32.1%

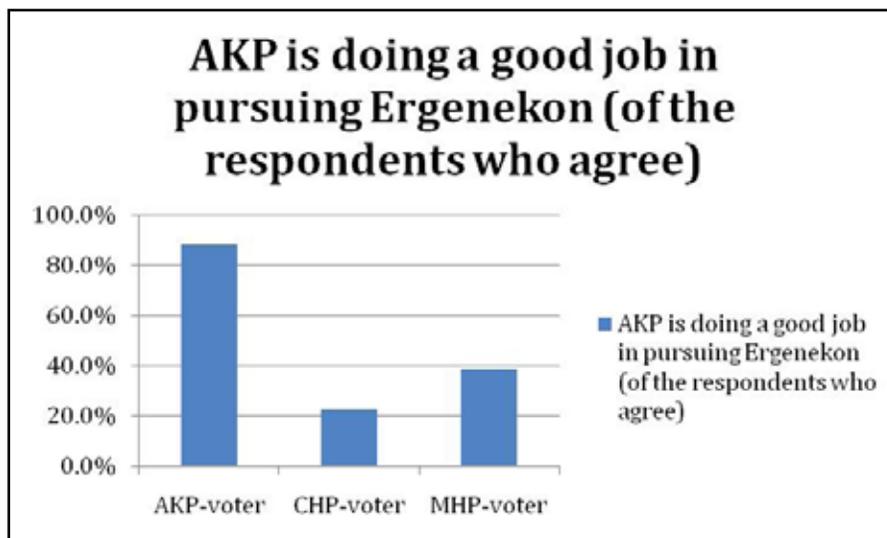
- GENAR Institute, “2008 Turkey-Society-Politics Survey, 3rd Quarter,” November 2008, p. 94. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008kasim.doc>

HOW DO PEOPLE VIEW THE AKP’S PERFORMANCE?

In terms of the AKP’s performance against Ergenekon, the 2008 3rd quarter poll indicates that 54.2% of the respondents declared the AKP as “successful,” whereas this figure rose to 58.6% in 2008’s 4th quarter.



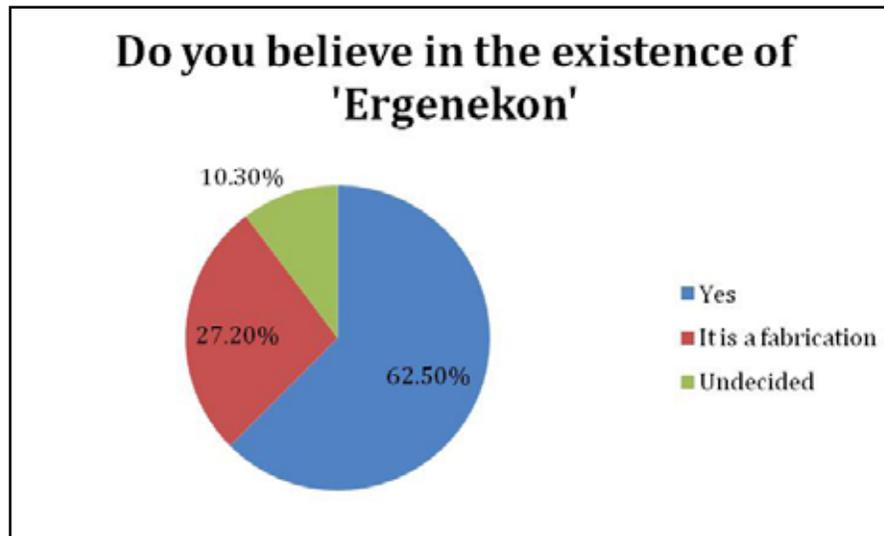
When a break-down of party orientation is made however, the 2008 3rd quarter poll shows that 88.5% of the respondents who claim AKP was doing a good job in pursuing the Ergenekon case, are actually AKP voters. By contrast, only 22.9% of CHP voters and 38.9% of the MHP voters claimed that the government is on the right track.



- GENAR Institute, "2008 Turkey-Society-Politics Survey, 3rd Quarter," November 2008, p. 97. Available online: <http://www.genar.com.tr/genar/toplumsiyaset2008kasim.doc>
- GENAR Institute, "2008 Turkey-Society-Politics Survey, 4th Quarter," January 2009, p. 96. Available online: http://www.genar.com.tr/genar/2008_4_ceyrek_toplum_ve_siyaset.doc

METRO POLL POLLING INSTITUTE FINDINGS

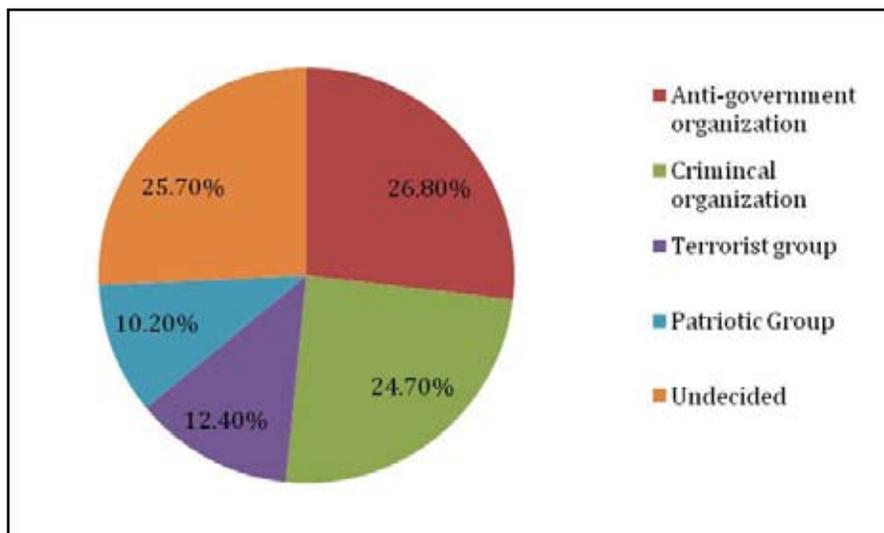
Another polling institute, Metro Poll also published the results of its January 2009 poll on the Ergenekon case. 62.5% of the respondents agreed with the statement that "Ergenekon network exists," whereas 27.2% believed that it was a fabrication, and 10.3% were indecisive.



- Metro Poll Scientific and Strategic Research Center, "Social and Political Situation in Turkey: Ergenekon Investigation," January 2009, p.11. Available online: http://www.metropoll.com.tr/upload_doc/resim-Ergenekon-Case-Survey-Jan09.ppt

WHAT IS ERGENEKON?

The Metro Poll poll indicated that SP, AKP, and DTP voters had the strongest belief that such a network existed, whereas CHP and MHP voters expressed their disbelief. Regarding the nature of the Ergenekon network, 26.8% indicated that it aimed to topple the government through a military coup, 25.7% had no idea, 24.9% believed that it was an interest-oriented criminal network, 12.4% believed that it was a terrorist group, and 10.2% defined it as a "patriotic group."

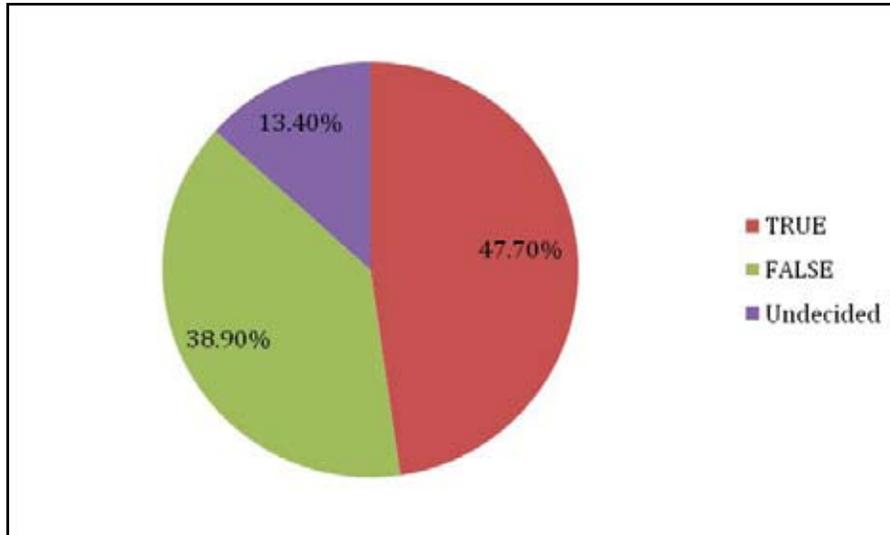


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- Metro Poll Scientific and Strategic Research Center, "Social and Political Situation in Turkey: Ergenekon Investigation," January 2009, p. 12. Available online: http://www.metropoll.com.tr/upload_doc/resim-Ergenekon-Case-Survey-Jan09.ppt

IS ERGENEKON THE AKP'S WAY OF SUPPRESSING OPPOSITION?

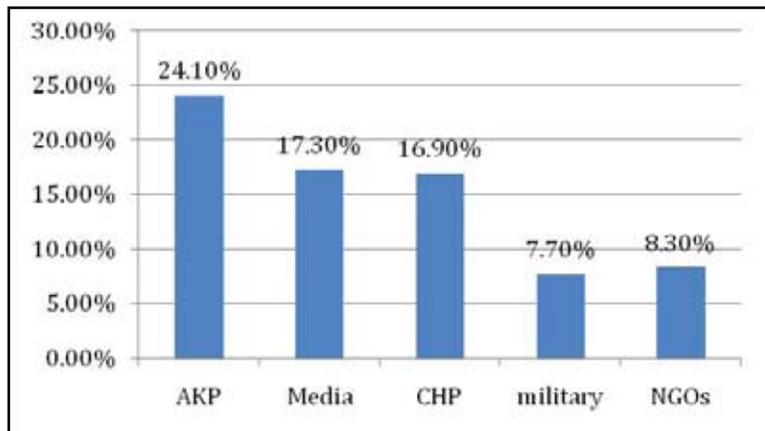
Of the assertion that "The Ergenekon case is the government's way of suppressing opposition," 47.7% did not agree, 38.9% did agree, and 13.4% did not make a claim.



- Metro Poll Scientific and Strategic Research Center, "Social and Political Situation in Turkey: Ergenekon Investigation," January 2009, p. 14. Available online: http://www.metropoll.com.tr/upload_doc/resim-Ergenekon-Case-Survey-Jan09.ppt

WHO IS MANIPULATING THE LEGAL PROCESS?

More interestingly, 64.2% of the respondents claimed that the legal process was being manipulated by "external actors;" according to these respondents, such external actors aiming to manipulate the case were the AKP (24.1%), media groups (17.3%), the CHP (16.9%), NGOs (8.3%), and the military (7.7%).



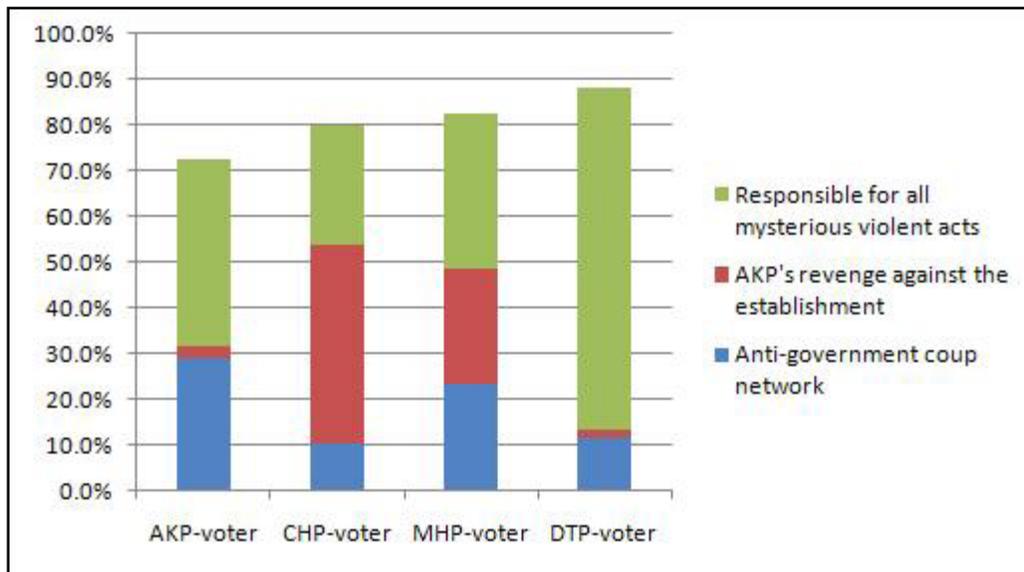
- Metro Poll Scientific and Strategic Research Center, "Social and Political Situation in Turkey: Ergenekon Investigation," January 2009, p. 17. Available online: http://www.metropoll.com.tr/upload_doc/resim-Ergenekon-Case-Survey-Jan09.ppt

Turkey's "Deep-State" and the Ergenekon Conundrum

A&G POLLING GROUP

WHAT IS ERGENEKON?

A&G polling institute findings show that Kurdish DTP voters overwhelmingly believe that Ergenekon is responsible for all mysterious violent acts in Turkey. While the majority of CHP voters feel that the process is AKP's revenge against the establishment, MHP voters appear to give almost equal emphasis to all three options.



- A&G Institute's poll was commissioned by the Turkish news station Haber-Turk in August 2008. The findings of the poll can be accessed through Haber-Turk's website: <http://www.haberturk.com/haber.asp?id=90963&cat=110&dt=2008/08/13>