



# TURKEY AND THE UNITED STATES: FRIENDS OR FOES?

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## INTRODUCTION

The United States has long viewed its alliance with Turkey as one of significant strategic importance. The reasons for this view are many, and include economic, symbolic, and security components. The importance of this relationship is clearly articulated in President Dwight Eisenhower's words as he prepared to leave Turkey after a visit in 1959: "We stand together on the major issues that divide the world, and I see no reason whatsoever that we shouldn't be two of the sturdiest partners standing together always for freedom, security, and the pursuit of peace"<sup>1</sup>.

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<sup>1</sup> Michael Rubin, *The Trouble with Turkey*, AEI (3 Oct. 2011), <http://www.aei.org/publication/the-trouble-with-turkey>.

Economically, Turkey is important to the U.S. due to the enormous size of its still emerging market. While Turkey currently has a population of more than seventy-two million<sup>2</sup> and a projected population of ninety-five million by 2050<sup>3</sup>, it presently consumes less than the Netherlands, which has a population of just seventeen million<sup>4</sup>. Even before any of its population and consumption growth potential is realised, Turkey boasts the 17th largest (and among the fastest growing) economy in the world<sup>5</sup>.

Symbolically, Turkey's alliance is crucial to the U.S. for two principal reasons: geography and culture. Geographically, Turkey is literally the bridge between Europe and Asia, with Greece and Bulgaria on its western border and Georgia and Armenia on its eastern border. To the south, Turkey shares a border with the Middle East nations of Syria, Iraq, and Iran. This strategic positioning makes Turkey a pivotal player in the geopolitical affairs of Europe, Asia, and the Middle East. Culturally, the U.S. has a vested interest in the success of democracy in a significant Muslim-majority nation like Turkey. This was one of the main themes of President Barack Obama's 6 April 2009 address to the Turkish Parliament, in which he called Turkey a "strong, vibrant, secular democracy"<sup>6</sup>.

As important as the economic and symbolic components of the U.S./Turkey alliance are, it is reasonable to believe that the security component is the most critical to both nations. The current military alliance between the U.S. and Turkey dates back to 1947 and the emergence of the threat posed by the Soviet Union during the early stages of the Cold War<sup>7</sup>. Today, Turkey sits in the heart of a region that breeds

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<sup>2</sup> *Countries of the World*, WORLDATLAS, <http://www.worldatlas.com/aatlas/populations/ctypopls.htm> (last visited 11 Feb. 2015).

<sup>3</sup> ANDREW FINKEL, *TURKEY: WHAT EVERYONE NEEDS TO KNOW* 6 (2012).

<sup>4</sup> *Id.* at 6.

<sup>5</sup> *Id.* at 43.

<sup>6</sup> Remarks to the Grand National Assembly of Turkey in Ankara, Turkey, 2009 DAILY COMP. PRES. DOC. 1 (6 Apr. 2009).

<sup>7</sup> Pelin Baysal & Cansu Akbiyikli, *What U.S. Counsel Should Know About*

sectarian strife and Islamic terrorism—much of which is ultimately aimed at the U.S. and its allies. Clearly, the security importance of the alliance has never been greater, and yet recent years have seen an erosion of that alliance. In the years since Recep Tayyip Erdoğan’s Justice and Development Party (AKP) took power in 2002<sup>8</sup>, there have been a number of security-related disputes between the two nations. The first major sign of division may have been on 1 March 2003, when Turkey denied a U.S. request to launch a northern front into Iraq from Turkish bases<sup>9</sup>. Fast forward to 2016, and Turkey is by most accounts completely unwilling to halt the flow of Islamic State<sup>10</sup> fighters into and out of Turkey along its border with Iraq and Syria<sup>11</sup>.

Clearly, Turkey holds tremendous strategic importance for the U.S. There is little doubt that President Obama had this in mind when in January 2012, he listed then-Prime Minister Erdoğan as one of five world leaders with whom he has been able to forge a “bond of trust”<sup>12</sup>. But given recent events, there is reason to question whether Turkey is moving away from the West and toward U.S. foes. Nowhere is this question more relevant than in the ongoing War on Terror.

## I. TURKEY: BRIDGING THE EAST AND THE WEST

On 6 April 2009, during a diplomatic visit to Turkey, President Obama said:

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*Strengthening Bilateral Commercial Relations Between U.S. and Turkey (Part 1)*, INSIDE COUNSEL (8 Jan. 2015), <http://www.insidecounsel.com/2015/01/08/what-us-counsel-should-know-about-strengthening-bi>.

<sup>8</sup> FINKEL, *supra* note 3, at 72.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> The Islamic State is also known as both the Islamic State of Iraq and Syria (ISIS) and the Islamic State of Iraq and the Levant (ISIL).

<sup>11</sup> Michael Rubin, *On ISIS and Our ‘Allies,’ the Turks*, AEI (22 Sept. 2014, 9:21 AM), <http://www.aei.org/publication/on-isis-and-our-allies-the-turks>.

<sup>12</sup> Fared Zakaria, *Inside Obama’s World: The President Talks to TIME About the Changing Nature of American Power*, TIME (19 Jan. 2012), <http://swampland.time.com/2012/01/19/inside-obamas-world-the-president-talks-to-time-about-the-changing-nature-of-american-power>.

I'm trying to make a statement about the importance of Turkey not just to the United States but to the world. This is a country that has been often said lies at the crossroads between East and West. It's a country that possesses an extraordinarily rich heritage, but also represents a blend of those ancient traditions with a modern nation state that respects democracy, respects rule of law, and is striving toward a modern economy. . . . I think that where there's the most promise of building stronger U.S.–Turkish relations is in the recognition that Turkey and the United States can build a model partnership in which a predominantly Christian nation and a predominantly Muslim nation, a Western nation and a nation that straddles two continents—that we can create a modern international community that is respectful, that is secure, that is prosperous; that there are not tensions—inevitable tensions between cultures, which I think is extraordinarily important<sup>13</sup>.

President Obama's words describe the significant symbolic value of the U.S. alliance with Turkey. They also, however, allude to the main challenge facing the alliance: that of overcoming dramatic differences in culture, ideology, and heritage.

The Islamic identity of Turkey is nearly ubiquitous, because approximately 99.7% of Turks are Muslim<sup>14</sup>. This phenomenon has occurred slowly but steadily since the turn of the 20th century, at which time only about 44% of Istanbul's population was Muslim<sup>15</sup>. Turkey's first Constitution, adopted in 1924, declared Islam as the official religion, but this designation was removed in 1928<sup>16</sup>. The current Constitution does not establish a religion, and grants all citizens equality

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<sup>13</sup> The President's News Conference with President Abdullah Gul of Turkey in Ankara, Turkey, 2009 DAILY COMP. PRES. DOC. 2, 5 (6 Apr. 2009).

<sup>14</sup> FINKEL, *supra* note 3, at 10.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* at 9.

under the law, regardless of creed or gender<sup>17</sup>. Further, Article 24 of the Constitution grants freedom of religious belief and conscience so long as the exercise of that freedom does not threaten the integrity of the secular state<sup>18</sup>. In practice, however, only Muslims who speak Turkish are considered “Turks” and have any realistic chance of obtaining a state-appointed position<sup>19</sup>.

Despite these deep cultural and religious ties to the Middle East, Turkey is a member of the North Atlantic Treaty Organization (NATO)<sup>20</sup> and is generally viewed as leaning politically toward the West. This perception would seem to be out of step with a recent MetroPOLL survey that found 43% of Turks view the U.S. as Turkey’s greatest threat<sup>21</sup>. The same survey found that only 3% of Turks view Iran as any threat at all<sup>22</sup>. Moreover, a tracking poll conducted by the Pew Research Center has consistently found Turks to have a significantly unfavourable view of the U.S. The most recent version of this poll indicates that U.S. favourability may be on the rise in Turkey, but still just 29% of Turks respond favourably to the U.S.<sup>23</sup> The Turkish public’s wariness of the U.S. was reinforced in 2005 by a wildly popular novel titled *Metal Storm*<sup>24</sup>, in which Turkey was invaded by the U.S.<sup>25</sup> To further complicate its diplomatic ties with the West, Turkey has significant allegiances to the Arab world, as evidenced by the 2004 selection of Turkish professor Ekmeleddin Ihsanoglu as the new Secretary General of the Organisation of Islamic Cooperation (OIC)—a

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<sup>17</sup> *Id.* at 10.

<sup>18</sup> CONST. OF THE REPUBLIC OF TURKEY 7 Nov. 1982, art. 24.

<sup>19</sup> FINKEL, *supra* note 3, at 10.

<sup>20</sup> *NATO Member Countries*, NATO (27 Mar. 2014), [http://www.nato.int/cps/en/natohq/nato\\_countries.htm](http://www.nato.int/cps/en/natohq/nato_countries.htm).

<sup>21</sup> FINKEL, *supra* note 3, at 80.

<sup>22</sup> *Id.*

<sup>23</sup> Richard Wike, Bruce Stokes, & Jacob Poushter, *America’s Global Image*, PEW RESEARCH CTR. (23 June 2015), <http://www.pewglobal.org/2015/06/23/1-america-global-image>.

<sup>24</sup> ORKUN UCAR & BURAK TURNA, *METAL FURTIMA* (2004).

<sup>25</sup> Karl Vick, *In Many Turks’ Eyes, U.S. Remains the Enemy*, WASH. POST, 10 Apr. 2005, at A21.

post he held until 2013<sup>26</sup>.

Turkey's relationship with Europe contains many similarly conflicting characteristics. Turkey began the process of ascending to the European Union (EU) alongside Croatia in 2005. Croatia completed the process and became a full member in 2011. Meanwhile, Turkey is nowhere close to finishing the process<sup>27</sup>. Given the incredibly slow progress being made, there is room to speculate about how badly Erdoğan really wants to finish the ascension process.

As a way of surviving in this “crossroads of the world” region, Turkey has adopted a “Policy of Zero Problems with our Neighbors”<sup>28</sup>. While the wording of the policy portrays Swiss-like neutrality, implementation has been challenging, marked by conflict, and in many ways has led to more isolation than cooperation<sup>29</sup>.

## II. THE ERDOĞAN EFFECT

President Erdoğan is commonly viewed as the most influential political figure in Turkish history since Kemal Atatürk founded Turkey<sup>30</sup>. This is likely due to both his charismatic personality and the economic resurgence that Turkey has experienced during his time in power. Yet, Erdoğan's past conduct is anything but noncontroversial.

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<sup>26</sup> *General Secretariat*, ORGANISATION OF ISLAMIC COOPERATION, [http://www.oic-oci.org/oicv2/page/?p\\_id=38&p\\_ref=14&lan=en](http://www.oic-oci.org/oicv2/page/?p_id=38&p_ref=14&lan=en) (last visited 11 Feb. 2015).

<sup>27</sup> Kemal Kirisci, *Turkey's Strategic Choices*, BROOKINGS (19 Dec. 2014), <http://www.brookings.edu/research/opinions/2014/12/19-turkeys-strategic-choices-kirisci>.

<sup>28</sup> *Policy of Zero Problems with our Neighbors*, REPUBLIC OF TURK. MINISTRY OF FOREIGN AFFAIRS, <http://www.mfa.gov.tr/policy-of-zero-problems-with-our-neighbor.s.en.mfa> (last visited 16 May 2016).

<sup>29</sup> Burak Bekdil, *Turkey: “Zero Problems with Neighbors”*, GATESTONE INST. (6 Apr. 2015, 4:00 AM), <http://www.gatestoneinstitute.org/5471/turkey-zero-problems-neighbors>.

<sup>30</sup> *Turkish President Erdoğan on ISIS and Regional Security: A Conversation with Recep Tayyip Erdoğan*, COUNCIL ON FOREIGN RELATIONS (22 Sept. 2014), <http://cfr.org/turkey/turkish-president-erdogan-isis-regional-security/p33488> [hereinafter *Turkish President Erdoğan on ISIS*].

For starters, Erdoğan's AKP "is the latest in a succession of parties descended from an overtly Islamic movement founded in the 1960s"<sup>31</sup>. In 1983, after Turkey's constitutional court banned two previous parties that were modeled after the Muslim Brotherhood, Islamist ideologue Necmettin Erbakan formed the Welfare Party (also known as Refah or RP)<sup>32</sup>. Erdoğan was elected Mayor of Istanbul in 1994 as a member of the Welfare Party<sup>33</sup>. In 1998, the court also dissolved the Welfare Party, and Erdoğan joined the Virtue Party (FP)<sup>34</sup>. Later the same year, Erdoğan was imprisoned on charges of religious incitement<sup>35</sup>. After his release four months later<sup>36</sup>, Erdoğan founded the AKP<sup>37</sup>. Perhaps none of these Islamist associations should be surprising given that Erdoğan has been "photographed sitting at the feet of the proto-Taliban Afghan warlord Gulbeddin Hekmatyar"<sup>38</sup>, has referred to himself as the "Imam of Istanbul" and a "servant of shari'a"<sup>39</sup>, and has even espoused the idea that Muslims discovered America<sup>40</sup>. It is also highly probable that these views were formed—or at least solidified—during his imam-hatip education<sup>41</sup>.

Despite these hard-line Islamist roots, Erdoğan's tenure as the most powerful figure in Turkey began with a fairly resounding secular tone. When the AKP swept to power in 2002 (garnering two-thirds of

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<sup>31</sup> FINKEL, *supra* note 3, at 73.

<sup>32</sup> Rubin, *supra* note 1.

<sup>33</sup> Hakan Aslaneli, *Erdoğan Goes to Prison*, HURRIYET DAILY NEWS (27 Mar. 1999), <http://www.hurriyetdailynews.com/erdogan-goes-to-prison.aspx?page-ID=438&n=erdogan-goes-to-prison-1999-03-27>.

<sup>34</sup> *Id.*

<sup>35</sup> Rubin, *supra* note 1.

<sup>36</sup> Aslaneli, *supra* note 33.

<sup>37</sup> Rubin, *supra* note 1.

<sup>38</sup> FINKEL, *supra* note 3, at 73.

<sup>39</sup> Michael Rubin, *Ten Years Later, Turkey's Islamist Political Revolution Bearing Bitter Fruit*, AEI (2 Nov. 2012, 11:09 AM), <http://www.aei.org/publication/ten-years-later-turkeys-islamist-political-revolution-bearing-bitter-fruit>.

<sup>40</sup> Michael Rubin, *Erdoğan's Comments about Muslims Discovering America Says a Lot about His State of Mind*, AEI (24 Nov. 2014), <http://www.aei.org/publication/erdogans-comments-muslims-discovering-america-says-lot-state-mind>.

<sup>41</sup> *Id.*

the seats in parliament with just 34 percent of the vote<sup>42</sup>), it did so with a message centred on the flailing economy<sup>43</sup>. Initially, AKP's governing focus seemed to match that message, as "it stabilized Turkey's currency, tackled inflation, and catalyzed growth"<sup>44</sup>. These early successes fueled the West's infatuation with Erdoğan and laid the groundwork for President Obama's glowing praise for the emerging "bond of trust". These successes, along with Erdoğan's skill as a politician, propelled the AKP to reelection in 2007 and 2011 with progressively larger shares of the vote<sup>45</sup>. In a country that has had a multiparty system since 1950<sup>46</sup>, the AKP has had near absolute power for more than thirteen years.

Erdoğan's inclination to embrace Islamic authoritarianism also began immediately, but initially went largely unnoticed because of its subtlety. Initially, rather than proposing dramatic policy change, Erdoğan's transformation focused on slowly but surely changing the personnel manning the levers of government. He replaced all of the members of Turkey's banking board with alumni of Islamic finance, adjusted university admission formulas to admit more religious students, and altered the interview process for civil service to allow entry of more political allies<sup>47</sup>. The most impactful change may have been the dramatic Islamisation of the education system. Under the guidance of Erdoğan's son, Bilal, eleven hours of the school week are now dedicated to Sunni religious instruction, and the number of students in imam-hatip schools has risen from 70,000 in 2002 to one million today<sup>48</sup>, which is more than a 28-fold increase.

The early warning signs of these trends did not go completely un-

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<sup>42</sup> Rubin, *supra* note 39.

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> FINKEL, *supra* note 3, at 73.

<sup>46</sup> *Id.* at 8.

<sup>47</sup> Rubin, *supra* note 39.

<sup>48</sup> Safak Pavey, *The Rise of Political Islam in Turkey: How the West Got It Wrong*, OPENDEMOCRACY (3 Nov. 2014), <https://www.opendemocracy.net/5050/safak-pavey/rise-of-political-islam-in-turkey-how-west-got-it-wrong>.

noticed by U.S. officials. In January 2004, U.S. Ambassador to Turkey Eric Edelman wrote:

Erdoğan has traits which render him seriously vulnerable to miscalculating the political dynamic, especially in foreign affairs . . . [his] authoritarian loner streak . . . prevents growth of a circle of strong and skillful advisers, a broad flow of fresh information to him, or development of effective communications among the party headquarters, government, and parliamentary group<sup>49</sup>.

While Erdoğan's steady Islamisation of Turkey raised some eyebrows in the West, it is Erdoğan's march toward authoritarianism that has been the most unmistakable. It is almost unimaginable, but the country that President Obama called a "model" partner "now imprisons more journalists than Iran and China and, according to Reporters without Frontiers, ranks below Russia, Venezuela, and Zimbabwe in press freedom"<sup>50</sup>. Further, "one in every five Turkish generals is now in prison on charges that, at best, are dubious"<sup>51</sup>. Perhaps the most blatant use of authoritarian power occurred in March 2014, when Turkey banned the popular social media website Twitter, a move that the U.S. State Department described as a "21<sup>st</sup> century book burning"<sup>52</sup>. Although reports suggest that this policy has ended, this conduct is a reminder of the fact that Turkey is increasingly inclined to repression<sup>53</sup>.

The drive for authoritarian control reached its crescendo when Erdoğan began exerting his influence toward the goal of converting

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<sup>49</sup> Okan Altıparmak & Claire Berlinski, *The Wikileaks Cables on Turkey: 20/20 Tunnel Vision*, MERIA J., VOL. 15, 21 Aug. 2011.

<sup>50</sup> Rubin, *supra* note 39.

<sup>51</sup> *Id.*

<sup>52</sup> Douglas Frantz, *21<sup>st</sup> Century Book Burning*, U.S. DEP'T OF STATE OFFICIAL BLOG (21 Mar. 2014), <https://blogs.state.gov/stories/2014/03/21/21st-century-book-burning>.

<sup>53</sup> Julian Hatter, *Turkey Ends Twitter Ban*, THE HILL (14 Apr. 2014), <http://thehill.com/policy/technology/202579-turkey-ends-twitter-ban>.

Turkey's political system into a presidential system<sup>54</sup>. This occurred, of course, as Erdoğan was himself moving into the position of President. Today, these changes no longer occur subtly, but instead in grand fashion. For example, Erdoğan now resides in the largest residential palace in the world, a 3.1 million square foot monstrosity that contains more than 1,000 rooms<sup>55</sup>. It was into this palace that Erdoğan, surrounded by guards dressed as Ottoman era soldiers, welcomed Palestinian President Mahmoud Abbas in January 2015<sup>56</sup>. The palace was also the chosen location for several of Erdoğan's cabinet meetings, including those that occurred on 9 March 2015<sup>57</sup>, 20 April 2015<sup>58</sup>, 14 December 2015<sup>59</sup>, and 22 February 2016<sup>60</sup>. The cabinet meetings are simply another indication that Erdoğan has taken his push for a presidential system to a very public level. On 5 May 2016, Turkey's Prime Minister Ahmet Davutoğlu resigned his post as a direct result of this power struggle<sup>61</sup>.

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<sup>54</sup> Emre Peker, *Turkey President Erdoğan Defends Detentions, Dismisses EU Criticism*, WALL ST. J. (15 Dec. 2014, 4:17 PM), <http://www.wsj.com/articles/turkey-president-erdogan-defends-detentions-dismisses-eu-criticism-1418664422>.

<sup>55</sup> David Blair, *Turkey's President Moves into World's Biggest Palace Costing £384 Million*, THE TELEGRAPH (5 Nov. 2014, 11:48 AM), <http://www.telegraph.co.uk/news/worldnews/europe/turkey/11210083/Turkeys-president-moves-into-worlds-biggest-palace-costing-384-million.html>.

<sup>56</sup> Neil Munro, *New Ottoman Emperor Rejects Obama's Strategy*, DAILY CALLER (14 Jan. 2015, 10:26 PM), <http://dailycaller.com/2015/01/14/new-ottoman-emperor-rejects-obamas-strategy>.

<sup>57</sup> *President Erdoğan Chairs Cabinet Meeting for Second Time*, TODAY'S ZAMAN (9 Mar. 2015, 12:57 PM), [http://www.todayszaman.com/anasayfa\\_president-erdogan-chairs-cabinet-meeting-for-second-time\\_374710.html](http://www.todayszaman.com/anasayfa_president-erdogan-chairs-cabinet-meeting-for-second-time_374710.html).

<sup>58</sup> *President Erdoğan Convenes Cabinet for Third Time*, TODAY'S ZAMAN (20 Apr. 2015, 2:06 PM), [http://www.todayszaman.com/anasayfa\\_president-erdogan-convenes-cabinet-for-third-time\\_378461.html](http://www.todayszaman.com/anasayfa_president-erdogan-convenes-cabinet-for-third-time_378461.html).

<sup>59</sup> Erdiñ Çelikkan, *President Erdoğan to Chair Cabinet Meeting on Feb. 22*, HURRIYET DAILY NEWS (22 Feb. 2016), <http://www.hurriyetdailynews.com/president-erdogan-to-chair-cabinet-meeting-on-feb-22.aspx?pageID=238&nID=95489&NewsCatID=338>.

<sup>60</sup> *Id.*

<sup>61</sup> Erin Cunningham, *Turkey's Prime Minister Resigns Amid High-Level Rifts and Deepening Crises*, WASH. POST (5 May 2016), [https://www.washingtonpost.com/world/turkeys-prime-minister-is-expected-to-resign-amid-rifts-with-erdogan-reports/2016/05/05/5eaff339-67f3-49f1-a96a-a163354bd4ff\\_story.html](https://www.washingtonpost.com/world/turkeys-prime-minister-is-expected-to-resign-amid-rifts-with-erdogan-reports/2016/05/05/5eaff339-67f3-49f1-a96a-a163354bd4ff_story.html).

In a September 2014 speech at the Council on Foreign Relations, Erdoğan opened his remarks by referencing the Ottoman State that preceded Turkey's establishment as an independent state in 1923. Erdoğan spoke longingly about the Ottoman Empire and implied that many of the current problems in the region are a result of the breakup of that empire:

The Ottoman State had a very successful administration system, and for centuries, these areas of crisis today had maintained their existence without problem. The Palestinian issue, the problems in Iraq and Syria, Crimea, Balkans, are all issues that came about after the dissolution of the Ottoman Empire. Therefore, they date back to about 100 years ago<sup>62</sup>.

This sentiment, coupled with the increasingly suppressive tactics deployed by the AKP, is highly inconsistent with the notion of a "model" democracy that is to be emulated. This conduct has led the U.S. to question whether its once-solid ally is now a friend or foe.

### III. TURKEY, ISRAEL, AND HAMAS

Turkey's relationship with the State of Israel got off to a positive start when Turkey was quick to acknowledge Israel's statehood on 28 March 1949<sup>63</sup>, becoming the first Muslim-majority nation to do so<sup>64</sup>. Relations between the two nations were fairly limited and uneventful until the 1990s, when they flourished<sup>65</sup>. This high point in relations lasted only about a decade, however, and began to deteriorate rapidly

<sup>62</sup> *Turkish President Erdoğan on ISIS*, *supra* note 30.

<sup>63</sup> *Turkey's Political Relations with the State of Israel*, REPUBLIC OF TURK. MINISTRY OF FOREIGN AFFAIRS, <http://www.mfa.gov.tr/relations-between-turkey-and-israel%20.en.mfa> (last visited on 8 Feb. 2015).

<sup>64</sup> Omer Zarpli, *The Old Turkey-Israel Relationship Isn't Coming Back*, THE NAT'L INTEREST (2 Oct. 2013), <http://nationalinterest.org/commentary/the-old-turkey-israel-relationship-isnt-coming-back-9163>.

<sup>65</sup> Jay Alan Sekulow, *Turkey-Israel Relations*, 1 J. THE CENTRE FOR STUDY L. & PUB. POL'Y AT OXFORD 1, 8–9 (2015).

when Erdoğan rose to power in Turkey<sup>66</sup>. Even during the period of relatively strong relations, fissures began to be visible as Islamist political parties in Turkey fought to weaken the military's support for Israel<sup>67</sup>.

Many will point to the Gaza flotilla incident in 2010 as the main reason for the strained relations. On 31 May 2010, six ships attempting to breach the Israeli naval blockade of Gaza (which had been established in response to the Hamas kidnapping of an Israeli soldier, Gilad Shalit, in 2006) were boarded by Israeli commandos<sup>68</sup>. On only one vessel—the Comoros-flagged, Turkish-crewed *Mavi Marmara*—was there armed resistance to the Israeli landing. The ensuing fight on the *Mavi Marmara* left nine Turkish citizens dead and ten Israeli commandos wounded<sup>69</sup>. The incident made international headlines and continued to fester to the point that President Obama worked to broker an Israeli apology in 2013<sup>70</sup>. Even so, the incident triggered the *in absentia* prosecution of four senior Israeli military officers in the 7th High Criminal Court in Istanbul<sup>71</sup>. Observers have noted that the prosecution of the Israeli officers, as well as the failure to prosecute the Turkish Master of the *Mavi Marmara*, suggests that the flotilla—and the ensuing prosecution—was always more politically motivated than humanitarian<sup>72</sup>.

While the *Mavi Marmara* incident was certainly a flashpoint of hostility between Turkey and Israel, a closer examination makes it clear that the relationship between the two countries deteriorated long before the flotilla incident made headlines. The most significant hurdle to positive relations between Turkey and Israel is Erdoğan's sup-

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<sup>66</sup> Zarpli, *supra* note 64.

<sup>67</sup> Sekulow, *supra* note 65, at 10.

<sup>68</sup> Robert Weston Ash, *The Mavi Marmara Trial: Politicising the Turkish Justice System*, 1 J. THE CENTRE FOR STUDY L. & PUB. POL'Y AT OXFORD 49, 53–54 (2015).

<sup>69</sup> *Gaza Flotilla Raid: No Israel Charges over Mavi Marmara*, BBC (6 Nov. 2014), <http://www.bbc.com/news/world-middle-east-29934002>.

<sup>70</sup> Zarpli, *supra* note 64.

<sup>71</sup> Ash, *supra* note 68, at 50.

<sup>72</sup> *Id.* at 83–85.

port for Hamas, a group that many of Turkey's allies—including the U.S.—deem to be a terrorist organisation<sup>73</sup>. This support was on full display in 2006 after Hamas' victory in the Palestinian elections. Just weeks after the election, and "less than a week after [Erdoğan] had told European officials that he would honour the international community's decision to isolate Hamas until it renounced terrorism and recognised the Jewish state's right to exist, Turkey received a Hamas delegation in Ankara"<sup>74</sup>. Further, in January 2015, Turkey welcomed Hamas leader Khaled Meshaal to Turkey after Meshaal's banishment from Qatar<sup>75</sup>.

The juxtaposition between how Erdoğan views Hamas and Israel is alarming. Despite recent evidence that Israel-Turkey relations have experienced a warming trend<sup>76</sup>, it has become fairly common for Erdoğan to compare Israeli actions to those of the Nazis. After the U.S. State Department condemned this habit on 19 July 2014, Erdoğan retorted, "What do Americans know about Hitler"<sup>77</sup>? On the other hand, Erdoğan appears to wholly accept the legitimacy of Hamas and, in fact, has gone out of his way to strengthen Turkey's ties with Hamas leadership, while completely dismissing the atrocities it commits<sup>78</sup>. This is not surprising given Erdoğan's own words after he hosted Sudanese President Omar al-Bashir in November 2009: "It is not possible for a Muslim to commit genocide"<sup>79</sup>.

<sup>73</sup> *Foreign Terrorist Organizations*, U.S. DEP'T OF STATE, <http://www.state.gov/j/ct/rls/other/des/123085.htm> (last visited 18 May 2016).

<sup>74</sup> Rubin, *supra* note 1.

<sup>75</sup> Barak Ravid & Reuters, *Report: Qatar Expels Hamas Leader to Turkey*, HAARETZ (6 Jan. 2015, 4:31 PM), <http://www.haaretz.com/news/middle-east/1.635602>.

<sup>76</sup> *Israeli, Turkish Presidents Talk in Sign of Warming Ties*, PRESSTV (24 Mar. 2016), <http://www.presstv.ir/Detail/2016/03/24/457322/Israel-Turkey-Erdogan-Rivlin-Is-tanbul>.

<sup>77</sup> Steven A. Cook, *What a Turkey!*, COUNCIL ON FOREIGN REL. (5 AUG. 2014), <http://www.cfr.org/turkey/turkey/p33322>.

<sup>78</sup> Sekulow, *supra* note 65, at 17–24.

<sup>79</sup> Mustafa Küçük, *Erdoğan Says America was Discovered by Muslims, Not Columbus*, HURRIYET DAILY NEWS (15 Nov. 2014), <http://www.hurriyetdailynews.com/erdogan-says-america-was-discovered-by-muslims-not-columbus.aspx?PageID=238&NID=74371&NewsCatID=338>.

In November 2014, Israel uncovered a Hamas cell that was taking orders from Saleh al-Arouri, who lives freely in Turkey. The cell was planning numerous attacks in Israel, and al-Arouri claimed responsibility for the 2014 murder of three Israeli teenagers that set off a 40-day war. Still, Erdoğan and the Turkish government chose the side of al-Arouri and Hamas<sup>80</sup>. Even after al-Arouri eventually left Turkey, Hamas claimed that it was on his own volition, and the Turkish Foreign Ministry did not dispute the claim<sup>81</sup>.

When asked whether Turkey risks being labeled a state sponsor of terrorism because of its support for Hamas, a U.S. State Department official stated that they do not “jump to that conclusion”<sup>82</sup>. Another official responded: “Hamas is a designated foreign terrorist organization. Hamas continues to engage in terrorist activity and . . . we continue to raise our concerns about the relationship between Hamas and Turkey with senior Turkish officials, including after learning of Khaled Mashaal’s recent visit there”<sup>83</sup>.

Erdoğan, for his part, has shown no remorse for the relationship with Hamas, and in fact insists that Turkey will “continue to have close contacts with all of the parties”<sup>84</sup>. To the charge of anti-Semitism, Erdoğan responds:

There are times when I personally am labeled as an anti-Semitic person. Criticizing Israel’s massacres that defy international law, trample on human rights and life is not anti-Semi-

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<sup>80</sup> Lee Smith, *Turkey’s Erdoğan Builds Himself an Opulent Palace, Part of a 20-year Mess That is U.S. Middle East Policy*, HUDSON INST. (4 Dec. 2014), <http://www.hudson.org/research/10857-turkey-s-erdogan-builds-himself-an-opulent-palace-part-of-a-20-year-mess-that-is-u-s-middle-east-policy>.

<sup>81</sup> Sekulow, *supra* note 65, at 20.

<sup>82</sup> Jen Psaki, *Daily Press Briefing*, U.S. DEP’T. OF STATE (8 Jan. 2015), <http://www.state.gov/r/pa/prs/dpb/2015/01/235672.htm>.

<sup>83</sup> Jeff Rathke, *Daily Press Briefing*, U.S. DEP’T. OF STATE (30 Dec. 2014), <http://translations.state.gov/st/english/texttrans/2014/12/20141230312625.html#axzz-3RfCAJGot>.

<sup>84</sup> *Turkish President Erdoğan on ISIS*, *supra* note 30.

tism. Holding a state that massacres ten people by stopping an international ship taking aid to Gaza isn't anti-Semitism.

And it isn't anti-Semitism to criticize an administration that massacres, kills babies, children, innocent babies, children, in their homes, mosques, hospitals, schools, beaches, parks, without any discrimination.

Our criticism is not directed to the Jews. It is only and solely directed at the Israeli administration and its policies, and no one should distort this. There is a distinction here.

Whenever we criticize the massacring of innocent women in Palestine, some circles engage in a campaign to distort the perceptions about Turkey. Whenever we criticize the killing of innocent children, babies, in the Middle East, some media organizations target us<sup>85</sup>.

Nowhere in this sweeping criticism of Israel did Erdoğan mention the atrocities committed by Hamas toward the Israeli people.

On one hand, it would seem like Erdoğan's allegiance to Hamas and animosity toward Israel would cause an enormous wedge between Turkey and the U.S. On the other hand, it would be fairly hypocritical of the Obama Administration to be too critical of Turkey for its position on Hamas when the U.S. has made a very similar decision to acknowledge and accept Hamas' legitimacy<sup>86</sup>. The George W. Bush Administration may have been similarly misguided when it chose Erdoğan to negotiate between Israel and Syria<sup>87</sup>.

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<sup>85</sup> *Id.*

<sup>86</sup> Lee Smith, *After Hamas-Fatah Deal, American Taxpayers Now Paying the Salaries of Palestinian Terrorists*, HUDSON INST. (3 June 2014), <http://HUDSON.ORG/research/10343-after-hamas-fatah-deal-american-taxpayers-now-paying-the-salaries-of-palestinian-terrorists>.

<sup>87</sup> Richard Boudreaux, *Turkey Mediating Israel-Syria Talks*, L.A. TIMES (25 Apr. 2008), <http://articles.latimes.com/2008/apr/25/world/fg-golan25>.

#### IV. CHOOSING SIDES IN THE WORLD

Despite signs of improvement, Turkey's relationship with Israel represents the starkest challenge to U.S./Turkey relations (because of the strength of the U.S./Israel alliance and the tenacity of Erdoğan's disdain for Israel). Still, it is not the only place in the world where the U.S. and Turkey do not see eye to eye. In fact, if a country's friends are any indication of the true character of that nation, Turkey may never have been further from the U.S. than it is today.

Iran may be the most troubling of Turkey's friends. Erdoğan has hosted both former President Mahmoud Ahmadinejad<sup>88</sup> and President Hassan Rouhani<sup>89</sup> in Turkey and has traveled to Tehran himself in January 2014 with a goal of deepening ties between the two countries<sup>90</sup>. The result of these efforts was the signing of "nearly two dozen cooperative agreements, on everything from finance to tourism to communications"<sup>91</sup>. These deepening ties with Iran were also evident in 2010 when Turkey joined Brazil as the only two members of the United Nations Security Council to vote against sanctions on Iran<sup>92</sup>. This vote occurred just days after the Obama Administration criticised a deal that Turkey and Brazil negotiated with Iran (in talks encouraged by the U.S.) on its nuclear program<sup>93</sup>. After this initial criticism, the Obama Administration opened direct dialogue with Iran and also conceded that Iran has a right to enrich uranium<sup>94</sup>. Eventually, these U.S.-led talks resulted in

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<sup>88</sup> Mike Brownfield, *Turkey's Dangerous Turn against the West*, THE DAILY SIGNAL (8 June 2010), <http://dailysignal.com/2010/06/08/turkeys-dangerous-turn-against-the-west>.

<sup>89</sup> Ilan Berman & Nika Madyoon, *An Iranian-Turkish Reset*, WASH. TIMES (21 July 2014), <http://www.washingtontimes.com/news/2014/jul/21/berman-madyoon-an-iran-ian-turkish-reset>.

<sup>90</sup> *Id.*

<sup>91</sup> *Id.*

<sup>92</sup> Press Release, Security Council, Security Council Imposes Additional Sanctions on Iran, Voting 12 in Favour to 2 Against, with 1 Abstention, U.N. Press Release SC/9948 (9 June 2010).

<sup>93</sup> Smith, *supra* note 80.

<sup>94</sup> Paul Richter, *Iran is Pushing Limits on Nuclear Deal, Former Obama Advisor Warns*, L.A. TIMES (20 July 2014), <http://www.latimes.com/world/middleeast/la->

an historic, but controversial, agreement that afforded Iran significant relief from both U.S. and U.N. sanctions<sup>95</sup>. Turkey lauded the agreement, but expressed significant skepticism about both Russia's and Iran's motives in the region<sup>96</sup>.

It should be noted that Turkey and Iran find themselves on different sides in the ongoing conflict in Syria<sup>97</sup>. Further, Iran's efforts to exert dominion in the region along sectarian lines have caused some disruption in its relationship with Turkey<sup>98</sup>. Even so, Turkey's desire for a close relationship with Iran (which long pre-dates the increase in diplomatic interaction between the U.S. and Iran) suggests that the U.S. and Turkey may not see eye to eye on Iran.

Even after considering Turkey's relations with Israel and Iran, there are numerous places in the world where the U.S. and Turkey take conflicting positions:

- Erdoğan "enthusiastically" hosted Sudanese President Omar al-Bashir in Turkey<sup>99</sup>.
- In 2010, Turkey held secret war games with China without informing the U.S.<sup>100</sup>
- There is strong evidence that state-owned Turkish Airlines smuggled arms into Nigeria for the terrorist group, Boko Haram<sup>101</sup>.

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fg-obama-advisor-iran-nuclear-20140720-story.html.

<sup>95</sup> Michael R. Gordon & David E. Sanger, *Deal Reached on Iran Nuclear Program; Limits on Fuel Would Lessen With Time*, N.Y. TIMES (14 July 2015), <http://www.nytimes.com/2015/07/15/world/middleeast/iran-nuclear-deal-is-reached-after-long-negotiations.html>.

<sup>96</sup> Emre Peker, *Turkey Hails Iran Nuclear Deal*, WALL ST. J. (17 Jan. 2016, 10:41 AM), <http://www.wsj.com/articles/turkey-hails-iran-nuclear-deal-1453045276>.

<sup>97</sup> Tiffany N. Barrans, *Turkey-Iran Relations: Pragmatic Economics & the Ideological Ceiling to Strategic Relations*, 1 J. THE CENTRE FOR STUDY L. & PUB. POL'Y AT OXFORD 27, 40–43 (2015).

<sup>98</sup> *Id.* at 43.

<sup>99</sup> Brownfield, *supra* note 88.

<sup>100</sup> Rubin, *supra* note 1.

<sup>101</sup> Michael Rubin, *Did Turkey arm Boko Haram?*, AEI (13 May 2014, 3:42 PM),

- A Turkish ambassador tweeted support for al Qaeda after part of Mali was overtaken by terrorists<sup>102</sup>.
- Even the U.S. offensive in Fallujah was deemed “genocide” by the Chairman of the Human Rights Committee in Turkey’s parliament. Erdoğan himself said that “hundreds were martyred”<sup>103</sup>.

So while many leaders in the U.S. may continue to insist that the alliance with Turkey is strong, a cursory look around the world suggests that the two countries take opposing sides more often than they stand together. With this backdrop, it becomes less surprising that, according to the Pew Global Attitudes Project Poll, Turkey has, for a considerable period of time, remained one of the most anti-American countries surveyed<sup>104</sup>.

## V. THE WAR ON TERROR

When Osama bin Laden issued his on-camera justifications for the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon, he said he was avenging “eight decades of pain, humiliation and shame”<sup>105</sup>. As explained by Andrew Finkel, this is an unmistakable reference to the abolition of the Ottoman Empire (and hence the Islamic Caliphate) and the corresponding establishment of Turkey:

[Osama bin Laden’s] reference, Turks grasped at once, was to the creation of their own Republic in 1923 and to the decision of [Kemal] Atatürk to plow salt into the notion of a religiously empowered state. The 1924 abolition of the Caliphate—the leader of the Islamic community and a role enjoyed by the Ottoman sultan—was a renunciation of an authority that

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<http://www.aei.org/publication/the-trouble-with-turkey>.

<sup>102</sup> *Id.*

<sup>103</sup> Vick, *supra* note 25.

<sup>104</sup> Wike, *supra* note 23.

<sup>105</sup> FINKEL, *supra* note 3, at 139.

could transcend the border of the nation-state<sup>106</sup>.

This deep-seated linkage between the origins of the War on Terror and the origins of Turkey makes Turkey's role in the War on Terror a crucially significant one. Add to that the geographic location of Turkey and the fact that it is a Muslim-majority member of NATO, and Turkey becomes one of the most important potential partners for the U.S.-led coalition in the War on Terror. However, in reality, Turkey's engagement in this international effort has been less than seamless.

Turkey's formal entrance into the War on Terror occurred on 1 November 2001, less than a month after the beginning of Operation Enduring Freedom on 7 October 2001<sup>107</sup>. This made Turkey one of the very first coalition partners of the U.S., and took place in spite of significant opposition from the Turkish population (at the outset, polling indicated that approximately 80% of the Turkish people opposed the war)<sup>108</sup>.

Strong opposition from the Turkish people and divergent priorities in Washington and Ankara have created numerous fissures in this alliance. Even the most basic U.S. requests to use Turkish military bases have proven difficult. The aforementioned refusal in 2003 was simply a sign of what was to come. Prior to July 2015, even U.S. requests that search-and-rescue assets be stationed on Turkish bases were rejected<sup>109</sup>. This was particularly problematic in December of 2014 when the Islamic State shot down a Jordanian pilot, Lieutenant Muath al-Kaseasbeh, and a search-and-rescue effort failed. After negotiations for a prisoner swap were unsuccessful, the Islamic State burned Kaseasbeh

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<sup>106</sup> *Id.* at 139–140.

<sup>107</sup> *Operation Enduring Freedom Fast Facts*, CNN (31 Dec. 2014, 2:15 PM), <http://www.cnn.com/2013/10/28/world/operation-enduring-freedom-fast-facts>.

<sup>108</sup> Ertugrul Kurkcu, *Desperately but Deliberately, Turkey Joins Bush's War*, MIDDLE EAST RES. INFO. PROJECT (8 Nov. 2001), <http://www.merip.org/mero/mero110801>.

<sup>109</sup> *Report: Turkey Balked at US Permission to Use Base for Rescue Aircraft*, TODAY'S ZAMAN (5 Feb. 2015), [http://www.todayzaman.com/diplomacy\\_report-turkey-balked-at-us-permission-to-use-base-for-rescue-aircraft\\_371836.html](http://www.todayzaman.com/diplomacy_report-turkey-balked-at-us-permission-to-use-base-for-rescue-aircraft_371836.html).

alive in a cage, and a video recording of the horrific massacre was posted online<sup>110</sup>. Even this disregard for humanity did not change the Turkish government's mind on the matter of making its bases available to the U.S. In July 2015, Turkey finally agreed to open İnçirlik Air Force Base to the U.S. and coalition partners for the purpose of conducting strikes against the Islamic State<sup>111</sup>.

The U.S. and Turkey also differ frequently on the definition of what constitutes a terrorist. In addition to the relationships with Hamas, Iran, and Boko Haram that were previously discussed, a 2007 train derailment in Turkey revealed arms apparently bound for Hezbollah among the freight<sup>112</sup>. In addition to these ties to terrorist groups, Turkey appears ambivalent at best about known terrorists residing or transiting through Turkey. At other times, the Turkish government openly embraces these terrorists.

For example, from 12 October 2001<sup>113</sup> until 26 November 2014<sup>114</sup>, Yasin al-Qadi appeared on the U.S. Specially Designated Terrorist List (SDTL) for alleged financial ties to al-Qaeda. However, Erdoğan met frequently with al-Qadi during his time on the SDTL<sup>115</sup>. In fact, Erdoğan's personal security detail was known to escort al-Qadi, and

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<sup>110</sup> Michael Wilner, *ISIS Releases Video Purporting to Show Jordanian Pilot Being Burned Alive*, JERUSALEM POST (3 Feb. 2015, 18:47), <http://www.jpost.com/Middle-East/ISIS-releases-pictures-purporting-to-show-Jordanian-pilot-being-burned-alive-389880>.

<sup>111</sup> Patrick Tucker & Marcus Weisgerber, *Turkey Opens Key Air Base for U.S. Strikes on ISIS*, THE NAT'L J. (23 JULY 2015), <https://www.nationaljournal.com/s/71423/turkey-opens-key-air-base-u-s-strikes-isis>.

<sup>112</sup> Rubin, *supra* note 1.

<sup>113</sup> *Comprehensive List of Terrorists and Groups Identified Under Executive Order 13224*, U.S. DEP'T OF STATE (31 Dec. 2001), <http://2001-2009.state.gov/s/ct/rls/fs/2001/6531.htm>.

<sup>114</sup> Scott Lanman & Ian Katz, *U.S. Drops Terrorism Finance Sanctions on Saudi al-Qadi*, BLOOMBERG BUS. (26 Nov. 2014, 12:31 PM), <http://www.bloomberg.com/news/articles/2014-11-26/u-s-drops-terrorism-finance-sanctions-on-saudi-al-qadi>.

<sup>115</sup> *New Evidence of Erdoğan's Secret Meeting with al-Qadi Emerges*, TODAY'S ZAMAN (15 Aug. 2014), [http://www.todayszaman.com/national\\_new-evidence-of-erdogans-secret-meeting-with-al-qadi-emerges\\_355836.html](http://www.todayszaman.com/national_new-evidence-of-erdogans-secret-meeting-with-al-qadi-emerges_355836.html).

he “was reportedly allowed to enter Turkey illegally at least four times without using a passport or visa through a VIP section of an airport that had its security cameras blacked out”<sup>116</sup>. When asked about this association with al-Qadi in 2006, Erdoğan said: “I know Mr Qadi. I believe in him as I believe in myself. For Mr Qadi to associate with a terrorist organization, or support one, is impossible”<sup>117</sup>. The dismissal was eerily similar to his assurance that it is not possible for any Muslim to commit genocide.

An additional source of friction between the U.S. and Turkey is the frequency, and apparent ease, with which terrorist fighters are transiting into and out of Turkey. Erdoğan frequently claims (often with an air of personal offence) that Turkey is doing everything it can to prevent the free flow of fighters over its borders into and out of Iraq and Syria<sup>118</sup>. However, the evidence strongly indicates that very little has been done. One example of just how lax these efforts are is a YouTube video of what appears to be Islamic State terrorists casually riding the Istanbul metro<sup>119</sup>. The terrorist fighters are openly wearing Islamic State clothing and are at complete ease with no fear of being detained. It certainly appears as if Erdoğan has placed his desire to oust Syrian President Bashar al-Assad ahead of any other security objective and is, therefore, permitting any individuals who will oppose Assad a free pass through Turkey<sup>120</sup>.

Tragically, the success these fighters have had in Syria is playing a significant role in the Islamic State’s growth and its increasing threat

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<sup>116</sup> James Phillips, *Erdoğan’s Turkey Goes Soft on Terrorism*, THE DAILY SIGNAL (11 Feb. 2014), [http://dailysignal.com/print/?post\\_id=137081](http://dailysignal.com/print/?post_id=137081).

<sup>117</sup> *Id.*

<sup>118</sup> *Turkish President Erdoğan on ISIS*, *supra* note 30.

<sup>119</sup> SyrianGirlpartisan, *#ISIS Rides Istanbul Metro Turkey*, YOUTUBE (27 Sept. 2014), <https://www.youtube.com/watch?v=XGIT32i6Kgw>.

<sup>120</sup> Doug Bandow, *Well-Armed Turkey Aided Rise of Islamic State: Yet NATO Promises to Defend Ankara from Extremists*, FORBES (8 Sept. 2014), <http://www.forbes.com/sites/dougbandow/2014/09/08/well-armed-turkey-aided-rise-of-islamic-state-yet-nato-promises-to-defend-ankara-from-extremists>.

to the rest of the world. Specifically, the Islamic State has carried out terror attacks in Turkey on at least three occasions: 12 January 2016<sup>121</sup>, 17 February 2016<sup>122</sup>, and 13 March 2016<sup>123</sup>. It is likely that these attacks will cause at least some continuation of the uptick in support for the U.S. among the Turkish population.

Conversely, for months, Erdoğan prevented Turkish Kurds from crossing into Syria to help save the Syrian Kurdish city of Kobane, which was under heavy assault from the Islamic State<sup>124</sup>. The motive was transparent: Erdoğan fears a unified Kurdish coalition more than he desires to defeat the Islamic State. In Erdoğan's opinion, Assad and the Kurds are both more loathsome than the Islamic State. Arguably, Erdoğan's fears were fortified when the PKK claimed responsibility for a 1 April 2016 car bombing that killed seven police officers and wounded twenty-seven others in Diyarbakir, Turkey<sup>125</sup>.

Turkey's hesitancy to engage the Islamic State cannot be attributed to a lack of skin in the game. For one, as previously noted, Turkey shares a border with both Iraq and Syria. Even beyond that, Turkey holds a sovereign claim to a 2.47 acre enclave just inside Syrian territory that, until recently, contained the tomb of Suleyman Shah, the grandfather of the Ottoman Empire's founder, Osman Bey<sup>126</sup>. The

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<sup>121</sup> *United States Condemns Terrorist Attack in Istanbul, Turkey*, U.S. DEPT. OF STATE, <http://www.state.gov/r/pa/prs/ps/2016/01/251124.htm> (last visited 18 May 2016).

<sup>122</sup> *United States Condemns Terrorist Attack in Ankara, Turkey*, U.S. DEP'T OF STATE, <http://www.state.gov/r/pa/prs/ps/2016/02/252587.htm> (last visited 18 May 2016).

<sup>123</sup> *The United States Condemns Terrorist Attack in Ankara, Turkey*, U.S. DEP'T OF STATE, <http://www.state.gov/r/pa/prs/ps/2016/03/254645.htm> (last visited 12 May 2016).

<sup>124</sup> James Phillips, *Turkey: Pressures U.S. to Crack Down in Syria-and Sits on the Sideline*, THE DAILY SIGNAL (14 Oct. 2014), [http://dailysignal.com/print/?post\\_id=161122](http://dailysignal.com/print/?post_id=161122).

<sup>125</sup> *PKK Claims Responsibility for Turkey Police Car Bombing*, ALJAZEERA (1 April 2016), <http://www.aljazeera.com/news/2016/04/160401132738910.html>.

<sup>126</sup> Sonar Cagaptay, *Fear, Loathing, and an Ottoman Shrine in the Cold War Between ISIS and Turkey*, THE WASH. INST. FOR NEAR EAST POL'Y (27 Oct 2014), <http://www.washingtoninstitute.org/policy-analysis/view/fear-loathing-and-an-ottoman-shrine-in-the-cold-war-between-isis-and-turkey>.

shrine was guarded by Turkish troops, but had been isolated by the Islamic State for several months, preventing the rotation of these troops since April 2014<sup>127</sup>. The shrine has enormous sentimental value for Turks, and its destruction would have been extremely demoralizing.

On 21 February 2015, Erdoğan dispatched nearly 600 Turkish troops, along with “39 tanks, 57 armoured vehicles, and 100 other military vehicles” into Syria to relocate the tomb<sup>128</sup>. After securing the tomb and related items of historic or sentimental value, Erdoğan’s “troops blew up the building that housed the tomb so it could not be used later by the jihadists”, and relocated the shrine to a location within yards of the Turkish border<sup>129</sup>.

The mission to relocate the tomb is understandable, especially as it pertains to the rescue of Turkish soldiers. However, it will be difficult for Erdoğan to convincingly explain why this type of operation was not conducted sooner and in response to the pleas from the people of Kobane. After all, in order to reach the tomb of Suleyman Shah, the Turkish troops passed directly through the devastated streets of Kobane<sup>130</sup>.

Predictably, the steady flow of terrorist fighters into and out of Turkey has also allowed the Islamic State to get a foothold in Turkey itself. While there has not been any effort by the Islamic State to claim territory in Turkey, their presence has certainly been felt. For example, in addition to the aforementioned terror attacks in Turkey, the Islamic State used a Turkish gang to attempt to kidnap a Syrian rebel

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<sup>127</sup> Metin Gurcan, *Are Turkish Troops Guardians or Accidental Hostages at Syrian Tomb?*, AL MONITOR (5 Feb. 2015), <http://www.al-monitor.com/pulse/originals/2015/02/turkey-syria-tomb-guardians-or-accidental-hostages.html#>.

<sup>128</sup> Louisa Loveluck, *Turkish Military Enters Syria to Evacuate Soldiers from Enclave*, THE TELEGRAPH (22 Feb. 2015, 6:30 PM), <http://www.telegraph.co.uk/news/world-news/europe/turkey/11427714/Turkish-military-enters-Syria-to-evacuate-soldiers-from-enclave.html>.

<sup>129</sup> *Id.*

<sup>130</sup> Luke Coffey, *Turkish Troops Pass Smouldering Kobane to Save Shrine*, ALJAZEERA (22 Feb. 2015), <http://www.aljazeera.com/indepth/opinion/2015/02/turkish-troops-pass-smouldering-kobane-save-shrine-150222134326067.html>.

commander who had left the battle zone and crossed into Turkey. The commander managed to escape after being shot in the stomach<sup>131</sup>.

There have been incidents threatening the security of American personnel in Turkey, as well. On 12 November 2014, three U.S. Navy sailors were mobbed by members of the Turkish Youth Union. The attackers shoved bags over the sailors' heads and verbally and physically assaulted them before the sailors escaped<sup>132</sup>. While this attack does not appear to have been orchestrated by the Islamic State, it is a strong indication of just how rampant the anti-American sentiment is among the Turkish population.

Officials in Washington are certainly starting to take note of Turkey's weak efforts in the War on Terror. Congressman Ileana Ros-Lehtinen, an influential member of the U.S. House Foreign Affairs Committee, said: "[Turkey] has done so little. It has been a player, not for the solution, but part of the problem. Because of their internal political issues, they've let that get in the way of truly defeating [the Islamic State]"<sup>133</sup>.

In October 2004, U.S. Vice President Joe Biden probably did not help matters when he claimed that Erdoğan had admitted to him in private that Turkey's policy in Syria had failed. Erdoğan fiercely denied the claim and demanded an apology<sup>134</sup>. Regardless of what was truly said between the two leaders behind closed doors, the incident served only to further disrupt the relationship between the U.S. and Turkey.

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<sup>131</sup> Jeff Schogol, *Turkey Kidnap Plot Raises Doubt About U.S. Troop Safety*, USA TODAY (23 Oct. 2014), <http://www.usatoday.com/story/news/nation/2014/10/22/kidnapping-plot-in-turkey/17756353>.

<sup>132</sup> Jamie Crawford, *U.S. Sailors Attacked in Turkey; Bags Placed over Their Heads*, CNN (12 Nov. 2014, 2:19 PM), <http://www.cnn.com/2014/11/12/politics/turkey-navy-sailors-bags-over-heads/>.

<sup>133</sup> Martin Matishak, *Ros-Lehtinen Blasts Turkey as Slow to Act on ISIS*, THE HILL (21 Oct 2014), <http://thehill.com/policy/defense/221393-ros-lehtinen-blasts-turkey-as-slow-to-act-on-isis>.

<sup>134</sup> Kirisci, *supra* note 27.

The road ahead in Syria may indeed prove to be a bellwether for the future of the U.S.–Turkey alliance. This is especially true given the agreement to arm and train Syrian opposition forces that was signed on 19 February 2015 by U.S. Ambassador John Bass and a “senior Turkish foreign ministry official”<sup>135</sup>. Implementation of this agreement was fraught with challenges, not the least of which is the fact that the U.S. views the Islamic State as the primary threat in Syria, while Turkey views the Assad regime as the more dangerous threat. There is also significant disagreement internally in Washington about whether there are any trustworthy Syrian opposition forces, and even if so, how to accurately identify them without inadvertently arming additional extremists. As one expert on the region put it: “If U.S. officials could not figure out what two Chechen brothers in Boston were up to, how can they realistically claim to have the ability to vet those speaking no English and living in a war zone”<sup>136</sup>? These fears were realised when the first batch of trainees were summarily routed by an al-Qaeda affiliated group<sup>137</sup>. To make matters worse, the U.S.-backed rebels also surrendered multiple vehicles along with ammunition to the terrorists<sup>138</sup>. U.S. officials testified that only “four or five” U.S.-trained rebels were still in the fight, despite \$500 million that was dedicated to the effort<sup>139</sup>. With these results in mind, the U.S. suspended the effort to train rebels on 9 October 2015<sup>140</sup>.

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<sup>135</sup> *US, Turkey to Arm and Train Syrian Rebels*, N.Y. POST (19 Feb. 2015), <http://nypost.com/2015/02/19/us-turkey-to-arm-and-train-syrian-rebels>.

<sup>136</sup> Michael Rubin, *Arming Rebels Wasn't the Only Option*, AEI (14 Aug. 2014), <http://www.aei.org/publication/arming-rebels-wasnt-the-only-option>.

<sup>137</sup> *Syria Crisis: US-Trained Rebels Give Equipment to al-Qaeda Affiliate*, BBC (26 Sept. 2015), <http://www.bbc.com/news/world-middle-east-34368073>.

<sup>138</sup> *Id.*

<sup>139</sup> *Id.*

<sup>140</sup> Michael D. Shear, Helene Cooper & Eric Schmitt, *Obama Administration Ends Effort to Train Syrians to Combat ISIS*, N.Y. TIMES (9 Oct. 2015), [http://www.nytimes.com/2015/10/10/world/middleeast/pentagon-program-islamic-state-syria.html?\\_r=1](http://www.nytimes.com/2015/10/10/world/middleeast/pentagon-program-islamic-state-syria.html?_r=1).

The difficulty of training rebel forces was undoubtedly a contributing factor to the U.S. decision in October 2015 to send approximately fifty Special Operation Forces to Syria for the purpose of coordinating local coalition ground forces<sup>141</sup>. An additional 250 military personnel were deployed on 24 April 2016 as part of the shift in strategy away from training rebel forces<sup>142</sup>. The U.S. is also reportedly considering a backup plan that would provide existing rebel forces with additional high-powered weapons in the event the cease-fire collapses<sup>143</sup>.

Complicating all of these dynamics is Turkey's deteriorating relationship with Russia. Much of the current tension between the two countries stems from the fact that Erdoğan and Turkey want to remove Assad from power<sup>144</sup>, while Putin and Russia support the Assad government<sup>145</sup>. The tensions reached a boiling point, however, when Turkey shot down a Russian plane that crossed into Turkish airspace on 24 November 2015<sup>146</sup>. The two Russian pilots ejected, but one of them was shot and killed by Syrian opposition forces as he parachuted to the ground<sup>147</sup>. The incident prompted an animated exchange between Presidents Putin and Erdoğan, with Putin promising retaliation if there were additional incidents<sup>148</sup>. While U.S. interests in Syria at least

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<sup>141</sup> *U.S. to Send Special Ops Troops to Syria*, THE NAT'L J. (30 Oct. 2015), <https://www.nationaljournal.com/s/91738/u-s-send-special-ops-troops-syria>.

<sup>142</sup> Gordon Lubold & Adam Entous, *U.S. to Send 250 Additional Military Personnel to Syria*, WALL ST. J. (24 Apr. 2016), <http://www.wsj.com/articles/u-s-to-send-250-additional-military-personnel-to-syria-1461531600>.

<sup>143</sup> Adam Entous, *U.S. Readies 'Plan B' to Arm Syria Rebels*, WALL ST. J. (12 Apr. 2016), <http://www.wsj.com/articles/u-s-readies-plan-b-to-arm-syria-rebels-1460509400>.

<sup>144</sup> Barrans, *supra* note 97, at 40.

<sup>145</sup> Nikolay Kozhanov, *Why Putin is Backing Assad in Syria*, NEWSWEEK (18 Sept. 2015), <http://www.newsweek.com/why-putin-backing-assad-syria-373477>.

<sup>146</sup> Dion Nissenbaum, Emre Peker & James Marson, *Turkey Shoots Down Russian Military Jet*, WALL ST. J. (24 Nov. 2015), <http://www.wsj.com/articles/turkey-shoots-down-jet-near-syria-border-1448356509>.

<sup>147</sup> Paul Sonne, *Russian Pilot Denies Turkey Issued Warning Before Firing on Warplane*, WALL ST. J. (25 Nov. 2015), <http://www.wsj.com/articles/russia-honors-pilot-killed-after-turkey-downs-aircraft-1448463406>.

<sup>148</sup> *Id.*

somewhat overlap with Turkish interests, the emergence of a muscular Russia adds a very delicate complication to the mix, and the frosty relationship between Turkey and Russia makes it all the more tenuous.

Russia's influence in the region became even more complicated on 30 September 2015 when Russian planes launched airstrikes in Syria at the request of Assad<sup>149</sup>. Russian officials claimed the attacks were aimed at Islamic State strongholds, but the U.S. protested that anti-Assad rebel forces were targeted instead<sup>150</sup>. Russia continued to provide Assad with significant military support until 15 March 2016, when Putin ordered at least a portion of the Russian forces to withdraw<sup>151</sup>. According to Putin, Russian planes flew more than 10,000 combat missions in Syria, striking more than 30,000 targets, and aiding Assad's military in retaking 500 towns and villages<sup>152</sup>. While the specifics of Putin's assertions may be disputed, it is clear that Russia's intervention significantly bolstered the Assad regime.

The U.S. expressed repeated concern that the Russian intervention was counter-productive to the fight against the Islamic State and eventually brokered a cease-fire on 22 February 2016<sup>153</sup>. While the cease-fire has reduced the intensity of Russia's military involvement in Syria, it has not resulted in a large-scale drawdown of Russian assets in

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<sup>149</sup> Andrew Roth, Brian Murphy, & Missy Ryan, *Russia Begins Airstrikes in Syria; U.S. Warns of New Concerns in Conflict*, WASH. POST (30 Sept. 2015), [https://www.washingtonpost.com/world/russias-legislature-authorizes-putin-to-use-military-force-in-syria/2015/09/30/f069f752-6749-11e5-9ef3-fde182507eac\\_story.html](https://www.washingtonpost.com/world/russias-legislature-authorizes-putin-to-use-military-force-in-syria/2015/09/30/f069f752-6749-11e5-9ef3-fde182507eac_story.html).

<sup>150</sup> Patrick J. McDonnell, W.J. Hennigan, & Nabih Bulos, *Russia Launches Airstrikes in Syria Amid U.S. Concern About Targets*, L.A. TIMES (30 Sept. 2015), <http://www.latimes.com/world/europe/la-fg-kremlin-oks-troops-20150930-story.html>.

<sup>151</sup> *Syria Conflict: Russia's Putin Orders 'Main Part' of Forces Out*, BBC (14 Mar. 2016), <http://www.bbc.com/news/world-middle-east-35807689>.

<sup>152</sup> *Putin: Syria War Shows "Quality" of Russia's New Weapons*, CBS NEWS (10 May 2016), <http://www.cbsnews.com/news/vladimir-putin-syria-war-russian-cruise-missiles-weapons-quality>.

<sup>153</sup> *U.S. and Russia Agree on Syria Cease-Fire Terms*, CBS NEWS (22 Feb. 2016), <http://www.cbsnews.com/news/us-and-russia-agree-on-syria-cease-fire-terms-officials-say>.

the region<sup>154</sup>. Putin remains eager to demonstrate his commitment to the Assad regime, and recently directed his military to escort more than a hundred journalists on a show-and-tell tour of the Russian presence in the region<sup>155</sup>.

It is clear that Putin desires to exert influence throughout the Middle East, including in Syria and Turkey. This fact creates challenges for the U.S., but might also present an opportunity for the U.S. and Turkey to again recognise the common bonds that drew them into the NATO alliance together.

Ultimately, there is a large role for Turkey to play in the War on Terror, should it choose to accept it. The tragic irony, however, is that on several fronts, Turkey seems conflicted about which side it supports. In many ways, it seems as if Turkey does not understand that it must choose a side. The recent agreement to arm opposition forces in Syria is the latest attempt by the U.S. and Turkey to work together, but only time will tell whether it is anything more than Erdoğan taking advantage of an opportunity to damage Assad. The fact remains that the Islamic State is a killing entity bent on global dominance, and Turkey must either work to eradicate it or, by default, enable it.

## VI. FETHULAH GÜLEN

Another burr in relations between the U.S. and Turkey is the spat between Erdoğan and Fethullah Gülen. According to his own website, “Fethullah Gülen is an authoritative mainstream Turkish Muslim scholar, thinker, author, poet, opinion leader and educational activist who supports interfaith and intercultural dialogue, science, democracy and spirituality and opposes violence and turning religion into a

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<sup>154</sup> Frederik Pleitgen, *Russia's Military in Syria: Bigger than you Think and Not Going Anywhere*, CNN (9 May 2016), <http://www.cnn.com/2016/05/09/middle-east/russia-military-syria/index.html>.

<sup>155</sup> *Id.*

political ideology”<sup>156</sup>. While Gülen is a devout Muslim, he also strongly favours a more Western-styled democracy. This frequently causes him to be sharply critical of Erdoğan and the AKP. Given that these clashes often revolve around Erdoğan’s authoritarian streak (including his suppression of social media access and harassment of journalists), Gülen has established a significant following among the Turkish people.

In October 2014, in a move that is consistent with Erdoğan’s behaviour towards those critical of his policies, Turkey’s Security Council—with Erdoğan chairing—labeled the Gülen Movement as a national security threat<sup>157</sup>. The situation is further complicated for the U.S. by virtue of the fact that Gülen lives in Pennsylvania, and Erdoğan believes that he should be extradited<sup>158</sup>. In his September 2014 appearance at the Council on Foreign Relations in New York, Erdoğan described the situation:

And we have expressed and explained this organisation to President Obama and others in the United States, because if we are model partners, if we have a strategic partnership, then—and since we deliver terrorists or anyone that the U.S. would want from us, we would expect the same in return. Somebody who is threatening national security in our country resides in Pennsylvania, and so, we ask that he be deported and that he be given to us. That’s what befits a model partnership. I hope that the Turkish and the U.S. administrations will cooperate in fighting against this organisation, which constitutes a threat to both countries<sup>159</sup>.

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<sup>156</sup> *Introducing Fethullah Gülen*, FETHULLAH GÜLEN (8 Apr. 2010), <http://fgulen.com/en/fethullah-gulens-life/about-fethullah-gulen/introducing-fethullah-gulen>.

<sup>157</sup> Ted Galen Carpenter, *Turkey: NATO’s Loose Cannon*, CATO (18 Dec. 2014), <http://www.cato.org/publications/commentary/turkey-natos-loose-cannon>.

<sup>158</sup> Ilan Berman, *U.S.-Turkey Ties in Danger*, USA TODAY (13 May 2014), <http://www.usatoday.com/story/opinion/2014/05/13/us-turkey-obama-istanbul-foreign-policy-column/8974009/>.

<sup>159</sup> *Turkish President Erdoğan on ISIS*, *supra* note 30.

Of course, because Gülen operates out of Pennsylvania, the First Amendment protects his right to be critical of the Turkish government, and there are no grounds for his extradition. Even so, this disagreement over the right to criticise one's own government highlights just how far Erdoğan and the AKP have moved Turkey.

## CONCLUSION

On paper, the U.S. and Turkey are allies in the War on Terror and through NATO. Leaders of both countries will publicly state that the alliance is of immense importance and as strong as ever. But, reality suggests something different. The Turkish people remain overwhelmingly cool to the U.S.<sup>160</sup> and evenly divided on the direction that Erdoğan has charted for their country<sup>161</sup>. Erdoğan's government seems to only be interested in an alliance with the U.S. if and when it is convenient. While this is fairly common within alliances, it leads one to question the future of the strategic relationship between the two countries.

If left wholly to their own preferences, many signs indicate that Erdoğan and the AKP would choose an Islamic authoritarian form of government. This preference presents a clear challenge to the future of the alliance between the U.S. and Turkey. The direction that Turkey ultimately chooses will not only have a significant impact on the future of the alliance, but also on the U.S.-led fight to quell and defeat Islamic terrorism.

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<sup>160</sup> *Chapter 1: The American Brand*, PEW RESEARCH CTR. (14 July 2014), <http://www.pewglobal.org/2014/07/14/chapter-1-the-american-brand>.

<sup>161</sup> *Turks Divided on Erdoğan and the Country's Direction*, PEW RESEARCH CTR. (30 July 2014), <http://www.pewglobal.org/2014/07/30/turks-divided-on-erdogan-and-the-countrys-direction>.