

By Baris Gulmez, Research Associate, U K Defence Forum and Turkey correspondent

Introduction

14 March 2008 was one of the most controversial days in Turkish political life. The Justice and Development Party (AKP), the governing party which received 47% of the total votes in the last general elections was indicted in the Court of Cassation, with prosecutors demanding that it be closed down.

The main allegation of the indictment is that the AKP has become the centre of the acts against secularism, one of the six founding principles of the Turkish Republic. The Constitutional Court's latest decision prohibiting the wearing of Islamic turban (headscarf, basortusu or hijab) in universities intensified the debate on the closure case. Currently, public opinion is divided.

The first view is that the AKP, which had a landslide victory in the elections, could not be closed because this would be a negation of democracy. Not only the AKP sympathisers and some intellectuals to accept it.

On the other hand, the opposition and others point out that Hitler had been popularly elected too. They argue that popularity should not prevent the trial of the AKP. AKP officials seem to be convinced that they are going to be closed despite public protestations to the contrary.

The case for the defence

In its submission to the court the AKP does not seem to defend itself, but criticizes not only the indictment but also the secularism. The AKP criticizes the method of evidence gathering. It rejects what it calls the "google indictment", claiming that the attorney, Abdurrahman Yalcinkaya obtained all the data for his case from the internet.

The AKP challenges the secularism principle which it claims is being used by the Turkish bureaucracy as a weapon against the free will of nation in order to enforce a "secular" life style upon the nation. The party argues that no one life style should be enforced in democracies. Moreover, it was argued that secularism imposes a single life format for all human being and prevents people from living as servants of God. The AKP claims that the present secularism in Turkey is totalitarian and anti democratic.

The indictment alleges that speeches of various AKP officials indicate evidence of a breach of secularism principle. The AKP mostly denies responsibility and claims that statements by AKP members are their personal views rather than party policy, and so the AKP is not to be blamed. For instance, Omer Dincer, the AKP deputy for Istanbul, claimed that secularism in Turkey has come to an end and Islamic rules (Sharia) are to be adopted. The AKP asserts that this speech was made in 1995 when the AKP was not even in existence, and so it cannot be held

responsible. Husnu Tuna, the AKP deputy for Konya, has said that the ultimate aim of the AKP is to lift the headscarf ban for public servants in state departments. The AKP argues that this view is not the AKP but only his. Bulent Arinc, the AKP deputy for Manisa and former Speaker of the Turkish Parliament, made speeches when he was in a neutral and non-party position.

Tayyip Erdogan, the AKP leader and the Prime Minister of Turkey, is accused of being a "supporter of sharia" in the indictment, says the AKP. The AKP rejects the claim that his speeches are evidence of breaching the secularism principle.

However, the public statements of the AKP are far from convincing and more likely to generate controversies. For instance, Erdogan's statement "I am the same as I was before", is it is claimed nothing to do with his political views but rather his permanent family values. His wife wears the headscarf and he comes from an Islamic background but upon founding the AKP, he put this aside and claimed to adopt a modern and democratic political approach. But the speculation persists concerning his attachments to political Islam.

In Erdogan's infamous "infidel Izmir" remarks, the AKP claims that he did not call the inhabitants of Izmir infidels, but meant that the city of Izmir was governed by the leftists. Erdogan has also said "if the headscarf is a political symbol, so what?" The AKP did not give a satisfactory explanation of this expression but only argued that this does not mean that Erdogan sees headscarf as a political symbol - a very fine point.

The plans of the AKP in the event of closure

If the AKP is closed by the Constitutional Court, then Tayyip Erdogan and others will be prohibited from being members of a political party for five years and lose their positions as the member of the parliament. However, they can run election as independent candidates. This is the nub of the AKP's plan.

Currently, the AKP has 340 seats in the parliament and if the party is closed, nearly 40 named deputies will lose their seats. The remaining 300 deputies would establish a new party and form a single party government as they would still have a majority of the 550 seats. The new government would call for early elections in order to enable Erdogan and others to be re-elected as independents. AKP officials believe that the new party would again have a landslide victory. Erdogan would become Prime Minister of the newly elected government composed of former AKP cadres. The successor AKP could also make further progress in municipal elections in late 2008 too.

A hurdle for the AKP's plan

Although the AKP seems to be well prepared in the event a decision for closure, there is one important obstacle that the party officials did not take into consideration. That is Abdullatif Sener, former Minister of State in the Erdogan Cabinet. He is a popular figure and he had resigned from the Ministry criticizing the economic policies of the AKP. He is now willing to run for election and preparations for the establishment of his new party are well under way.

According to the latest polls conducted in Turkey, Sener is seen by most of the citizens who voted for the AKP as the number one rival of Erdogan and his popularity in the public is on the rise. Sener might divide the votes of the AKP and Erdogan's re-accession to the Prime Ministry might not be as easy as the party officials think. As Sener is seen by the Turkish public as an honest and trustworthy politician, keeping his distance from other political views, he might be able to win votes from other parties as well.