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REPORT



ISPU

The Turkey Model: Does Turkey Offer a Model for Tunisia and Egypt?

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Introduction

Leaders in Tunisia and Egypt have acknowledged Turkey as a potential model for their emerging democracies due to its ability to balance Islam and democracy. Rashid Ghannouchi, leader of Tunisia's Ennahda Party, views Turkey's ruling Justice and Development Party (AKP) as "a model of success for his country to follow,"¹ and Egypt's Mohammed Morsi recognized the AKP's inspiration when he visited Turkey in September 2012.²

Some maintain that the much-debated "Turkish model" implies a moderate Islamic model and emphasize Turkey's secular nature, while others remain cautious about the nature of its democracy. Many welcome this model as an alternative to the possibility of intolerant, authoritarian, and anti-Western Islamist states. The AKP government, which affirms Turkey's Islamic affiliations, has adopted a balanced approach. Prime Minister Erdoğan stated:

Turkey in its region and especially in the Middle East will be a guide in overcoming instability, a driving force for economic development, and a reliable partner in ensuring security.... I do not claim, of course, that Turkey's experience is a model that can be implemented identically in all other Muslim societies. However, the Turkish experience does have a substance which can serve as a source of inspiration for other Muslim societies, other Muslim peoples.³

This report assesses the constitutional changes under discussion as Turkey, Egypt, and Tunisia draft new constitutions; compares their judicial systems, civil institutions, civil and minority rights; and analyzes Islam's role in each country to evaluate its relationship to democracy.

Turkey's success has been largely due to its healthy economy, which can serve as a key learning model for Tunisia and Egypt. Despite their individual differences, the Turkish model remains an example to observe, learn from, and emulate, especially as Turkey moves forward in its foreign policy to become a leading voice among Muslim nations.

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Turkey Today

Turkey benefits from a diversified economy, a lengthy track record of solid economic management and structural reform, geographical proximity to Europe, integration with European markets, and the effect of its associate membership in the European Union (EU).⁴ With a population of 75 million and a Gross Domestic Product (GDP) of US \$735 billion, Turkey is the sixteenth largest economy in the world.

Affected by the global recession, its economy contracted by 4.7 percent in 2009, but rebounded to 8.2 percent in 2010.⁵ The country has also made impressive social reforms: universal health insurance covers almost the entire population, and early childhood education and preschool enrollment are increasing.

Although often cited as a model for the coexistence of Islam and democracy, Turkey does have its detractors. Critics claim that it lacks key democratic freedoms, noting that in 2008 the country had the second largest number of human rights violation cases open at the European Court of Human Rights. Most of these were related to Kurdish rights, which only affirms the importance of minority rights to the EU and the international community.

Prime Minister Erdoğan reduced the powers of the 1991 Anti-Terror Law (which had constrained Turkey's democratization) and abolished some restrictions on freedom of speech and the media. However, free speech and free press are not yet realities: sixty-one journalists remain in jail as a "direct result" of their news-gathering activities.⁶

The Role of Islam in Turkey

Turkey's founding principles include secularism, social equality, equality before the law, and state neutrality toward religion. The 1924 and 1982 constitutions recognize religious freedom for all, regardless of ethnicity, belief, and gender. The government provides secular public education, and government-subsidized cultural and legal affairs are not dominated by religious thought and/or institutions.

Despite the constitution's secular neutrality, the Diyanet (Presidency of Religious Affairs) oversees religious matters. It represents the mainstream Hanafi school of Sunni Islam, which

does not reflect the country's full religious diversity.⁷ Imams are paid by the state and trained at state-funded religious universities, whereas other sects and minority religions are restricted. Sectarian concerns have always been an issue, especially as regards the Alevis, a religious group that combines Anatolian Shi'ism with Sufi elements. The AKP, like its secular predecessors, subsidizes Sunni mosques at home and abroad, but does not finance Alevi *cemevi* (religious houses) or include them in the official Islamic affairs directorate. Instead, it tells Alevis that they should pray in the Sunni manner and in Sunni mosques.⁸ In its 2012 report, however, the Pew Forum on Religion and Public Life suggested that 69 percent of Turks acknowledge Alevis as fellow Muslims, an indication that perhaps more moderate views are prevailing.⁹ This broader definition of who is a "Muslim" comes amid a growing public religiosity. As one study notes:

Today, Turkey has over 85,000 active mosques, one for every 350 citizens—compared to one hospital for every 60,000 citizens—the highest number per capita in the world and, with 90,000 imams, more imams than doctors or teachers. It has thousands of *madrassa*-like Imam-Hatip schools and about four thousand more official state-run Qur'an courses, not counting the unofficial Qur'an schools, which may expand the total number tenfold. Spending by the governmental Directorate of Religious Affairs (Diyanet İşleri Başkanlığı) has grown fivefold, from 553 trillion Turkish lira in 2002 (approximately US\$325 million) to 2.7 quadrillion lira during the first four-and-a-half years of the AKP government; it has a larger budget than eight other ministries combined.¹⁰

Turkey's example

Drafting the new constitution should reveal the respective influences of Kemalist, Islamist, and international mores related to addressing the right to religious education, the legal rights of religious institutions, freedom of assembly, the right to establish religious educational institutions and places of worship, and conscientious objection. This latter element is important, since minority religious rights are a benchmark of any democracy. It is hoped that the new constitution, when ratified, will continue to affirm the country's identity as a democratic Turkish state and a Muslim nation practicing "Muslim politics" in the absence of an Islamic state.

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Turkey's Political Parties

Fifteen political parties participated in the June 12, 2011, general elections. This diversity of representation, however, cannot hide the fact that Turkish politics is dominated by the ruling center-right conservative AKP, the largest in Turkey (327 members of Parliament), led by Prime Minister Recep Tayyip Erdoğan. In this election, the party increased its share of the popular vote to 49.8 percent and thus was able to form a third-consecutive majority government.

The AKP appeals to the more traditional and religious Turks, and yet portrays itself as a pro-western party that advocates a conservative social agenda, a liberal market economy, and full EU membership. It realized that it had to at least recognize secularism to ensure its own political survival and that it needed “the West and democracy to build a broader front against the radical secularity in the judiciary, at high levels in the state bureaucracy, in the mainstream media and especially the military.”¹¹ Born out of Turkey’s Islamic movement, in which Islamic businessmen and women helped create a Muslim middle class, the AKP swept to power in 2002 on the heels of an economic crisis and went on to win the general elections of 2007 and 2011. Sebnem Gumuscu, a political science professor at Sabanci University in Istanbul sums up the effects of the AKP’s socio-political agenda as follows:

For the most part, the AKP has maintained the basic constitutional and institutional structure of the Turkish state, but has enacted constitutional amendments for EU harmonization and curtailed the power of the military. In other words, Islam and democracy have become compatible in Turkey under neo-liberalism.¹²

The AKP is not the only pro-Islamic party. The existence of the very conservative Saadet Party (SP) means that the AKP does not have to placate hardliners within its own ranks. The SP, which views Europe as a “Christian club” that Muslims should not seek to join,¹³ has not yet reached the 10 percent threshold required for electoral representation. Thus the main opposition party in the Grand National Assembly is the Republican People’s Party (CHP), a Kemalist and social-democratic political party that remains faithful to the republic’s founding principles and values. In 2011, 135 of its members were elected, compared with 327 for the AKP.

Turkey's example

The AKP still contains traits of Turkey's intrinsically authoritarian political culture, but its post-Islamist transformation has been genuine and significant.¹⁴ This broad-based party has become a successful coalition of different factions that prefer to be called "conservative democrats" rather than "Muslim democrats." However, Islam's role continues to grow in the public sphere, and Turkey's secularism has been described as evolving from being active (the Kemalist tradition) to being passive or neutral toward citizens' religious identities.¹⁵

According to Ahmet Kuru in his February 2013 paper for the Brookings Doha Center, the secular state has two main pillars: It demands that (1) no religious institution supersede the state's executive, legislative, and judicial bodies, and that (2) there be no official state religion.

"The crucial issue is whether the final word in the law-making processes of new Arab regimes rests with elected bodies or with unelected religious institutions." Kuru reiterates that as long as countries do not discriminate against non-Muslim minorities, "constitutional declarations of Islam as the official religion should not be an obstacle to the emergence of passive secularist democracy in Arab countries."¹⁶

Turkey's Civil Institutions

Over the last ten years, the number of civil society organizations (CSOs) in Turkey has increased by 44 percent due to legal reforms regarding the founding of such organizations.¹⁷ The EU is familiarizing Turkey's CSOs with its policies in preparation for accession. Interaction and collaboration between such international organizations as the World Bank and a broad range of CSOs worldwide (e.g., community groups, NGOs, labor unions, faith-based organizations, professional associations, and universities) have increased dramatically.

The World Bank programs in Turkey are an example for Egypt and Tunisia.¹⁸ Over the years Turkey has received loans for major infrastructure development projects, but without the conditions that come with International Monetary Fund (IMF) loans today. In the last decade, the closer cooperation between the World Bank and the IMF has become formalized and the emphasis has shifted to stabilizing the international monetary and financial system. As

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a result, the IMF has gone beyond its traditional concern with simple balance of payment adjustments to taking an interest in the structural reform of its members' economies. Egypt and Tunisia may find that IMF aid today has austerity conditions attached that threaten their already poverty-level populations.

The World Bank, on the other hand, has encouraged CSOs to become more influential actors in public policy and development efforts. Its civil society engagement strategy continues to grow stronger and is becoming recognized as an integral part of an effective institutional strategy for reducing poverty and achieving the United Nations' (UN) Millennium Development Goals (MDGs).¹⁹

The AKP originated with the Gülen Movement, a civic movement inspired by Turkish Islamic scholar Fethullah Gülen. His teachings about hizmet (altruistic service for the common good) have attracted millions of supporters in Turkey and internationally.²⁰ Critics inevitably see the movement as political and as seeking to undermine the secular state. But according to a BBC reporter Edward Stourton.²¹

But according to a BBC reporter Edward Stourton:

This massive network is unlike anything else. It has no formal structure, no visible organisation and no official membership. Its supporters say they simply work together, in a loosely affiliated alliance inspired by the message of charismatic preacher Fethullah Gülen, who promotes a tolerant Islam which emphasises altruism, hard work and education.²²

Gülen has been called “the face of moderate Islam,” and his movement owns media holdings and operates a vast network of schools worldwide. His messages of ecumenism, interfaith dialogue, and tolerance were developed after he moved to the United States, where the movement has explicitly refrained from indulging in anti-Americanism, a feature of some Islamist movements globally. Some secular Turks, including many in the military, feel that the movement is backed by Washington as a form of moderate Islam to dilute Turkish secularism.

Gülen's followers inside Turkey were widely seen as a critical force in helping Erdoğan and his moderate AKP bring the military under civilian control and strengthen the relationship

between mosque and state. With the generals no longer in political power, the basis for the Erdoğan-Gülen alliance has eroded. If this becomes a source of friction in Turkey, it could well become a matter of international concern.

According to Stratfor's Global Intelligence Files (released by Wikileaks), and therefore reflecting current American thinking,

The [Gülen Movement] is perhaps the best organized grass roots movement in Turkey. Moreover, the group has a vast social and economic organization, intelligence assets, a global network and a message that appeals to the West, even if that message appears to be mostly for international consumption. The [Gülen Movement] is effectively a third force in Turkish politics, and the world will hear a lot about it in the years to come.²³

Whether it continues to reflect or inspire the AKP is debatable. But according to leading French-Turkish scholar Bayram Balci, it accomplishes “three intellectual goals: the Islamization of the Turkish nationalist ideology; the Turkification of Islam; and the Islamization of modernity.”²⁴

Turkey's example

The growing importance of civil organizations and NGOs in Turkey represents a political maturity parallel to partisan politics and can be considered a measure of the country's continuing democratization. Civil society groups can exert pressure on political elites and provide a bridge for citizens to participate in civic activities without having to align themselves with a specific political party. Turkey's experience is valuable for Egypt and Tunisia as they re-engage long-suppressed movements and build new political organizations. The Muslim Brotherhood in Egypt had a role similar to that of the Gülen Movement in Turkey, but recent events in Egypt suggest that it has become synonymous in the public mind with politics and is thus losing its civic and social stature.

Religious Rights of Women and Minorities

Headscarves have become a cultural issue in all three countries. Atatürk banned it in Turkish government offices to help women achieve educational, cultural, and economic progress. However, in February 2008, parliament amended the constitution and allowed women to wear

it on university campuses, citing it as a human right or freedom. Critics said this was a move toward an Islamic state and in June 2008, the amendment was annulled as unconstitutional. Ever since a referendum in 2010, headscarves have been informally permitted.

In 2011, Ennahda leader Rached Ghannouchi promised Tunisian Muslim women the right to choose whether or not to veil. The 2009 government ban on wearing the headscarf on college campuses at the University of Cairo was later overturned. About 90 percent of Egyptian women currently wear it through “choice, piety, peer pressure or fashion statement.”²⁵

The Erdoğan government views the ruling that ID cards must specify the cardholder’s religion as discriminatory; the European Court of Human Rights (ECHR) has called it a violation of human rights. In February 2010, the ECHR ordered Turkey to remove this information. This can be an object lesson for Egypt if it seeks to align itself with European rights. Currently, all Egyptians are required at age sixteen to obtain a national ID card that states their religious affiliation. Since 2000, there have only been three options: Muslim, Christian, and Jewish. Following protests by Baha’is, the Supreme Administrative Court upheld a lower court’s 2008 ruling that all Egyptians have a right to obtain official documents, such as ID cards and birth certificates, without stating their religion.

Tunisia has no such religious stipulation on its citizens’ national identity cards.

Turkey’s example

Unresolved tensions within the Turkish political arena include religion’s public role, minority rights, and civil and religious freedoms. Egypt and Tunisia, both of which are experiencing similar tensions, can look to Turkey for cultural policies to adopt or avoid. The best example that Turkey can offer is that of gradual and prudent cultural and domestic change based on democratic freedoms that do not compromise Muslim values. The AKP shows no indication of moving the country toward a sharia-based state, as its history of multiparty elections have shown that an Islamist party would have little chance of success.

Censorship of the Media and the Internet

Turkey has recently relaxed laws restricting the use of languages other than Turkish. Kurdish, Arabic, and several other ethnic groups' languages are now permitted as a medium of public communication. A few private Kurdish teaching centers have recently been allowed to open, and Kurdish-language television programming is permitted. However, media censorship still prevails and the *Washington Post* estimated that at the end of 2011 Ankara was blocking about 8,000 websites, which it described as “blatant and over-reaching Internet censorship.”²⁶

While social media was key to Egypt's uprising, Freedom House, an independent watchdog organization based in the United States, states that censorship continues.²⁷ Although global online activism is increasing, the report maintains that authoritarian regimes are employing wider and increasingly sophisticated countermeasures. In addition, Reporters without Borders lists Tunisia and Egypt as countries “under surveillance.”²⁸

Lesson learned

If Turkey's Internet censorship continues and is seen as an obstacle to international commerce and investment, Tunisia and Egypt would be wise to avoid going down that route, considering the increasingly universal calls for Internet freedom.

Relationships with the European Union

Tunisia became a member of the European Bank for Reconstruction and Development in December 2011. It has been granted “recipient country” status, having fulfilled political and economic requirements similar to those required of Turkey by the EU. Egypt, on the other hand, has a more tenuous relationship with the EU, particularly recently, when Morsi's autocratic decisions caused some alarm.

In November 2012, the EU called on him to respect the democratic process after he issued a decree exempting all of his decisions from legal challenge until the election of a new parliament. “It is of utmost importance that (the) democratic process be completed in accordance with the commitments undertaken by the Egyptian leadership,” said a spokesman for EU foreign affairs.²⁹ These commitments included “the separation of powers, the independence of justice, the protection of fundamental freedoms and the holding of democratic parliamentary elections as soon as possible.”³⁰

The EU is Egypt's largest trading partner, accounting for more than 30 percent of the country's trade volume. EU-Egypt bilateral trade was worth US\$23 billion in 2011, its highest level ever.³¹ Egypt could learn from Turkey's relationship with Europe and encourage remittances, as the Egyptian diaspora is considerable, although mainly in Middle Eastern countries. Around 780,000 live in North America and 200,000 in Europe. According to the International Organization for Migration, in 2012 an estimated 8 million Egyptians abroad contributed actively to Egypt's development via remittances (US\$12.6 in 2011), the circulation of human and social capital, and investment.³²

Millions of Turks who live and work abroad, mainly in Germany, send their remittances home. This adds to Turkey's foreign currency reserves, and their experiences add to Turkey's cross-cultural knowledge base. Although official remittances declined somewhat during the last decade, the total of official and unofficial remittances flows was estimated to be US\$7.5 billion in 2006.³³

An estimated 3.5 million Turks live in Germany, which hosts approximately 6,000 mosques. Not surprisingly, German anxiety about their economic future is fueling a national debate about Muslim immigration and integration, as well as Islam's role in Germany and Turkey's future EU membership. Some suggest that "a successful integration of Turks in Germany could even work as a model for the integration of Turkey in the EU."³⁴ Turkish entry into the EU has become an important electoral issue in Germany, one that Chancellor Angela Merkel wants to postpone if not preclude entirely. Turkey applied for associate membership as early as in 1959,³⁵ and many of the effects of economic union are already in place, among them the free movement of goods and significant capital movement. Even cultural integration has already begun, especially with sports and music.

The sluggish pace of negotiations and the growing mutual estrangement of the concerned parties, coupled with the EU's financial crisis, seem to depend upon "a renewed interest in the EU in Turkey and vice versa, a constructive engagement between the government and opposition parties on the future reform agenda, as well as a sustainable solution to the Kurdish issue—which at the moment look far from likely."³⁶

Lesson Learned

Turkey's relationship with the EU has been good for trade and relatively good for civil and human rights, in that it has made reform a negotiable issue for EU membership. Tunisia and Egypt can learn from Turkey's gradual economic integration with Europe. Turkey first applied for EU membership fifty years ago, and the slow transition has enabled public opinion to evolve without the dislocations of sudden change. It is inescapable that "the financial, political and even military support of Western countries and institutions is crucial for the consolidation of democracy in Egypt, Tunisia, Morocco and Libya."³⁷ Whether this support from the EU and other international agencies will be offered to countries in turmoil, and whether it will be timely or adequate, is a matter of deep concern.

The Kurdish Question

The Kurds, Turkey's large ethnically and linguistically distinct minority, represent about 50 percent of all Kurds in the Middle East—they are also heavily represented in Iran and Iraq, and, to a lesser extent, in Syria. Until recently, Syria, Iran, and Turkey shared a common cause in resisting demands by Kurdish opposition movements in their countries.

Turkey's anti-terrorism laws need revision to end abuses against Kurds and thousands of other dissidents. Due to the history of ethnic violence, the Kurdish problem has been relegated to the category of a "national security problem." Erdoğan announced a "Kurdish opening" in 2009, but it quickly closed, leaving many Kurdish demands for economic development, political rights, and cultural recognition unanswered. If this minority population's basic needs cannot be successfully met by state policies, the integrity of Turkey as a state will be under continued pressure from Kurdish secessionist movements.³⁸ Not surprisingly, veteran Turkey analysts Henri J. Barkey and Direnc Kadioglu note:

The prospect of a new civilian constitution has led to rising expectations among Turkish Kurds who have always seen this document as among the most important hurdles to their becoming full-fledged citizens of the republic.³⁹

The Kurds have been the major recipient of human rights violations and represent the largest drawback to Turkey's relations with the EU.⁴⁰ A basic requirement for them is greater democracy

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and openness in Turkey, which would serve Ankara's ultimate interests. Following his 2009 visit to Turkey, Commissioner for Human Rights of the Council of Europe Thomas Hammarberg expressed his concern about the continued use of the Anti-Terrorism Act to prosecute and convict persons who have expressed non-violent opinions, particularly in cases where the opinions expressed were related to the situation of this minority or the ongoing conflict mainly in the southeast.⁴¹ However, as another analyst cautioned,

None of this should be seen as invalidating the so-called Turkish model. Erdoğan's formula of delivering economic prosperity in a free market, where the military takes a back seat to elected officials and an Islamic-leaning government rules under a secular constitution, remains a potent one.⁴²

Lesson learned

How Turkey resolves the Kurdish issue constitutionally will be an example for Tunisia and Egypt as they deal with their own minorities, the Christian Copts and the Berbers, respectively.

Egypt Today

Egypt's two years of dramatic political upheaval resulted in Mohamed Morsi's election as president in June 2012 with 51.7 percent of the vote.⁴³ Before this, he had been a leading member of the Muslim Brotherhood and its Freedom and Justice Party (FJP). Although he technically resigned from both organizations after his election, he continues to rely on their support. Morsi campaigned on the "renaissance project," which focuses on rebuilding the political system, rapid and comprehensive transformation of the economy, empowerment and human development, and rebuilding the security system.

Unfortunately, recent developments have stalled Egypt's progress toward democracy and engendered a great deal of disillusionment and disappointment.⁴⁴ Morsi's November 2012 constitutional decree, in which he conferred temporary extended powers upon himself, caused widespread unrest and street protests.

In early August 2012, he had transferred legislative power from the Supreme Council of the Armed Forces (SCAF) to the Presidency; forced the retirement of his powerful defense minister, the army chief of staff, and other senior generals; and reclaimed the political power seized by the military after Hosni Mubarak's fall.

Unlike Turkey's long, protracted struggle to detach the military from the civilian government, Egypt's transition in this regard has been swift. It was hoped that this might signal a permanent decline in the military's political and economic influence, which has been the rulers' power base for the last six decades, or at least be the basis for a new power-sharing arrangement with the new Islamist civilian-led administration.

The sudden and welcome removal of the military hopefully would have indicated a shift toward the emerging "Turkish model" of civil-military relations, thereby creating space for a more neutral arena in which the country could write its new constitution. But the turmoil following Morsi's November proclamation has led outside observers to speculate about the military's role in the ongoing political crisis, since he empowered the army in a bid to maintain security during the referendum process.⁴⁵

Two years after the beginning of its revolution, Cairo faces many serious challenges. For example, the economy continues to suffer from a severe downturn, restoring growth and

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market confidence are becoming ever more urgent, investors need to be coaxed into financing projects again, and a solution to the widespread youth unemployment needs to be found.

The constitutional referendum created wide rifts in society, as Morsi's assumption of executive power was seen as a return to dictatorship. The Constituent Assembly's unrepresentative makeup led to defections and resignations that, in turn, called the new constitution's validity into question; the secular opposition voted against this "Islamist-leaning" constitution in the hastily called referendum.

The judiciary's position remains tenuous. In fact, the Supreme Judicial Council, which oversees all matters related to the judiciary and judges, expressed its "dismay" over Morsi's undemocratic power grab. However, the Shura Council, the upper chamber of Egypt's parliament, called the decree a necessity because the Mubarak-appointed judges and prosecutors have not adequately punished members of the former regime.⁴⁶ The ongoing problems of corruption and nepotism have still not been addressed.

The uprising was motivated by the perception that both the political and economic systems were rigged in favor of a corrupt and privileged minority. Investment will be needed to stimulate private sector job creation and growth. The education system will need reforms geared toward a market economy, as surveys indicate that workers' skills do not match private businesses' needs.⁴⁷ As a restless population becomes impatient with the lack of progress and change, the new government is facing increasing violence and unrest.

President Morsi's ability to balance domestic political pressures, international commitments, and its conservative religious mandate is being severely tested, as he is governing in a new and fluid political system.

The Role of Islam in Egypt

Before the official 1971 proclamation that Islam was the state religion in 1971,⁴⁸ Egypt was recognized as a secular country. It is unclear whether it will follow the path of Turkey's evolving relationship with Islam.⁴⁹ Turkey's brand of pragmatism may be slow to evolve in Egypt, particularly as the Muslim Brotherhood's long suppression means that there is still a revolutionary fervor behind the newly free expression of political Islam.

The Freedom and Justice Party—the Brotherhood political party—claims to support freedom of belief for non-Muslims; however, it also proposes that the Supreme Constitutional Court determine any piece of legislation's compatibility with Islamic principles.⁵⁰ On the other hand, the Salafi Al-Nour Party's demands go much further, pushing for the integration of Sharia law instead of the principles derived from its laws. As Sharif Abdel Kouddous, an independent Cairo-based journalist, notes, Al-Nour's demands,

... would allow for a stricter interpretation of Islamic law, many Salafi members are pushing for an additional provision granting Al-Azhar—Egypt's premier Islamic institution—the final say in determining whether laws conform to the principles of Sharia. This would essentially make it the final arbiter on legislation, giving Supreme Court style powers to an unelected, unaccountable religious body.⁵¹

The draft of the new constitution will redefine Islam's role vis-à-vis the state. There is widespread criticism of allowing a bias toward Islamic law at the expense of the state's civil nature.⁵² Following the unrest that erupted throughout the Muslim majority countries in response to the derogatory Internet video lampooning the Prophet Muhammad, Innocence of Muslims,⁵³ the country's existing blasphemy and apostasy laws are being scrutinized. However, questions about Egyptian mosque-state relations predate this latest flare-up. According to a 2010 survey conducted by the Pew Global Attitudes Project,⁵⁴ 84 percent of Egyptians polled supported the death penalty for those who leave Islam.

Turkey's Prime Minister Erdoğan, who had stated in 2011 that “the state should respect and protect even an atheist,”⁵⁵ took a somewhat different line at the UN General Assembly on September 25, 2012, when he called for further restrictions on speech critical of religion within his own country. Ahmed el-Tayeb, the Grand Sheikh of al-Azhar, specifically called upon the United Nations (UN) to criminalize blasphemy against Islam and punish those responsible for the incendiary video.⁵⁶

The Organization of Islamic Cooperation (OIC) has been lobbying the UN since 1999 for international laws against blasphemy, even though they conflict head on with international norms of free speech. However, on October 17, 2012, Secretary-General Ekmeleddin Ihsanoglu

affirmed that the OIC would not seek a global ban on blasphemy or defaming religion through the UN. These words should reflect a collective position on the part of the organization's fifty-seven members to abandon any such undertaking, as this would be a major setback for global freedom of expression and freedom of religion.⁵⁷

Lesson to be learned

While religious freedoms must be protected, the UN recognizes that subjective feelings are not a sound basis for international law.⁵⁸ This fine line will no doubt be debated in Turkey, Egypt, and Tunisia as their constitutions are fine-tuned and the hearings continue.

Political Parties in Egypt

The National Democratic Party, Egypt's long-time ruling party, lost power in 2011. Since Mubarak stepped down in February 2011, more than forty parties and 6,000 candidates reportedly registered to participate in what would be the first free and fair elections since 1952.

The new Political Party Law of 2011 eased restrictions on establishing new political parties, but is still criticized as discriminatory. Importantly, the prohibition of forming religion- or class-based parties rules out the formation of both Islamic and labor parties.

For decades, the Muslim Brotherhood was the primary opposition to Mubarak's military dictatorship. Founded in 1928 as a religious and charitable organization and then banned in 1954, it had hundreds of thousands of committed adherents and millions more sympathizers, all of whom repressed by the Mubarak regime. Motivated by civic engagement, a gradual construction of society, and a participatory ethos favoring non-confrontation and global outreach, the Muslim Brotherhood adopted the slogan "Islam is the solution" not as a framework for fanaticism, but as a way to organize politics within Islam. Its members built youth clubs, social and religious associations, schools, clinics, and charity organizations based on the Islamic understanding of piety, compassion, discipline, hard work, charity, and mutual obligation. In the process, they learned how to bind theory and practice, ideals and reality, and ultimately individual, family, and society with the values of Islam.⁵⁹

Today, as it now functions through its political wing (the FJP), the question remains whether the Brotherhood will pursue a hardline Islamist agenda or uphold the religious tolerance it promised after the revolution. The FJP is trying to go mainstream; however, it supports Islamic law as the source of all legislation while simultaneously declaring that the country should be a “civil state.”

Learning from Turkey

The FJP would do well to look to the AKP as a model of inclusiveness and continue its efforts to incorporate new smaller interest groups in a coalition that offers a mandate for change. For democracy to function, the party in power must have an effective opposition, a viable alternative that the public can elect to replace the one in power. In Egypt, the secular opposition remains fragmented due to the regular announcement of new coalitions and alliances.⁶⁰ Its leaders are ambitious and personality-driven. The absence of national organizations to back these people, however, could well allow their inherent weakness to enable the FJP to become overly authoritarian, as is beginning to happen in Turkey with the AKP.

Tunisia Today

Tunisia has been recognized as the most promising of the newly emerging democracies. Its transition since the revolution of January 14, 2011, had been relatively peaceful until the riots and demonstrations following the assassination of opposition leader Chokri Belaid on February 6, 2013, all of which threw the country into confusion.

On October 23, 2011, the first honest election in the country's history resulted in the Ennahda Party winning 37.04 percent of the popular vote and 89 (41 percent) of the 217 assembly seats, far more than any other party. The division between secular and Islamist parties is very clear.

Three months after the revolution, the interim government lifted all restrictions on its citizens' access to information. Thus they could view key data related to public finances and socioeconomic statistics for the very first time. Access to the Internet was also liberalized, which led to a boom in websites registered in Tunisia.

Tunisia's Political Parties

The Ennahda (Renaissance) Party, led by Rashid Ghannouchi, is a moderate Islamic political party. Sensitive to Tunisians' fears about extremist Islamist movements, its leaders are anxious to sound mainstream. Samir Dilou, a member of the party's Executive Committee, stated:

We do not want a theocracy. We want a democratic state that is characterised by the idea of liberty. The people are to decide themselves how they live. ...we are not an Islamist party, we are an Islamic party that also gets its bearings by the principles of the Koran.⁶¹

He called Turkey a model regarding the relation of state and religion, and compared the party's Islamic democratic ideology to Christian democracy in Italy and Germany.

In a debate, Ghannouchi is quoted as asking, "Why are we put in the same place as a model that is far from our thought, like the Taliban or the Saudi model, while there are other successful Islamic models that are close to us, like the Turkish, the Malaysian and the Indonesian models; models that combine Islam and modernity?"⁶² He has also sided with worker's rights, unionism, and women's education and rights, saying that those rights are based in Islam.

Political scientist Riadh Sidaoui, director of the Geneva-based Arab Centre for Research and Political and Social Analysis, explains that the Ennahda leader models his approach on the moderate Islamism of Turkey and thus rejects radical Islamism.

The more secular parties in the ruling coalition are hardly parties at all, having been largely put together only after Ben Ali departed. Ennahda, by contrast, has a rich history of more than thirty years.⁶³

Opposition movements however, are getting restless and, on occasion, violent. Opposition lawmakers say that the government has fallen short of the revolution's goals of "jobs, freedom and dignity." They also accuse the government (October 23, 2012) of allowing Islamists to attack intellectuals and artists.⁶⁴

Learning from Turkey

Tunisia, like Egypt, is recognizing the need to acknowledge its opposition movements and to give them a seat at the table by bringing them into coalitions and allowing them to form political parties, as in Turkey. Since Ben Ali's departure, the transitional government has authorized more than forty new parties; about twenty more are awaiting registration.⁶⁵ These new parties are struggling with an influx of members and their newfound ability to work openly for the first time. Eager to take part in their country's young democracy, they are seeking practical advice on how to recruit and accommodate members, create a platform, engage in productive debate, and move Tunisia toward a more stable democracy.⁶⁶

Tunisia's Civil Institutions

Tunisia's civil associations were first founded between 1905 and 1913. To a certain extent, the associative movement paved the way for political movements as important socio-cultural players.⁶⁷

The Tunisian League of Human Rights, which has operated independently of national governments since 1977, survived due to its non-partisanship, lack of competition for power, and membership that included those in the establishment. By consistently defending Islamists in opposition to Ben Ali's regime, the league was the political class' only truly representative

Tunisia, like Egypt, is recognizing the need to acknowledge its opposition movements and to give them a seat at the table by bringing them into coalitions and allowing them to form political parties, as in Turkey.

body and showed that international norms of human rights were not incompatible with Islamic values.⁶⁸

Learning from Turkey

NGOs like the Tunisian League of Human Rights and their (sometimes covert) coexistence with authoritarian political regimes, illuminate the relationship between civil society and today's political power. For example Turkey's Gülen Movement, while criticized by some, was never suppressed by the Turkish government and so became both a forum for ideas and a home for Muslims seeking to coexist with modernity. In Egypt, however, the regime for many years viewed the Muslim Brotherhood as an adversary. Their work was grassroots: providing social services. Despite the forty-year ban and waves of government repression and exclusion, they sustained their organizational apparatus and retained their constituents. Historically, the state dominated all civil society organizations, especially professional unions and syndicates. Since the January 25th Revolution, civil society actors—both pro-democracy activists and organizations as well as members of different syndicates and associations—have advocated for “independence” from the state. Almost 300 independent unions have been established.⁶⁹

While Tunisia's circumstances are unique, lessons and models are being referenced from France and other countries that have made the historical transition from authoritarianism to democracy. This reflects the need for a vigorous culture of NGOs and CSOs that will underpin the young political parties and their development as effective leading or opposition parties.

The Constitutions of Turkey, Tunisia, and Egypt

While countries are not in the habit of borrowing each other's constitutional language, there is much that Egypt and Tunisia could learn from Turkey's constitution concerning the state's limits and practices and the citizens' rights and duties. As Katia Papagianni, a specialist in constitutional protections for religious minorities notes, the process of developing specific constitutional language matters greatly:

Detailed discussion can rise above the give-and-take of everyday majority politics...the process of drafting a constitution may significantly contribute to national reconciliation and negotiation among key groups on key principles.⁷⁰

How these new constitutions approach religion and religious minorities while creating new state identities is vital. Unfortunately, instead of leading to reconciliation, the constitution-drafting process in Egypt and Tunisia has led to serious rifts between Islamists and the secular movement.

These two countries have relatively homogenous populations, whereas Turkey has an especially challenging relationship with its large Kurdish majority. Indeed, "the establishment of a well functioning justice system and the political will to implement the constitution are prerequisites for the protection of minorities."⁷¹ The freedom to worship, teach, and practice or observe any religion or faith encoded in the Universal Declaration of Human Rights (articles 2 and 18) and the International Covenant on Civil and Political Rights (articles 18 and 27) will also be important.

A useful comparison is the process that resulted in Afghanistan's newly written constitution. Drafted by a representative commission in consultation with the public, and in accordance with Islamic principles, international standards, and Afghan legal traditions, it is an inclusive

With continued opposition to the Kurdish issues of citizenship, mother-tongue education, and decentralized governance, a political crisis is predicted for Turkey in 2013.

document. Of course, at present it remains aspirational and is not necessarily being put into practice while Afghanistan is still in a state of violent transitional unrest.^a

Turkey's Constitution

At the AKP's party congress September 30, 2012, Erdoğan articulated the party's role not only as a party that has reshaped Turkish politics, but also as a role model for regional democratic Islamic-inspired movements in the wake of the Arab Spring, claiming: "We have shown, both at home and abroad, that a country with a Muslim population can have a thriving and advanced democracy."⁷²

A package to reform the Turkish constitution⁷³ was passed by 58 percent in a 2010 referendum. It included the right of individuals to appeal to the highest court, the creation of the ombudsman's office, the possibility of negotiating a nation-wide labor contract, positive exceptions for female citizens, the ability of civilian courts to convict members of the military, the right of civil servants to go on strike, a privacy law, and the structure of the Constitutional Court.

Since May 2012 the Constitutional Commission, including all political parties represented in Parliament, has been drafting a new constitution with public input. Several major controversial changes have been proposed. First is a change to a presidential-parliamentary system that would give more power to Erdoğan, who wants to run for president when his term as prime minister ends in 2014.

^aUnfortunately, UN Conventions are often deemed "European" or "un-Islamic." Secular opposition parties in all three countries and supportive NGOs need to make the case for adopting international values. However, the OIC adopted a separate Cairo Declaration of Human Rights in 1990, a parallel document to the UN's 1948 Universal Human Rights Declaration. In October 2012, Secretary General Ekmeleddin İhsanoğlu,

I believe that universal human rights are compatible with Islam, and I have no problem on that. I had made a statement in Geneva in the Humans Rights Council that we look forward to integrating our system [the Cairo declaration] with the United Nations system.

Second is the issue of minority rights for the Kurds,^b which the Nationalist Movement Party (MHP) opposes on the grounds that it threatens national unity. Third, many members of the religiously conservative AKP oppose secularism. The recent trials and convictions of military personnel have confirmed the civilian government's ascendancy over the military, which has been the historical defender of Kemalism and secularism. Religious elements within the AKP have been emboldened by this shift in power and see their opportunity to promote a more conservative state. Recent appointments made by the prime minister from the conservative side of the political spectrum, ahead of municipal elections, confirm this. Originally scheduled for March 2014, the AKP government wants to move up the date for local elections to October 2013, a likely attempt to cement expected electoral outcomes before the presidential election in August 2014.⁷⁴

However, divisions between the parties are being exacerbated by their positioning for the next election in 2015. Religious minorities are increasingly publicizing their causes, which only antagonizes conservative Muslims. For example, Turkey's Protestant community is requesting official recognition of diversity as an asset and is asking for individual rights and freedoms based on universal human rights.

Turkey's Example

Turkey's constitution-drafting process could have been considered a more measured and democratic approach with the Constitution Commission consisting of three representatives of each of the four political parties. However, after one-and-a-half years of work it has failed to craft a timely document that will achieve consensus. Thus its mandate, which expired in December 2012, has been extended until the end of March 2013. If the document has not been drawn up by then, Erdoğan is expected to impose a constitutional draft drawn up by the AKP that provides for an empowered president in time for the 2014 elections.

The Turkish National Assembly, which has 550 representatives, needs 367 votes to amend or replace the constitution without submitting it to a referendum. With continued opposition to the Kurdish issues of citizenship, mother-tongue education, and decentralized governance, a political crisis is predicted for Turkey in 2013.⁷⁵

^bSince they are not listed in census data as a separate ethnic group, there are no reliable data on their total numbers. In 1995, there were an estimated 6 to 12 million Kurds in Turkey.

Egypt's Constitution

For the first time in Egypt's modern political history, the 2012 presidential elections yielded an uncontested result in which candidates did not receive more than 90 percent of the vote, as they had in the past. A new constitution has been written, and the Constituent Assembly—the semi-legislative body in charge of drafting and approving a new constitution—approved the final text on November 30, 2012. During December 2012, voters approved the controversial constitution in a two-stage referendum. The election commission said the constitution was adopted with 63.8 percent of the vote. The turnout was far lower than anyone expected, with just over 32.9 percent of the population participating. In other words, a mere 21 percent of eligible voters approved it, clearly not a resounding victory for its proponents.⁷⁶

The Constituent Assembly had released a partial draft on October 10, 2012, requesting public feedback on the roles of government and Islam in the state. However, the pro-Islamist membership of the Muslim Brotherhood-elected 100-member assembly was the subject of a fierce debate on the grounds that it did not represent Egyptian society. More than forty legal challenges were presented to the top administrative court demanding the panel's dissolution. On October 23, 2012, this body announced that the issue of the Constituent Assembly's membership would be passed on to the Supreme Constitutional Court, the country's highest judicial authority.⁷⁷

The assembly was dominated by Islamists largely from the Muslim Brotherhood and the main Salafi political party. The Salafis have long advocated revising Egypt's constitution to make it clear that sharia (Islamic jurisprudence)—rather than its “principles,” as the constitution has read in the past—is the main source of all legislation.

Secular politicians accuse Islamists of using their newfound power to write an “Islamic constitution” that restricts citizens' rights. Almost all secular parties defended the articles of the 1971 constitution declaring Islam to be the state religion and sharia as the source of legislation. The Muslim Brotherhood has declared repeatedly that it wants the constitution to define Egypt as a civil (that is, secular) state with an Islamic reference, as opposed to a religious state. Abdallah Alashaal a former Egyptian ambassador and a professor of international law at the American University in Cairo, summarizes the referendum result as follows:⁷⁸

At the start of the process to get the constitution approved a group claimed that the draft was the product of the Islamic movement. They said that it does not represent all Egyptians; that it strengthens the Muslim Brotherhood and not the broad spectrum of Egyptian society; that it wasted the principles of the revolution and its goals; and that it is the basis for a religious dictatorship that uses Shari'ah as a reference point and does not accept criticism.

Supporters of the constitution said that it is the beginning for the end of the transitional stage which put Egypt out of the reach of many difficulties. By approving the draft constitution, they argued, the people would be able to reap the fruits of the revolution; that this step is essential and, indeed, a duty for all; that the constitution is a document prepared by human beings which can always be amended and improved, but it has to start somewhere; and that the opposition parties are only interested in gaining power, money and influence.

A group of UN human rights experts voiced deep concern about the draft constitution, and called on Cairo to ensure equality and non-discrimination, as well as protect and promote women's rights in the final text.⁷⁹ However, with the new constitution now a fait accompli, the people of Egypt will have further opportunities to influence legislation with the next parliamentary election. Preparations are expected to begin on February 25, 2013.⁸⁰

Tunisia's Constitution

The debate about the wording of Tunisia's new constitution is focusing public attention on the country's identity in the new Arab world of emerging democracies. The constitutional process has stimulated debate on such important issues as clarifying the differences between a presidential and a parliamentary system, forming an independent judiciary commission, and regulating the domestic media. However, it has also prioritized various social issues, among them the role of women and laws against blasphemy. By defining social values, the constitution essentially defines limitations instead of freedoms. The ensuing debate is holding up progress on more pressing needs, such as economic reforms.⁸¹

The rising voices of Islamism, which had been suppressed and its adherents' activities confined to Qur'anic teaching, education, and guidance, are now being heard as the constitution-drafting

process is underway. However Islamists, bowing to intense pressure from secularist parties, have agreed to drop any constitutional reference to sharia.⁸² In compensation, the Ennahda Party has inserted other controversial Islamic elements. For example, one clause criminalizes “attacks” against the “sacred” without defining either word. The draft constitution enshrines freedom of religious practice but not freedom of conscience, suggesting that atheism might be deemed illegal.⁸³ A more liberal move was announced in October 2012: A proposal by the ruling Islamist party to outlaw blasphemy in the new constitution will be dropped from the final text.⁸⁴

Until now, Tunisia has had an enlightened and moderate constitution based on Bourguiba’s socio-political renewal movement. The old constitution prohibited political parties from engaging in all forms of violence, fanaticism, racism, and discrimination. It also banned them from using religion, language, race, sex, or region as the foundation for their principles, objectives, activity, or programs.

The principle of gender equality, which banned polygamy, became law in 1956. While Article 28 of the proposed constitution clearly bans all forms of discrimination and violence against women, some of the text is ambiguous: “The state guarantees the protection of women’s rights and consolidation of [past] gains based on women being fundamental partners to men in nation-building, with their roles complementing one another within the family.” It has been suggested by Tunisian politics expert Larbi Sadiki that the concept of equality needs to be expressed here, unequivocally and unambiguously.⁸⁵

In the meantime the constitution, which envisages the creation of a strong Parliament and a president with restricted powers, should produce a healthy democracy. But as Tunisians discover that the differences of opinion are wider than expected, a basis for pluralism has to be established in order to promote democratic principles while defending the country’s Islamic identity.⁸⁶ As Fadil Alireza, a journalist based in Tunisia, observed,

Tunisia’s current political climate is marred by discord between politicians, dissatisfaction among civil society groups, and a disillusioned electorate. Given the divisions, some politicians and legal scholars say that passage of the proposed constitution will likely fail in assembly and then fail in a referendum.⁸⁷

Lesson Learned

Egypt and Tunisia's attempts to rewrite their constitutions too quickly have revealed the need for this to be a slow, deliberative, and participatory process. Turkey has spent nearly two years rewriting its constitution, but has so far failed to come up with an acceptable version. Perhaps the three countries could learn from the British constitution, which evolved over a long period of time and thus reflects the relative stability of the British polity. Britain is ruled by an accumulation of various statutes, conventions, judicial decisions, and treaties that collectively can be referred to as the "British Constitution." Stability needs to be established before a constitution can be agreed upon, a lesson that Egypt and Tunisia are learning.

The Economies of Turkey, Egypt, and Tunisia

Turkey's Economy

As pious Muslims entered the urban middle class, their understanding of religion became less ideological and more individualistic, and more concerned with operating freely in a modern capitalistic environment.

Turkey's economy is the envy of most Middle Eastern countries. The World Bank's Country Brief 2010 classifies Turkey as an upper-middle income country in terms of its per capita GDP in 2007. Mean graduate pay was \$10.02 per man hour in 2010.⁸⁸

"Pious Muslim businessmen" and corporations back the conservative ruling AKP and promote stable growth and increased global competitiveness for the nation's economic agenda.^c Also referred to as "Islamic Calvinists," their entrepreneurship, asceticism, and altruism made them natural AKP supporters. These corporate entrepreneurs created jobs for a new generation of Muslim professionals in an emerging "Muslim middle class." As pious Muslims entered the urban middle class, their understanding of religion became less ideological and more individualistic, and more concerned with operating freely in a modern capitalistic environment.⁸⁹ As Mustafa Akyol, a Turkish journalist and author of *Islam without Extremes: A Muslim Case for Liberty*, observes:

Atatürk's vision was based on a rejection and suppression of Islam for the sake of modernity. The latter vision, however, is about how to be modern and Muslim at the same time. Therein lies the better "Turkish model," if other Muslim nations would ever need one.⁹⁰

Given the country's new prosperity, Ankara has prioritized improved competitiveness and employment, equitable human and social development, the efficient provision of high-quality public services, and energy security and efficiency, with an emphasis on the reduction of regional disparities.

Ankara also set a target for a 10 percent unemployment rate by the end of 2010; it achieved a record low of 8.8 percent in August 2012.⁹¹ Egypt and Tunisia would be well advised to imitate Turkey's attention to employment strategies, for the driving force behind the Arab Spring was the unemployed or underemployed youths who were—and remain—eager for jobs and impatient for change.

^cHistorically, Islamic-minded entrepreneurs were referred to as "Anatolian Tigers" who took advantage of free market opportunities for manufacturing and exporting.

Egypt's Economy

Cairo presented its new economic plan to the Cabinet on October 21, 2012, with details of energy subsidies and tax reforms ahead of a possible agreement with the IMF for a \$4.8 billion loan. However, Morsi suspended these talks in December 2012 because of the political crisis surrounding the constitution.⁹² Some concern remains that the government will not be able to gain a consensus on the austerity measures needed to get the country on track after two years of instability, rising unemployment, and lower tourism revenues.

The FJP supports a market economy, and its history of providing free social services means that it probably sees a continued role for subsidies and state control in certain industries. Many of its members want the organization to remain focused on *dawa* (Islamic preaching) and providing social services.⁹³ In this respect they will be looking at the Turkish model as compatible; unfortunately, Egypt lacks the revenues needed for immediate and ambitious social programs of job creation, healthcare provision, and education. The IMF loan is conditional on various reforms, among them reducing fuel subsidy payments, which would hurt low-income Egyptians and add to their grievances. Morsi has identified economic revival as his primary focus, now that the constitution has been approved. He and the newly elected political leaders and political parties know that they must deliver growth, employment, and better living standards to remain in office.⁹⁴

Unfortunately, the changes in the Arab world have not yet improved the prospects of economic prosperity in Egypt or Tunisia. With violence and unrest, investment from overseas tourism revenues continue to drop and economic deprivation increases. About 40 percent of Egypt's population lives below the poverty line, subsisting on less than \$2 a day. The devaluation of its currency has caused necessary foreign reserves to dwindle to a dangerous level.

Learning from Turkey

In 2011, Egypt was Turkey's second largest trade partner in Africa, with a trade volume of US\$5 billion. Turkish investments have a market value of US\$1.5 billion, and of the 441 Turkish companies operating there, 83 percent are in the industrial sector.⁹⁵ Morsi will build on this relationship, continue to accept Turkish help (e.g., the recently announced new investment opportunities in housing⁹⁶), and continue to look to the international aid community to enable some achievable short-term solutions while he is building a long-term base for the future.

A Turkish model to learn from would be the very successful Southeastern Anatolia Project (GAP),⁹⁷ which began in the 1970s as a sustainable development undertaking directed toward the 9 million people living in the poor, rural area bordering Iran, Syria, and Iraq. While many of the individual projects themselves are worthy examples, it is the undertaking's actual scope and long-term vision that invite attention. Instead of piecemeal development to satisfy certain segments of the electorate, Ankara engaged in large-scale planning over many years to great effect. With seventeen hydroelectric power schemes completed so far, the project (with UN and international help) has achieved great progress in the agriculture and irrigation, hydroelectric power production, urban and rural infrastructure, forestry, education and health sectors. It currently provides 3.5 million jobs directly. In reaching these goals, the GAP's primary objective is to normalize levels of development, income, and living standards among the southeastern and other regions.

Tunisia's Economy

Tunisia's January 2011 revolution threw its economy into disarray. The new government must now reassure businesses and investors, address budget and deficits, shore up the country's financial system, reduce high unemployment, and limit economic disparities between the more developed coastal region and impoverished interior.⁹⁸ Moreover, as Europe is its main trading partner, the EU's financial crisis is affecting the recovery. The revolution has caused tourism, Tunisia's largest source of foreign currency, to fall by more than 50 percent. Foreign direct investment has fallen by 20 percent, and more than 80 foreign companies have left.⁹⁹ The moderate Islamist Ennahda Party has promised to pursue liberal and business-friendly economic policies. The high unemployment rate, 17 percent in the third quarter of 2012,¹⁰⁰ reflects the urgent need to create jobs for the younger generation; it is hoped that a more peaceful neighboring Libya will be of some help in that regard. Fortunately, the country has a comparatively highly skilled, educated work force.¹⁰¹ It would be well advised to look at Turkey's Anatolian project for inspiration as it seeks to develop the arid interior.

Judicial Independence in Turkey, Egypt, and Tunisia

Turkey

One of the conditions for Turkey's membership in the EU is a reformed judicial system. While the European Commission has praised Ankara's past efforts to meet this condition, it is concerned that the AKP will continue to influence the judiciary.¹⁰²

A report from the Council of Europe's Group of States Against Corruption (GRECO) recommends strengthening the independence of judges, as the judicial system faces structural weaknesses of inefficiency, a backlog of cases, inadequate training of judges, and similar problems.¹⁰³ The constitution calls for an independent judiciary, yet Turkey still has no codes of conduct in place for members of the legislature or judiciary.¹⁰⁴ While the recent constitutional amendment granted autonomy to the juridical review body (the High Council of Judges and Prosecutors), the minister of justice remains its president and the body itself is not open to independent oversight or public review.¹⁰⁵

Egypt

Since January 25, 2011, the judiciary's position has become the focus of many legal, intellectual, and political debates. The new constitution was tasked with addressing three main issues: (1) guaranteeing the judiciary's independence from the executive, (2) giving precedence to natural law over extraordinary and military law, and (3) unifying the legal system into a single entity.

Reform is made more difficult by the "lack of even minimum criteria for an independent judiciary."¹⁰⁶ Existing law has historically been overtaken by renewals of emergency laws that moved civilian cases to military courts. Promoting the judiciary's independence "has not yet taken its rightful place in Egypt's post-revolutionary agenda." Lawyer and rights expert Mahmoud Kandil says, "Egyptians have always viewed the judicial system as their best hope for democracy and the protector of individual rights and freedoms." An independent judiciary, he said, is the guarantee that "constitutions, conventions, treaties and laws do not become mere empty slogans."¹⁰⁷

Recent events, most notably Morsi's November 22, 2012, declaration that his presidential decrees would be above judicial review until a new constitution was ratified, have intensified the ongoing dispute about the judiciary. Morsi insists that he was trying to curb the residual powers of the Mubarak regime that are holding back true reforms and to prevent the courts

from disbanding the Islamist-dominated Constituent Assembly, which is writing a new constitution. This move, however, has largely been seen as an unprecedented attack on judicial independence. Thousands of people took to the streets in protest, and this action threatens to undermine the credibility of Egypt's political transition.

The Supreme Judicial Council finally agreed to supervise the referendum on the draft constitution, although some judges called for a boycott.¹⁰⁸ Under the new constitution, those legislative powers that Morsi temporarily bestowed upon himself were transferred to the Islamist-dominated upper house of parliament or Shura Council until a new lower house could be elected.¹⁰⁹ Egypt's judiciary enjoys popular support, and rallies are being staged to "protect the judges."¹¹⁰

Tunisia

The Tunisian legal system is based on French civil law and Islamic law, with some judicial review of legislative acts in the Supreme Court in joint session. The judiciary is independent, although the judicial council is chaired by the head of state. Human Rights Watch (HRW) (August 2012) urged Tunisian lawmakers to revise a draft law that would limit judicial independence. According to the HRW, the new law is less restrictive than prior judicial regulations but nevertheless leaves open the possibility that judges can be dismissed arbitrarily.

Learning from Turkey

Tunisia and Egypt both need to look at the progress Turkey has made toward creating a reformed judicial system that conforms to EU guidelines. Whether conditions are ripe for them to incorporate this in their new constitutions remains to be seen. When political tensions ease and room for further legislative action is created, both countries may be ready to accept conditions on implementing certain judicial reforms in exchange for conditional economic aid packages.

Corruption in Turkey, Egypt, and Tunisia

Petty bureaucratic corruption was the spark for the Tunisian revolution, with the tragic and symbolic suicide of produce-seller Mohammed Bouazizi after police confiscated his wares because he had no permit. Decades of bureaucratic oppression and corruption have existed in Egypt also, where the people were finally roused to action by revulsion at the ruling elites' sequestration of national resources, with the consequent intolerable deprivation for the unemployed and the poor. The pervasive networks of graft, nepotism, and corruption throughout countries dominated by dictators and the military suggest that reform will be slow. Turkey's example shows that it could take generations to lessen corruption.

Turkey

Corruption, which pervades varying levels of the public and private sector, political parties, and the military, remains a major challenge for Turkey.¹¹¹ Although Ankara has taken some steps to address the problem, enforcement of anti-corruption policies continues to be weak. Bureaucratic corruption remains endemic and parliamentary immunity does not help, particularly in public procurement cases involving government contracts. Nevertheless, Turkey ranks 57.9 on a 0 to 100 scale in terms of controlling corruption compared to 42.9 in 2000 (World Bank 2010), which is a positive trend despite the citizens' perception that corruption is on the increase.

Tunisia

At the UN General Assembly's sixty-seventh session in 2012, Tunisia's foreign minister pointed out his country's commitment to introducing legislative reforms that favor good governance and transparency, as well as establishing a climate propitious to business and investment. Tunisia has signed on to the UN Convention on Anti-Corruption, although it has yet to come to grips with the enormous problem of endemic economic criminality.

A promising direction is underway, following the work of the commission established soon after the revolution to investigate the former dictator Ben Ali. According to the Carnegie Endowment's Sarah Chayes, Tunisian anti-corruption campaigners want to expand the definition of gross violations of human rights to include "systematic economic crimes."¹¹² By raising its profile as an international issue, it hopes to involve international law in its effort to fight corruption at this level.¹¹³ In this instance, Turkey could learn something from Tunisia.

...Tunisian anti-corruption campaigners want to expand the definition of gross violations of human rights to include "systematic economic crimes."

Egypt

Corruption, generally defined as “the use of public goods for private benefit,”¹¹⁴ is a serious problem in Egypt, for it contributes to the already high levels of poverty and unemployment. Observers agree that corruption is pervasive and that the use of influence over intermediaries within institutions, a practice known as *wasta* (Arabic: “mediation” or “influence”) is essential for doing business. Since Global Integrity’s last report in 2008, there has been a significant decline in the domestic media’s ability to freely report on corruption. Safeguards related to covering senior officials remain ineffective, and transparency in the budget process is inadequate.¹¹⁵

The public expects the new government to make more of an effort to (1) recover Mubarak’s plundered wealth; (2) supervise the military, which controls a huge proportion of the nation’s resources and corporate wealth; (3) address the lower-level corruption that taxes ordinary Egyptians any time they need a permit, go to court, or otherwise have to interact with officialdom; and (4) eliminate nepotism and elite corruption. This will require legislation, enforcement, an involved judiciary, reduction of the bloated civil service, more transparency, and a range of other steps.

It can only be hoped that Morsi’s government has actually committed itself to the process and will act before new networks become entrenched and even more difficult to eradicate.

Turkey’s example

Turkey’s efforts to involve civil society in its fight against corruption are an important barometer for other countries to watch, learn from, and emulate as they build their own transparent democracies, free of bureaucratic corruption.

Foreign Policy

President Obama's support of young revolutionaries meant that the departures of Ben Ali and Mubarak were relatively swift and peaceful.¹¹⁶ Washington recognized its moral duty to support "a generational change, as a frustrated youth population confronts hopeless economies, rampant corruption, blocked politics and indifferent, abusive state institutions."¹¹⁷ Instead of being wracked by sectarian violence, the new democracies were given an opportunity to engage quickly with the international community. Hopefully Washington will continue to be a helpful partner rather than global policeman. Tunisia and Egypt can also look to Turkey's pragmatic approach to alliances in which relationships with Israel, Iran, and Syria are fluid.

Turkey's Foreign Policy

Turkey's foreign policy entails diplomacy, negotiation and multilateral cooperation, crafting policies that appeal to Arab public opinion while still keeping its European options open. It has played a more active role lately in the OIC by spreading the message of democratization while pursuing a foreign policy as a decisive regional power.

Erdoğan has been well received in many post-revolutionary Arab capitals, for his country is regarded as an example of political and economic success by many parties in the Arab Spring. Its soft power in politics, economics, and diplomacy is crucial to building a more stable and prosperous Middle East. Turkey could wield influence through its relations with newly forming Muslim Brotherhood-led governments and could have a particularly strong influence in a post-Assad Syria.¹¹⁸

Its stature in the Middle East has grown since it became a vocal defender of Palestinian rights, re-alignment on Gaza, and an outspoken critic of Israel. Erdoğan's recent dismissal of a suggestion that Turkey should talk directly with Israel, its onetime ally, in an attempt to resolve the unfolding Gazan crisis in favor of encouraging Egypt to assume the pivotal role in diplomacy showed deference to Egyptian leadership.¹¹⁹ Although tensions with Israel, Iran, Iraq, and the war in Syria have upset its "zero problems" foreign policy, Ankara is obviously intent on deepening its ties with Cairo.

It has been suggested that Erdoğan is looking to his voter base for a future presidential run and sees a rift with Israel as an electoral asset.¹²⁰ In the past, the United States and the West in general considered Turkey an effective mediator in the Middle East peace process. But after

Egypt needs to follow Turkey's example in charting an independent leadership role in the new Middle East, one that appeals to Arab public opinion and backed by a stable political order.

the last Gaza war in 2008, the Turkish-Israeli relationship fractured. Today, Erdoğan realizes that he cannot be a strategic partner with Israel and still be a regional leader.

Egypt's Foreign Policy

Egypt needs to follow Turkey's example in charting an independent leadership role in the new Middle East, one that appeals to Arab public opinion and backed by a stable political order. In the early days of Morsi's rule, international relations were marked by goodwill and hopes for his success. Unfortunately, the recent crises surrounding the constitution and referendum have not helped create a stable political order. In addition, in the immediate future Morsi will be preoccupied more with domestic than international concerns.

Egypt's new standing has already breathed new life into the Arab League and enabled it to successfully mediate the long-stalled intra-Palestinian negotiations.¹²¹ After the latest Gaza conflict erupted, the Muslim Brotherhood's neutral stance toward Hamas and Fatah shifted back to supporting Hamas, a traditional friend. By successfully brokering the recent ceasefire there, he achieved increased international stature and some breathing room in his country's delicate relationship with Israel, Hamas, and the United States. Egypt needs to keep the peace with Israel and encourage all key regional parties to keep working for an enduring peace.

Morsi's emerging foreign policy is likely to cater primarily to economic concerns at home. His recent trips to China and (briefly) to Iran underlined Egypt's lack of primary dependency on the United States and his optimism toward negotiating the IMF loan mentioned above. As this is currently in question, due to the continuing unrest and increasing dissatisfaction with the Muslim Brotherhood, Egypt will need to maintain its relationship with the United States.

Tunisia's Foreign Policy

Tunisia's location between oil-rich Algeria and Libya has shaped its identity as an Arab and Islamic state enjoying good relations with the West as well as with Arab and African regional bodies. Despite its limited influence within the Arab League, the country has long been a voice for moderation and realism in the Middle East.

Tunisia served as the Arab League's headquarters from 1979 to 1990 and hosted the Palestine Liberation Organization's (PLO) headquarters from 1982 to 1993. (The PLO Political Department remains in Tunis). It has consistently played a moderating role in the negotiations for a comprehensive Middle East peace and has supported the development of the Arab Maghreb Union (UMA) composed of itself and Algeria, Morocco, Mauritania, and Libya. As Carnegie Endowment Middle East expert Paul Salem notes:

The oil economies of Algeria and Libya, the skill-rich economy of Tunisia, and the labor-rich economies of Morocco and Egypt form a natural set of complementarities. And North African countries face similar dynamics of building partnerships with Europe while managing security and sociopolitical challenges at home.¹²²

As a matter of some urgency, Tunisia will follow Turkey's example of pragmatic alliances with countries that offer trade opportunities and aid to reverse its current economic decline.

Conclusion

The model of Turkey as a strong, secular national government built on economic strength is not a classic example for aspiring democracies in the Middle East, because Turkey was never colonized and subjected to forcibly imposed western democratic values. Rather, Turkish society itself nourished democracy slowly and gradually. This historical backdrop is important, having an impact on the modern evolution of Turkey's political system. As one expert explains, the result is that:

The coexistence of Islam and democracy have come to pass in Turkey not from the AKP's development of institutional and political structures that accommodated both Islamic and democratic principles, but rather because Islamists themselves came to accept the secular-democratic framework of the Turkish state.¹²³

It is time to reconsider Turkey's democratic credentials and examine the AKP's promises of a more open society, increased civil liberties, and minority freedoms to see how these are being implemented. Considerable concern exists over the party's intentions and attempts to expand its power through the proposed constitution.

In hindsight, Ankara's recent decision to opt for sweeping constitutional reform instead of strengthening its independent judiciary and parliamentary democracy through gradual legislation is regrettable. This would have provided a better model, perhaps, for Egypt and Tunisia as they struggle to cope with major change.

Turkey's recent history of curtailing its military's power, building a strong economy, and creating universal healthcare and education programs remain inspiring examples. However, as former ambassador to Turkey Ross Wilson said at a February 2012 conference, "Turkey is still not a liberal democracy" and that in spite of civil rights abuses and curtailed freedoms of the media, "the most effective driver of democracy in Turkey are the Turks." The Egyptians and Tunisians are also driving their own democracies, and only time will tell if their voices are ultimately heard.

Recommendations for the Future

As Egypt and Tunisia look for external sources of inspiration, notably Turkey, secular interests will be tempted to insist on reforms related to civil and women's rights as well as others. The recent turmoil in both countries suggests that expectations of a peaceful transition to Islamic democracy were somewhat premature.

Instead, diplomatic efforts should prioritize a few very specific issues, such as (1) building bridges to entire societies and not just to elite groups, (2) promoting international human rights standards, (3) maintaining existing treaty relationships, (4) promoting the principle of peaceful settlement of international disputes,¹²⁴ and (5) making a deliberate effort to bring antagonistic factions together. This latter undertaking would be a greater contribution to bolstering democracy in these countries than either democracy-promotion projects or the imposition of political conditions.¹²⁵

Several other courses of action should also be considered, among them the following:

- Economic aid should focus on creating job opportunities by increasing financial assistance, providing technical expertise, and helping establish regulatory and legal frameworks that will promote large-scale public works projects.
- International agencies need to think more strategically about conditioned aid and its effects. Angry and hungry populations who see international aid misappropriated by the military or the syndicates controlling state resources are as much a threat to international security as are religious extremists.
- The World Bank should be encouraged to continue reviewing its conditional lending policy, begun in 2004, by adopting good practices (e.g., ownership, harmonization, customization, criticality, transparency, and predictability). There is a growing agreement that its lending policies have not reduced poverty in aid-recipient countries.¹²⁶
- The United States should reopen the debate about the State Department's new program for economic assistance to transitional Arab governments. Meaningful economic assistance seems to be far more important than democracy assistance or military cooperation for supporting Tunisia and Egypt's democratic future. Congress should restore and even increase funding for the Middle East Incentive Fund.

The Egyptians and Tunisians are also driving their own democracies, and only time will tell if their voices are ultimately heard.

- The United States should direct its aid to programs that encourage jobs that create development and take into account challenges of demographics, structural shifts, technological progress, and periodic macroeconomic crises. Washington should also work with each country to remedy those institutional failures and market imperfections that prevent their private sectors from creating more such jobs.¹²⁷
- American aid should fund educational programs that promote good governance in Tunisia and Egypt and, to a lesser extent, in Turkey. Capable public sector institutions, as well as an independent judiciary, property rights protection, civil liberties, press freedoms, and effective regulatory and anti-corruption institutions all result in sustained, long-run development and poverty reduction.
- Turkey is well placed to offer technical cooperation and leadership in developing public-private partnerships for housing development, reform of the banking system and security organizations, entrepreneurship, and other areas. This will help different constituencies join together in common purpose and thereby transcend their religious and other differences.

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