CYCLES OF EUROPEANIZATION IN TURKEY: THE DOMESTIC IMPACT OF EU POLITICAL CONDITIONALITY

Sinem Akgül Açıkmeşe[1]
TOBB-University of Economics and Technology, Ankara

Abstract:
This article deals with the underlying dynamics of the flux in the political reform process in Turkey, and the role of EU membership conditionality in triggering those dynamics within the conceptual borders of Europeanization. It argues that ups and downs in Turkey's democratization process can only be grasped with the presence/absence of EU conditionality coupled with endogenous and exogenous factors that affect its operability. In other words, conditionality led to Europeanization between 2002-2005 when facilitating factors (i.e. member states' as well as EU's commitment to Turkish accession, the coherent accession strategy of the Union, support at the governmental, elite and societal level) interacted without any salience of one over another. On the contrary, in 2005, Europeanization in Turkey entered a reversed cycle with the absence or limited existence of the above-forces necessary to bring about any domestic change. Thus, this paper employs an understanding of the cycles of change in Turkish domestic politics through not only conditions-compliance dichotomy *per se*, but the interplay of domestic and European level forces that render conditionality conducive to Europeanization.

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Keywords: Europeanization, EU conditionality, Turkey´s democratization progress, Turkey´s domestic politics.

Resumen:
Este artículo trata sobre las dinámicas subyacentes al proceso de reforma política en Turquía y el papel de la condicionalidad vinculada con la entrada en la UE en servir de detonante de esas mismas dinámicas dentro de los parámetros conceptuales de la europeización. Se argumenta que los altibajos en el proceso de democratización de Turquía sólo pueden ser entendidos teniendo en cuenta la presencia/ausencia de la condicionalidad de la UE junto con factores tanto endógenos como exógenos que afectan su operatibilidad. En otras palabras, la condicionalidad llevó a la europeización entre 2002 y 2005 cuando factores facilitadores (es decir, los compromisos de los estados miembros y de la misma UE hacia el acceso de Turquía, la estrategia coherente de acceso, apoyo a nivel gubernamental, de las élites y de la sociedad), interactuaron sin que ninguno destacase sobre el otro. En claro contraste, a partir del 2005, la europeización en Turquía entró en un ciclo contrario con la ausencia o la limitada existencia de las fuerzas mencionadas más arriba, necesarias para forzar cambio doméstico alguno. Por ello, este artículo emplea un concepto de los ciclos de cambio en la política doméstica turca no sólo a través de la dicotomía condiciones/cumplimiento per se, sino también la interacción de fuerzas a nivel doméstico y europeo que hacen que la condicionalidad lleve a la europeización.

Palabras clave: *Europeización, condicionalidad de la UE, progreso de democratización de Turquía, política doméstica de Turquía.*

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[1]Assistant Professor Sinem Akgül Açıkmeşe of International Relations at the TOBB-University of Economics and Technology in Ankara/Turkey. Her research interests include Security Studies, European security, European integration and enlargement as well as Turkey-EU relations.

1. Introduction

The Helsinki Summit of December 1999 that declared Turkey as a candidate country destined to join the EU on an equal-footing with the other candidates, marked a turning point in Turkey-EU relations in general and Turkey's democratization process in particular. Since then, through constitutional amendments in 2001 and three harmonization packages endorsed by the coalition government formed by Democratic Left Party (DSP), Motherland Party (ANAP) and Nationalist Action Party (MHP) in 2002, Turkey embarked upon a process of wide-ranging political reforms to redress its shortcomings vis-à-vis the Copenhagen criteria.[2] The new government formed by Justice and Development Party (AKP) after the elections on 3 November 2002, followed this trend of reforms and adopted four more harmonization packages in 2003 and one in 2004.[3] Based on Turkey's progress in compliance to EU's democratic norms and values almost through revolutionary steps, the Commission declared that Turkey has "sufficiently" fulfilled the political criteria and recommended the Council to open accession negotiations with Turkey. According to the historic decision of the European Council on 17 December 2004, accession negotiations with Turkey commenced on 3 October 2005. Ironically, it was around the timing of this momentous decision in the history of Turkey-EU relations that the reform process in Turkey was reversed.

The aim of this chapter is to explain the underlying dynamics of the flux in the political reform process in Turkey, and the role of the EU conditionality in triggering those dynamics within the conceptual borders of Europeanization. First, it offers a brief discussion on the concepts of Europeanization and clarifies how and under what circumstances membership-political conditionality converts into Europeanization of domestic politics of any candidate country. In this context, this article argues that conditionality *per se* cannot result in domestic change, and should be filtered through a combination of mediating endogenous and exogenous elements. Second, it analyzes the contents and the reasons of the sea change in Turkish politics between 2002 and 2005, by arguing that although the primary impetus for the first cycle of change was the operation of the conditionality mechanism, it was not the conditions-compliance dichotomy *per se* that led to the gradual Europeanization of Turkish domestic politics. This unique political transformation of Turkey was also driven by facilitating factors both at the domestic and European levels that had their immediate implications on the efficacy of conditionality. Third, it focuses on the reversed-Europeanization path of Turkish domestic politics since 2005, and argues that EU conditionality mechanism that should have been more powerful with the opening of the accession negotiations was almost insufficient to forge continuity with the previous cycle of reforms. This part also suggests that conditionality should be backed up with other forces in order to understand the period of inertia in Turkey's further democratization on its road to EU membership.

Ups and downs in Turkey's democratization process can only be grasped with the presence/absence of EU conditionality coupled with inside/outside factors that affect its operability. In other words, conditionality led to Europeanization when facilitating factors (i.e. member states' as well as EU's commitment to Turkish accession, the coherent accession strategy of the Union, support at the governmental, elite and societal level) interacted without any salience of one over another. On the contrary, in 2005, Europeanization in Turkey entered a reversed cycle with the absence or limited existence of the above-forces necessary to bring

[2] For the definition of harmonization package see *Political Reforms in Turkey* (2007): Ankara, Secretariat General for EU Affairs, p. 4.
[3] *Ibid.*

about any domestic change. Thus, this article employs an understanding of Europeanization of Turkish domestic politics through not only membership conditionality alone, but also through the interplay of domestic and European level forces that render conditionality conducive to Europeanization.

2. Conceptualizing EU´s Domestic Impact: Europeanization by Conditionality

In its contemporary widespread usage, Europeanization is conceptualized as the process of change at the domestic level due to the pressures generated at the EU level, thereby linking this new research framework straightforwardly to EU studies accommodated within the prism of Political Science. However, an in-depth research on conceptual understanding of Europeanization would manifest the term's diversified application in a variety of disciplines of Social Sciences ranging from history to economy.

Within the contours of *history*, Europeanization is mainly identified with the "export of European authority, institutional organization and social practices, social and cultural beliefs, values and behavior" mainly through "colonialization, coercion and imposition".[4] Following this general trend in historical interpretations, Mjoset argues that "from the long 16th century to the last turn of the century, Europeanization implied the extension of the European state system outside its core area" and this took place particularly through coercive imperial endeavors such as the ones by Britain, France, Spain and Portugal.[5] However, historians of the modern era attach two different meanings to the concept of Europeanization which deviate from the early accounts emphasizing the coercive and outward-looking characterization of the term. Some argue that "Europeanization has often meant adaptation to West European norms and practices, acknowledging the 'pull' to convergence of the major powers of the region", thereby focusing on the voluntary importation of the European norms and practices.[6] In this context, the mechanism for Europeanization is "imitation and voluntaristic borrowing from a successful civilization" since after the "European states have lost their world hegemony, hierarchical command and coercion are less likely to be the most important processes for spreading European institutions outside Europe".[7] On the other hand, some reject those outward-looking definitions of Europeanization as taking place outside the continent, and instead argue that in the 20th century Europeanization must be understood as an inward-looking phenomenon in the shape of an "integration process within Europe as a region".[8]

[4] Featherstone, Kevin: "Introduction: In the Name of Europe", in Featherstone, Kevin and Radaelli, Claudio M. (eds.) (2003): *The Politics of Europeanization*, Oxford, Oxford University Press, p. 6; Olsen, Johan P.: "Many Faces of Europeanization", *Journal of Common Market Studies*, vol. 40, no. 5 (December 2002), p. 938. For a detailed historical perspective on Europeanization see Geyer, Michael: "Historical Fictions of Autonomy and the Europeanization of National History", *Central European History*, vol. 22, no. 3-4 (September-December 1989), pp. 316-342 and Mjøset, Lars (1997): *The Historical Meanings of Europeanisation*, Arena Working Papers no. 24, Oslo, University of Oslo.

[5] Mjøset, *op. cit.*

[6] Diamandouros, Nikiforos (1994): *Cultural Dualism and Political Change in Post-Authoritarian Greece*, Estudios-Working Papers, No. 50, Madrid, Centro De Estudios Avanzados en Ciencias Sociales; quoted from Featherstone, *op.cit.*, pp. 6-7.

[7] For these interpretations see Olsen, *op.cit.*, p. 937-938.

[8] Mjøset, *op.cit.*

From an *anthropological* perspective, Europeanization is widely depicted as a "strategy of self-representation and a form of identification"[9] "in a manner which relativizes (without necessarily supplanting) national identities"[10]. Thus, it is a process of labeling self as European, in other words creating a European identification through relations with others that involves "everyday encounters and face-to-face interactions where people work with stereotypes and construct commonalities and differences".[11] So far, anthropologists have studied the empirical aspects of Europeanization in various practices including drinking habits, ideology, tourism, sports, money and etc.[12] This anthropological conceptualization of the term is also deeply intertwined with its widespread usage in the context of Cultural Studies where Europeanization is envisaged as "increasing transnationalism, that is the diffusion of cultural norms, identities, and patterns of behavior on a cross-national basis within Europe".[13] Undoubtedly, it is through these forces of cultural exchange that the formation of European identification in an anthropological sense can be materialized.

The argument that "transnational and intercultural relations are judged to be on the rise in Europe due to the forces of globalization"[14] links the cultural and anthropological perspectives on Europeanization to its conceptualization in the view of *political economy*.[15] Europeanization from an international political economy perspective is inextricably bound with the progress of globalization which not only gives rise to the above-mentioned intercultural interactions, but forces "countries grow more interdependent and consequently more vulnerable to impulses transmitted by the international system".[16] In order to alleviate the negative effects of globalization, "many countries choose regionalism as the way to further integrate themselves in the world economy and to achieve collective action in the international arena".[17] In this respect, the formation of "various modes of inter-state cooperation, up to and including regional integration" in Europe is understood as Europeanization from the perspective of economists.[18] In conclusion, "Europeanization becomes the European response to globalization" as Helmut Kohl once put forward.[19]

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[9] Borneman, John and Fowler, Nick: "Europeanization", *Annual Review of Anthropology*, vol. 26, no. 1 (October 1997), p. 493.

[10] Harmsen, Robert and Wilson, Thomas M.: "Introduction: Approaches to Europeanization", *Yearbook of European Studies*, vol. 14 (2000), p. 17.

[11] MacDonald, Maryon (1995): *Towards an Anthropology of the European Union*, Brussels, European Commission, pp. 7, 12, 15; quoted from Borneman and Fowler, *op.cit.*, p. 498.

[12] For some examples of Europeanization literature with an anthropological perspective see Gransow, Volker: "The End of Ideological Age: The Europeanization of Europe", *Argument*, vol. 24 (March 1982), pp. 299-300; Olafsdottir, Hildigunnur et.al.: "The Europeanization of Drinking Habits in Iceland after the Legalization of Beer", *European Addiction Research*, vol. 3, no. 2 (1997), pp. 59-66 and Borneman and Fowler, *op.cit.*, pp. 487-514.

[13] Featherstone, *op.cit.*, p. 7

[14] Harmsen and Wilson, *op.cit.*, p.18.

[15] For this perspective see, Escribano, Gonzalo and Lorca, Alejandro: "The Ups and Downs of Europeanisation in External Relations: Insights from the Spanish Experience", *Perceptions*, vol. 9 (Winter 2004-2005), pp. 131-158.

[16] Andersen, Jeffrey: "Europeanization in Context: Concept and Theory", in Dyson, Kenneth and Goetz, Klaus (eds.) (2003): *Germany, Europe and the Politics of Constraint*, Oxford, Oxford University Press, p. 40. For detailed information on the link between Europeanization and globalization see Rosamond, Ben: Review Article: Globalization and Europeanization", *Yearbook of European Studies*, vol. 14 (2000), pp. 261-274 and Hennis, Marjoleine: "Europeanization and Globalization: The Missing Link", *Journal of Common Market Studies*, vol 39, no. 5 (December 2001), pp. 829-850.

[17] Escribano and Lorca, *op.cit.*, p. 133.

[18] Andersen, *op.cit.*, p. 41.

[19] Quoted from Escribano and Lorca, *op.cit.*

Since 1990s the concept of Europeanization has become the new spotlight of *political scientists* specialized in European integration issues at a time when the EU was preoccupied with deepening at all fronts through completing its internal market, consolidating its various policy areas ranging from environment to social policy, moving towards a single currency, and sowing the seeds of a common foreign and security policy with the hope of achieving *finalité politique*, all having direct effects on the domestic systems of member states. For the scholars of EU integration having their origins either in *International Relations* or *Comparative Politics*, Europeanization appeared as a new research agenda for understanding the dynamics of integration both at the supranational and domestic levels. Since then, three different conceptualizations of the term emerged within the boundaries of political science[20].

Following the traditional trend on understanding European integration through the prisms of the neo-functionalist and/or intergovernmental theories, the first conceptualization of the term concentrates on the creation of a European center with a collective action capacity.[21] In this 'bottom-up' approach, Europeanization is the "evolution of European institutions as a set of new norms, rules and practices".[22] Likewise, in a project conducted by European University Institute of Florence, Europeanization was defined as "the emergence and development at the European level of distinct structures of governance, that is, of political, legal and social institutions that formalize and routinise interactions among the actors, and of policy networks specializing in the creation of authoritative European rules".[23] However, Europeanization-from-below perception equates the term with the concept of integration, thereby risking its relevance due to duality of terms. The concept of integration is concerned with the "construction of a European center or perhaps a European whole", as suggested by its etymology; whereas it offers nothing in analyzing the effects of integration on member states.[24] Thus, in order to delineate the boundaries of two concepts, *Risse et.al.* frame a new understanding on Europeanization having primarily a top-down approach flavored with a focus on the domestic impacts of integration as a dependent variable. In their work, Europeanization is defined as:

> the emergence and the development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with the problem solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative European rules.[25]

Yet, by employing the domestic changes stemming from the process of integration in this new framework, they bring forward a broader conceptual understanding than the concept of integration offers.

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[20] This understanding of Europeanization in political science has been extracted from Aydin, Mustafa and Acikmese, Sinem: "Europeanization through EU Conditionality: Understanding The New Era In Turkish Foreign Policy", in Verney, Susannah and Ifantis, Kostas (eds.) (2009): *Turkey's Road to European Union Membership: National Identity and Political Change*, Abingdon/New York, Routledge, pp. 49-60.

[21] This dimension of Europeanization has been applied within various policy areas ranging from broadcasting to airlines policy. For references see Featherstone, *op.cit.*, p. 10.

[22] Börzel, Tanja: "Pace-Setting, Foot-Dragging and Fence-Sitting: Member State Responses to Europeanization", *Journal of Common Market Studies*, vol. 40, no. 2 (June 2002), p. 193.

[23] Quoted from Harmsen and Wilson, *op.cit.*, p. 14.

[24] *Ibid.*, p.19.

[25] Risse, Thomas *et.al.*: "Europeanization and Domestic Change: Introduction", in Cowles, Maria Green *et al.* (eds.) (2001) *Transforming Europe: Europeanization and Domestic Change*, Ithaca, Cornell University Press, p. 3.

The mirror-image of this first conceptualization that has a 'top-down' connotation reflects Europeanization as a process of domestic change that can be attributed to European integration.[26] The most cited definition in this 'Europeanization- from-above' approach suggests that it is a "process reorienting the direction and shape of politics to a degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making".[27] Apart from politics, policies and polity, the domains of change at the domestic level is generally seen in a wider spectrum covering styles, informal rules, ways of doing things, shared beliefs and norms.[28] Nevertheless, this dimension of Europeanization by focusing solely on the change at the domestic level triggered by European structures seems to neglect the fact that those European structures "do not come out of the blue, but are the result- among others- of political action by domestic actors who shift domestic issues to the European level".[29] In this respect, the 'top-down, but?' approach of *Dyson* and *Goetz* deserve special attention, who argue that "while bestowing analytical primacy to the impact of European integration on the domestic level", they argue that Europeanization is a catalyst for recasting integration by seeking to upload domestic institutional models, policy preferences and 'ways of doing things' to the EU level". However, they see downloading of EU structures as the defining and uploading as the secondary or accompanying property of Europeanization[30].

The third conceptualization of Europeanization in literature is a sum of the top-down and bottom-up approaches. Many scholars have merged these two perspectives and ended up with a synthesized conceptualization.[31] In this context, Europeanization can be portrayed as "an ongoing, interactive and mutually constitutive process of change linking national and European levels, where the responses of the Member States to the integration process feed back into EU institutions and policy processes and vice versa".[32] This synthesized approach considers Europeanization as a cycle of interactions and change at all levels, and does not attach any analytical primacy either to center-building or to domestic change, instead consider them coexisting in a vicious circle.

However, for analytical purposes of research this cycle should be stopped at one point in order to achieve methodological consistency. As argued by Major, "being bound up in a circular movement is of little help as it blurs the boundaries between cause and effect, dependent and independent variable".[33] In this respect, selection of one dimension of this

[26] For top-down approaches see Ladrech, Robert: "The Europeanization of Domestic Politics and Institutions: The Case of France", *Journal of Common Market Studies*, vol. 32, no. 1 (March 1994), pp. 69-88; Knill, Christoph and Lehmkuhl, Dirk: "How Europe Matters: Different Mechanisms of Europeanization", *European Integration Online Papers*, no. 3 (June 1999), at http://eiop.or.at/eiop/texte/1999-007a.htm; Hix, Simon and Goetz, Klaus: "Introduction: European Integration and National Political Systems", *West European Politics*, vol. 23, no. 4 (July 2000), pp. 1-26.

[27] Ladrech, *op.cit.*, p. 69.

[28] Radaelli, Claudio: "Whither Europeanization? Concept Stretching and Substantive Change", *European Integration Online Papers* no. 4 (2000), p. 3; at http://eiop.or.at/eiop/texte/2000-008a.htm. For the differences between politics, policies and polity see Börzel, Tanja A. and Risse, Thomas: "Conceptualizing the Domestic Impact of Europe", in Featherstone, *op. cit.*, p. 60.

[29] Vink, Maarten: *What is Europeanization? and Other Questions on a New Research Agenda*, at http://www.essex.ac.uk/ECPR/publications/eps/onlineissues/autumn2003/research/vink.htm.

[30] Dyson, Kenneth and Goetz, Klaus, "Living with Europe: Power, Constraint and Contestation", in Dyson, Kenneth and Goetz, Klaus (eds.) (2003): *Germany, Europe and the Politics of Constraint*, Oxford, Oxford University Press, p.14.

[31] For synthesized perspectives see Börzel, *op.cit.*, pp. 193-214; Featherstone, *op.cit.*; Radaelli, *op.cit.*

[32] Major, Claudia: "Europeanisation and Foreign and Security Policy: Undermining or Rescuing the Nation State?", *Politics*, vol. 25, no. 3 (September 2005), p. 177.

[33] *Ibid.*

process, either top-down/downloading or bottom-up/uploading, will bring more methodological clarity. Since the aim of this article is to understand the ups and downs in the political reform process in Turkey stemming from the EU leverage within the conceptual borders of Europeanization, the term will be applied in its top-down version implying change at the domestic level triggered by the dynamics of European integration.

The domestic level should not overall be understood within the sole context of EU member states, rather the term is generally conceptualized as "also covering the consequences of fulfillment of EU requirements and of voluntary orientation towards EU standards in candidates". [34] In the case of applicant countries Europeanization can be framed as a research agenda for understanding the gradual compliance with EU accession criteria, in return for which admittance to the EU Club is granted as a reward. The concept of conditionality lies at the heart of this framework and used as a tool for explaining the transformative power of the EU on applicant states.

As defined by Smith, "conditionality entails the linking, by a state or international organization, of benefits desired by another state to the fulfillment of certain conditions".[35] In the case of the EU, conditionality is the most effective foreign policy tool of the Union in its relations with third countries, which functions through "reinforcement by reward".[36] In other words, EU offers rewards (varying from aid to institutional ties in the form of concluding various agreements of trade, cooperation, association and even accession as well as forging other mechanisms of relationship through political dialogue and common strategies) in return for its demanded principles and norms to be adopted by the third country/countries concerned.[37] Furthermore, the EU has a specific type of *reinforcement by reward* clause defined as "membership conditionality", which fosters accession to the Union through the adoption of certain criteria by the applicant countries developed since the first enlargement of UK, Ireland and Denmark as customary practice and codified into main texts of the EU (i.e. treaties, presidency conclusions, accession partnerships and progress reports).[38] By and large, membership conditionality embodies *Article 49 of the Treaty on the EU* focusing on Europeanness and adherence to the main values of the EU such as "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights of persons belonging to minorities",[39] the infamous *Copenhagen criteria* divided into political, economic

[34] *Ibid.*, p. 178; for a detailed account on Europeanization of candidates see Grabbe, Heather: "How Does Europeanisation Affect CEE Governance? Conditionality, Diffusion and Diversity", *Journal of European Public Policy*, vol. 8, no. 6 (December 2001), pp. 1013-1031; Lippert, Barbara *et al.*: "Europeanisation of the CEE Executives: EU Membership Negotiations as a Shaping Power," *Journal of European Public Policy*, vol. 8, no. 6 (December 2001), pp. 980-1012.

[35] Smith, Karen E.: "The Evolution and Application of EU Membership Conditionality", in Marise Cremona (ed.) (2005): *The Enlargement of the European Union*, Oxford, Oxford University Press, p. 108.

[36] For the mechanism of reinforcement see, Schimmelfenning, Frank *et al.*: Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey", *Journal of Common Market Studies*, vol. 41, no. 3 (June 2003), p. 496.

[37] For the instruments of the EU at its disposal that could be used as rewards see, Smith, Karen (2003): *European Union Foreign Policy in a Changing World*, Cambridge, Polity, pp. 60-61.

[38] For the evolution of accession criteria through various waves of enlargement see Smith, "The Evolution and Application of EU Membership Conditionality", *op. cit.*, p. 105-139.

[39] Article 49 of the TEU stipulates that "any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union". According to the Article to of the TEU as amended by the Lisbon Treaty , "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail".

and adoption of EU *acquis* fractions,[40] the *Madrid criterion* of effective implementation of adopted norms through appropriate administrative and judicial structure as well as the *Helsinki criteria* of good neighborliness and higher standards for nuclear safety.[41]

The Luxembourg decision that manifests compliance with the Copenhagen political criteria as a prerequisite for the opening of any accession negotiations put the political one at the top of the conditionality hierarchy.[42] Schimmelfennig et al. define political (or democratic) conditionality as the core strategy of the EU to induce candidate states to comply with its principles of legitimate statehood as defined by human rights, liberal democracy and rule of law.[43] Even though those values and principles are alleged to be vaguely defined that are justified through the very short and unclear sentence of the Copenhagen Presidency Conclusions and the non-existence of their explicit definitions by the Union, the EU is implicitly elaborating those contents of political conditionality mostly through Commission's opinions on various applications, accession partnership documents and progress reports since 1998.[44] For example, according to the European Commission's Agenda 2000 reports of 1997, the condition on the respect for minorities includes the adoption of the Council of Europe's Framework Convention for the Protection of National Minorities.[45] Thus, pressures for domestic adaptation to EU's democratic norms are embedded not only in the abstract reading of the Copenhagen political criteria, but also in the detailed and implicit wording of various enlargement documents.

As explained by Tocci in the Turkish case, in a straightforward manner, EU political conditionality creates a "linear relationship between externally demanded conditions that are accepted domestically by adopting (constitutional, legal and administrative) reforms".[46] In this simplistic approach, the output of conditionality would only be an "instrumental" and "utilitarian" adaptation in the form of rule-transfer to the demands of the EU as an external power imposing change from above. [47] In other words, while the prospect of EU membership as the golden-carrot acts as a major catalyst for reforms through the adoption of EU rules, EU conditionality *per se* cannot solely lay the ground for genuine domestic change in a candidate

[40] "Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union." *European Council in Copenhagen:* "Conclusions of the Presidency" *European Union (EU), European Council*, Copenhagen (21-22 June 1993), at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/72921.pdf.

[41] For the Madrid criterion see "Madrid European Council", *Bulletin of the European Communities*, no. 12 (1995), p. 18. For the Helsinki statements on conditionality see paragraphs 4 and 7 of Helsinki European Council, 10-11 December 1999, at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/ACFA4C.htm.

[42] See paragraph 25 of Luxembourg Presidency Conclusions, 12-13 December 1997, at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/032a0008.htm.

[43] For these definitions see Schimmelfennig *et al*., "Costs, Commitment and Compliance", *op. cit.*, p. 495 and Schimmelfennig, Frank et *al*.: "The Impact of EU Political Conditionality", in Schimmelfenning, Frank and Sedelmeier, Ulrich (eds.) (2005): *The Europeanization of Central and Eastern Europe*, Ithaca, Cornell University Press, p. 29.

[44] For the claims on ambiguity see Smith, "The Evolution and Application of EU Membership Conditionality", *op. cit.*, p. 115; Grabbe, Heather: "European Union Conditionality and the *Acquis Communautaire*", *International Political Science Review*, vol. 23, no. 3 (July 2002), p. 249, 251.

[45] Smith, "The Evolution and Application of EU Membership Conditionality", *op. cit.*, p. 116.

[46] Tocci, Nathalie: "Europeanization in Turkey: Trigger or Anchor for Reform", *South European Society and Politics*, vol. 10, no. 1 (April 2005), p. 75.

[47] For the arguments of instrumentality and utilitarianism see Kubicek, Paul: "The European Union and Grassroots Democratization in Turkey", *Turkish Studies*, vol. 6, no. 3 (September 2005), p. 364.

country. Sea change in domestic politics of a candidate country requires not just rhetorical or formal compliance as a show-off for obtaining membership, but also effective implementation of the transferred rules as well as the acceptance and internalization of the adopted norms by the society at large.[48] Europeanization in its fully-fledged definition of transformed politics, policies and polity as well as the styles, informal rules, ways of doing things, shared beliefs and norms can only be relevant in this broader picture of formal compliance to EU democratic practices as well as their implementation and embracement by society. The latter could only be achieved through the political conditionality tool interacting with other forces at various levels. In other words, by forging pressures for rule-transfer EU conditionality is a necessary but not sufficient mechanism for domestic change. Whether conditionality challenges the *status quo* of a candidate country depends on the existence of some factors facilitating genuine change through political reforms. Thus, Europeanization in a political context is relevant only when democratic conditionality operates effectively through the dynamics that can be defined as *facilitating*, *mediating* or *efficacy* factors.

The most cited work on the domestic impact of EU conditionality on candidate countries by Schimmelfennig *et al.*, identifies three domestic and one European-level mediating factors that are crucial for understanding the existence and the degree of democratic change in response to the pressures of adaptation triggered by conditionality: First factor defined as the *costs of compliance* suggests that if the costs of adaptation to EU norms (in the form of negative effects to the security and integrity of the state, the government's domestic power base and its core practical practices for power preservation) are lower than the rewards, then conditionality will be effective. Secondly, the target *government's commitment to Europe* and its identification with the EU affect the implementation of conditionality. The third mediating factor is related with the *societal responsiveness* to the EU membership depending on the society's identification with the EU norms and standards as well as the material expectations deriving from accession. Furthermore, they also suggest that legitimacy and the coherence of EU conditions determine the degree of adaptation, and double standards in conditionality will fail to exert the same compliance pull. [49] The salience of endogenous factors and the neglect of the existence and continuity of EU commitments to the candidate country in concern as well as the member states' consistent policies are also apparent in Kubicek's article on Turkey. However, Kubicek fills the gap of the previous article by adding the supportive role of the *veto players* as facilitating the move to Europeanization. The role of veto players for the efficacy of conditionality is defined by Risse *et al.* in their book on the domestic impact of Europeanization on member states which could also be used for the applicant states:

> The existence of multiple veto points in a given policy-making structure has been identified as a major factor impeding structural adaptation. The more power dispersed across the political system and more actors have a say in political decision making, the more difficult it is to foster domestic consensus or winning coalition necessary to introduce institutional changes in response to Europeanization pressures[50].

Moreover, Kubicek differentiates the societal responsiveness of civil society institutions and the opinion of mass public, and argues that these two elements of societal support from-below

[48] Hughes, James *et al.* (2004): *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe: The Myth of Conditionality*, Houndmills, Palgrave Macmillan, p. 11; Kubicek, *op. cit.*, p. 362.
[49] Schimmelfennig et al., "Costs, Commitment and Compliance", *op. cit.*, p. 499-501.
[50] Risse *et al.*, *op. cit.*, p. 9.

are essential in domestic transformation.[51] In line with the assertions of Schimmelfennig et al. and Kubicek, Tocci also prioritizes the explicability of the endogenous factors and focuses on the governmental commitments, role of civil society as well as the military in her article on Turkey's reform process.[52]

The exogenous factors are also crucial for grasping the degree to which genuine domestic change is expected. Borrowing the concepts of "temporality" or "time constraint" from Goetz, Ulusoy and Eralp both argue that EU's commitment to accession is vital in transforming the domestic politics of a country and for the well-being of bilateral relations, and this commitment is only apparent in time-tables, calendars, temporal rules, roadmaps and etc. in which candidacy, start of negotiations as well as their progress and final destination of membership are designated.[53] Ulusoy suggests that, "without a clear membership prospect, properly designed incentive structures and a time schedule tied to that, the hands of the reformist forces are extremely weakened". In addition to the EU commitments, the positive stance of member states towards the candidate country in question as well as a coherent and legitimate accession strategy are vital in understanding the presence and the degree of Europeanization as suggested by Öniş.[54]

On the contrary to the preferences of the salience of one factor over another as described above through some examples in the literature, this article suggests that political conditionality, or in other words the *conditions* (accession criteria), *reward* (membership prospects) and *compliance* (formal rule transfer) trilogy should be supplemented by the interplay of domestic (endogenous) and European (exogenous) factors in order to explain the dynamics of Europeanization of a candidate country. In this context, four factors at the domestic level (governmental commitment, costs of compliance, veto players and societal support) and three factors at the European level (EU commitment, member states' commitments and coherent EU conditions and strategies) will be used in order to understand to what extent membership conditionality was effective in the Turkish case and whether/when it led to the Europeanization of domestic politics in Turkey.

3. Europeanization by EU Political Conditionality: the Turkish Case

Since the Ottoman modernization movement of the 19th century, Turkey has a strategy of westernization, or in other words Europeanization as understood in the contours of *history*. This longest nourished endeavor of borrowing voluntarily the elements of the European civilization since *Tanzimat* has its repercussions in the formulation of the Turkish Republic's main motto of being recognized as a European state. Thus, Europeanization was reflected in the modernization reforms of 1923-1938 and in Turkey's ever presence in Europe through its membership to various European organizations, such as OECD, NATO, and Council of

[51] Kubicek, *op. cit.*, p. 361, 366-374.
[52] Tocci, *op. cit.*, p. 73, 75.
[53] Goetz, Klaus H. (2006): *Territory, Temporality and Clustered Europeanization*, Political Science Series 109, Vienna, Institute for Advanced Studies; Eralp, Atila: "The Role of Temporality and Interaction in the Turkey-EU Relationship", *New Perspectives on Turkey*, vol. 40 (Spring 2009), p. 148; Ulusoy, Kıvanç: "Turkey and the EU: Democratization, Civil-Military Relations, and the Cyprus Issue", *Insight Turkey*, vol. 10, no. 4 (October-December 2008), p. 60.
[54] Öniş, Ziya, "Turkey-EU Relations: Beyond the Current Stalemate", *Insight Turkey*, vol. 10, no. 4 (October-December 2008), p. 41.

Europe.[55] From the perspective of the *anthropological* studies on Europeanization, through various cultural interactions (i.e Euro-vision, Euro-league and etc. as well as exchanges with around 3,5 million of Turks living in Europe), Turkish people have a sense of belonging to Europe, alongside their belonging to the state's identity. As argued by Fırat "constructions of Turkish national identity and state sovereignty have increasingly become transnational phenomena emanating from places outside of the administrative boundaries of the Turkish nation-state", implying the anthropological impact of Europeanization in Turkey.[56] From the political economy version of Europeanization, Turkey since 1960s has been establishing close bonds with European economies through its association agreement which paved the way for the inception of the Customs Union on 31 December 1995. Moreover, Turkey's trade liberalization process of 1980s opened up Turkish economies to more interaction with its counterparts in Europe. Thus, Turkey's Europeanization history in economic terms emerged far earlier than the transformation of Turkish domestic politics in late 1990s, the flux of which can be analyzed within the prism of the political science understanding of Europeanization in its top-down version in this paper.

3.1. Europeanization of Turkish Domestic Politics from 1999 to 2005: The Miracles of Political Conditionality

The Helsinki declaration of Turkey's candidacy in 1999 is widely conceived as a critical moment that sparked sea change in Turkey at all fronts, including economics as well as foreign and domestic politics.[57] As argued by Keyman and İçduygu, "Helsinki Summit was an important turning point for Turkey-EU relations, for it defined what Turkey, as a candidate country should do in order to qualify as a full-member, even if it did not give Turkey a specific date to start accession negotiations".[58] Accordingly, due to the pressures generated by the EU to overcome the disparities between European values and Turkish interpretations of democracy, human rights and rule of law, Turkey has embarked upon a series of unprecedented radical reforms at the domestic front. In other words, Turkey was placed "within the stream of conditionality-compliance principles" at the Helsinki Summit, and since then gradual Europeanization of Turkish domestic politics is on track.[59]

Even though the Helsinki decision was the landmark in the initiation of political reforms, the pressures for change have been on the EU agenda since Turkey's application for membership in 1987. The misfit between European and Turkish democratic standards was criticized by the European Commission in its opinion on Turkey's application in 1989. The opinion confirming Turkey's eligibility for membership, but denying to begin accession negotiations noted that "although there have been developments in recent years in the human rights situation and in respect for the identity of minorities, these have not yet reached the

[55] For similar views see Müftüler Baç, Meltem: Turkey's Political Reforms and the Impact of the European Union", *South East European Society and Politics*, vol. 10, no. 1 (April 2005), p. 17, 19

[56] Fırat, Bilge: "Negotiating Europe/Avrupa: Prelude for an Anthropological Approach to Turkish Europeanization and the Cultures of EU Lobbying in Brussels", *European Journal of Turkish Studies*, vol. 9 (2009), p. 11-12.

[57] For a whole volume on Turkey's change at different levels due to EU membership prospects , see Verney, Susannah and Ifantis, Kostas (eds.) (2009): *Turkey's Road to European Union Membership: National Identity and Political Change*, Abingdon/New York, Routledge.

[58] Keyman, Fuat and İçduygu, Ahmet: "Introduction: Citizenship, Identity and the Question of Democracy in Turkey" in Keyman, Fuat and İçduygu, Ahmet (eds.) (2005): *Citizenship in a Global World: European Questions and Turkish Experiences*, Abingdon/New York, Routledge, p. 11.

[59] Ulusoy, Kıvanç (2005): *Turkey's Reform Effort Reconsidered, 1987-2004*, EUI Working Papers, No. 2005/28, Florence, European University Institute, p. 1.

level required in a democracy".[60] That level did not improve up until the inception of the Customs Union in 1995, which raised hopes for further democratization in Turkey. Indeed, between 1995 and 1998, the government has introduced some modest reforms designed to strengthen the functioning of democracy in Turkey. The most striking elements of those reforms were the right to any association to take part in political activities, the reduction in the minimum age of suffrage from 21 to 18 years, the extension of voting rights to Turkish citizens living abroad, and amendment to the Anti-Terror Law in order to improve the protection of freedom of expression by way of reducing the duration of imprisonment and the possibility of converting prison terms into fines as well as a legislation making spousal abuse illegal. As stated by the 1998 Regular Report, "this reform was the first such undertaken by a civilian government for a long time".[61] However, the scope of those reforms was not sufficient to lay the ground for a genuine political transformation, since they were not situated within the membership-conditionality-compliance trilemma. This shortcoming was also reiterated by the European Commission both in its Agenda 2000 reports and the 1998 Regular Report. Agenda 2000 stated that "despite political recognition of the need for improvement and certain recent legislative changes, Turkey's record on upholding the rights of the individual and freedom of expression falls well short of standards in the EU".[62] A similar view was apparent in the 1998 Regular Report:

> The actual upholding of civil and political rights enshrined in the Turkish constitution and law remains problematic. Cases of torture, disappearances and extra-judicial executions are recorded regularly. Freedom of expression is not fully assured and is subject to numerous restrictions. It should be noted that most of the disregard for civil and political rights is connected in one way or another with the way in which the government and the army react to the problems in the south-east of the country[63].

To sum up, even though premature steps were taken in Turkey's democratization path towards the EU standards since 1995, the candidacy status was the main impetus behind the ground-breaking political reforms of Turkey. However, the coalition government did not initiate an immediate response to the reform pressures up until late 2001, due to the emergency engagement with the financial crisis as well as the difficulties associated with overcoming the divisions among the parties forming the coalition about the reform process.[64] The government's "vigorous commitment to implementing the Copenhagen criteria both in the political and economic realms" after two years of bargaining opened a new era in Turkey-EU relations and Turkey's democratization process between 2002-2005, a period which is labeled as the "golden-age of Europeanization" by Öniş.[65]

The most prominent elements of the constitutional amendments of 2001 and 2004 as well as the eight harmonization packages adopted between 2002 and 2004, alongside the

[60] "Commission's Opinion on Turkey's Request for Accession to the Community", *European Union (EU), European Commission, SEC (89) 2290 final* (20 December 1989), paragraph 9.
[61] Even though Turkey was not declared as a candidate, the Commission began to issue Regular Reports on Turkey since 1998 alongside other candidates for membership. For the above statement and Turkey's advances in its reforms since 1995 see "Regular Report from the Commission on Turkey's Progress Towards Accession", *European Union (EU), European Commission* (4 November 1998), at http://ec.europa.eu/enlargement/archives/pdf/key_documents/1998/turkey_en.pdf.
[62] "Agenda 2000: Volume I-Communication for a Stronger and Wider Union", *European Union (EU), European Commission, DOC/97/6*, Strasbourg (15 July 2007), p. 80, at http://www.rcie.lodz.pl/dokumenty/pdf/agenda2000_for_a_stronger_and_wider_union.pdf.
[63] "Regular Report from the Commission on Turkey's Progress…", *op. cit.*, p. 9.
[64] Müftüler Baç, *op. cit.*, p. 21.
[65] Öniş, "Turkey-EU Relations", *op. cit.*, p. 38.

change in basic legal codes (i.e. the new Civil Code or the Anti-terror law) were the abolition of the death penalty, the freedom of expression, broadcasting in and learning of the different languages and dialects traditionally used by Turkish citizens in their daily lives, such as Kurdish and changing the composition and functions of the National Security Council as well as other reforms on the civilian control over the military.[66] *The death penalty*, not carried out since 1984 in Turkey, was abolished in the third harmonization package of 9 August 2002 except in times of war and the imminent threat of war as well as the crimes of terrorism. It was the sixth harmonization package that entered into force on 19 July 2003 that the death penalty was abolished in all cases including crimes of terrorism in line with the Protocol 6 of the European Convention on Human Rights ratified by Turkey on 12 November 2003. The constitutional amendments of 7 May 2004 also removed the expressions of death penalty from the text of the relevant articles. Within the context of *freedom of expression*, the most salient steps were the reduction from 6 years to 3 the upper limit of sentences as well as the minimum penalty from one year to six months for persons who openly insult or deride Turkishness in the first and seventh harmonization packages of 19 February 2002 and 7 August 2003 respectively, the abolition of the "fines stipulated for praising a criminal act, calling for disobedience to the law or inciting hatred on the basis of class, race, religion, sect or territory" in the first harmonization package, and finally the right of press not to reveal its sources of information "safeguarding the fulfillment of the function of press in a democratic society and the right of the public to be informed" in the fourth package of 11 January 2003.[67] The third harmonization package introduced the *right of broadcasting in and learning of the different languages and dialects* traditionally used by Turkish citizens. In this context, Article 4 of the Law of Radio and Television Enterprises and the Law on the Foreign Language Teaching Education were amended.[68] Finally, the prevailing demand of the EU was to provide *civilian control over the military* by way of changing the composition of the National Security Council (NSC), incorporating more civilians and a civilian Secretary General as well as aligning its role as an advisory body to the Government in accordance with the practice of EU member states. Accordingly, the Turkish Parliament passed a seventh reform package on 7 August 2003, changing the structure, composition and working procedures of the NSC. The government also appointed a new civilian Secretary General of the Council in August 2004 and introduced new rules of conduct for accountability and transparency[69].

Although the primary impetus for those substantial political reforms was the operation of the conditionality mechanism, it was not the conditions-compliance dichotomy *per se* that culminated in the golden-age of Europeanization. The political transformation of Turkey was also driven by exogenous and endogenous factors that had their immediate implications on the efficacy of conditionality. At the European level, the EU seemed to be committed to Turkish accession, member states were not designing alternatives to EU membership and Turkey did not relatively perceive double standards in the application of accession criteria and strategies. As argued by Öniş, a favorable external context *per se*, however, is insufficient and needs to be accompanied by a parallel process: the emergence of a strong political movement at home that is deeply committed to the reform process and to EU membership".[70] In this

[66] For a detailed account of reforms see "Political Reforms in Turkey", *op. cit.* and *Avrupa Birliği Uyum Yasa Paketleri* (2007): Ankara, Avrupa Birliği Genel Sekreterliği.
[67] "Political Reforms in Turkey…", *op. cit.*, pp., 6; 11; 15.
[68] *Ibid.*, p. 10.
[69] For the reforms about civil-military relations see, Heper, Metin: "The Justice and Development Party Government and Military in Turkey", *Turkish Studies*, vol. 6, no. 2, (June 2005), pp. 215-231; and Özcan, Gencer, "Facing its Waterloo Diplomacy: Turkey's Military in the Foreign-Policy Making Process", *New Perspectives on Turkey*, vol. 40 (Spring 2009), pp. 83-102.
[70] Öniş, "Turkey-EU Relations", *op. cit.*, p. 48.

context, alongside the exogenous factors, domestic environment was also conducive to Europeanization, through governmental commitments, public support, calculations of benefits and the non-presence of veto players.

When compared to the Luxembourg presidency conclusions of 1997 that confirmed Turkey's eligibility for membership but granted a special strategy for Turkey while putting the rest of the twelve candidates on the enlargement track, Helsinki decisions were a great sign of *EU commitment* towards Turkish accession. The fear associated with the deep resentment of Turkey that was reflected in the decision to freeze political dialogue with the EU that might result in Turkey's alienation from the European structures, the possibility of Turkey's retreatment from democratization process and non-involvement of Turkey in the newly established security understanding of the EU in its immediate periphery as a consequence of the conflicts in the Balkans led the EU to revise its enlargement strategy towards Turkey within just two years.[71] Accordingly, at the Helsinki Summit, the EU leaders declared that "Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States".[72] In other words, "Helsinki Summit did not give Turkey any definite timetable for beginning the accession negotiations, but it indicated that the EU took seriously Turkey's attempt to become a full member".[73] This optimistic picture drawn at the Helsinki Summit coupled with the aim of the opening of accession negotiations if/when the political criteria were fulfilled acted as a great leverage for the advancement of democratic reforms in Turkey. For Ulusoy, "EU conditionality produced positive results at a certain conjuncture when Turkey was under pressure to set a date to start accession negotiations". In other words, effective conditionality had a certain "time constraint" and the successive governments had to stick to reforms in order to get concrete commitments from the EU side in the form of a negotiating date.[74]

Alongside the EU's positive stance towards Turkey, *member states' commitments* to Turkish accession facilitated the conditionality mechanism's operability. Apart from the traditional support of Britain, Scandinavian countries and the newcomers, Turkey enjoyed commitment to its accession by Germany and Greece in the late 1990s. It was Germany under the leadership of Schröeder, who "provided the strongest support for Turkish membership in the process leading up to the crucial Helsinki decision of the EU Council in December 1999."[75] As argued by Eralp, the new government in Germany elected in 1998, "formulated an inclusionary policy towards the Turkish accession, emphasizing the significance of political and economic criteria in the process, rather than the religious and cultural factors underlined by the previous Christian Democrat government".[76] Moreover, due to the rapprochement between Turkey and Greece evident in the official visits of the prime ministers and ministers of foreign affairs; establishment of six bilateral working groups on issues such as trade, environment, culture, science and technology; ongoing exploratory talks between foreign ministries, talks on confidence-building measures; regular political consultations and modest but promising progress on the Cyprus' predicament, Greece became a strong

[71] For the change of strategy from Luxembourg to Helsinki see, Eralp, Atila: "Turkey in the Enlargement Process: From Luxembourg to Helsinki", *Perceptions*, vol. 5, no. 2 (June-August 2000), pp. 17-32.
[72] "Presidency Conclusions", *European Union (EU), European Council*, Helsinki (10-11 December 1999), at http://www.europarl.europa.eu/summits%20/hel1_en.htm#a.
[73] Keyman and İçduygu, *op. cit.*, p. 11.
[74] Ulusoy, "Turkey and the EU", *op. cit.*, p. 59.
[75] Öniş, "Turkey-EU Relations, *op. cit.*, p. 45.
[76] Eralp, "The Role of Temporality", op. cit., p. 156.

supporter of Turkish accession in the very first years of the millennium.[77] Up until the end of 2004 the major opponents of Turkish accession as of today, namely Germany and France were surprisingly backing Turkish membership bids. During a Summit meeting in Berlin in October 2004 between Chirac, Schroeder and Erdoğan, Chancellor Schroeder told that "we are both of the opinion that on December 17 it is about a decision that should give Turkey the opportunity to negotiate with the Commission with the explicit aim of Turkey joining the European Union and with no other aim".[78] By saying that "to ask a country like Turkey, a great country with a rich and long history, to make a considerable effort to reach a risky or partial result is not reasonable", Chirac was also against any option other than membership for Turkey.[79] Thus, the support of today's opponents to Turkey's full-membership was crucial in Turkish domestic transformation as a response to the adaptational pressures generated by the conditionality clause. If such commitment had not existed by then, Turkey would be in a pessimist mood about its accession to the EU which would have hindered its democratization process triggered by the prospect of EU membership.

In addition to the commitments of the EU and member states to Turkish accession, EU's *implementation of conditionality* in a relatively coherent manner and formulating accession strategies on an equal-footing with the other candidates relieved Turkey about being treated in double-standards. According to the 12th paragraph of the Helsinki presidency conclusions,

> Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms…Turkey will also have the opportunity to participate in Community programs and agencies and in meetings between candidate States and the Union in the context of the accession process. An accession partnership will be drawn up on the basis of previous European Council conclusions while containing priorities on which accession preparations must concentrate in the light of the political and economic criteria and the obligations of a Member State, combined with a national program for the adoption of the acquis.[80]

Thus, Turkey had a sense of belonging to the big-bang enlargement round alongside the Central and Eastern European candidates as well as Cyprus and Malta on an equal-footing. There is no doubt that this statement on equal-treatment created a favorable environment for responding to the demands of the EU for democratic reforms.

The domestic environment was also conducive to change as a reaction to conditionality. The AKP *government's commitment* to the EU accession process and democratic reforms is embedded in its ambitions to gain legitimacy by shedding "its Islamist past vis-à-vis the international community and secular establishment in Turkey" and to ensure survival since its predecessors having Islamist roots were successively banned by the Constitutional Court.[81] To prove this commitment to the EU accession process that was declared as an objective in the 2002 election manifesto, the government prepared two national programs for the adoption of the *acquis* respectively in 2001 and 2003, as responses to the accession partnership documents. The AKP Government also set up a Reform Monitoring

[77] Aydın, Mustafa and Açıkmeşe, Sinem: "The EU Anchor in Turkish-Greek Rapprochement", *The Bridge*, no. 9 (2008), p. 8.
[78] "France, Germany Reiterate Backing to Turkey's EU Bid", *Euractiv*, 27 October 2004, at http://www.euractiv.com/en/enlargement/france-germany-reiterate-backing-turkey-eu-bid/article-131575.
[79] "Chirac Backs Turkish EU Entry Bid", *BBC News* (16 December 2004), at http://news.bbc.co.uk/2/hi/europe/4100031.stm.
[80] "Helsinki European Council", *op. cit.*
[81] Tocci, *op. cit.*, p. 80.

Group in September 2003 tasked with monitoring the adoption and implementation of legislation in the fields of democracy, rule of law, fundamental rights and freedoms in a very high-profile formation involving various ministers themselves. Turkish government has also demonstrated its commitment to reforms and EU process in general by setting up human rights boards, responsible for handling human rights complaints.[82] Moreover, *compliance costs* were low in the majority of reforms, i.e. in the case of the abolition of the death penalty because Turkey had a moratorium in its application since 1987 and in the case of the extension of cultural rights to Kurdish people because PKK had renounced armed combat after the prosecution of its leader.[83] The reforms were also supported at the *elite level*, almost by consensus among all political parties at the Turkish Grand National Assembly albeit some resistance from MHP as well as by the military,[84] as well as at the *societal level*. As Kubicek puts, "many prominent business, academic, and human rights organizations have launched many projects with EU partners, lobbied for Turkish accession in Brussels, and put pressure on the Turkish government to adopt various reforms".[85] According to the Candidate Countries Barometer of 2002, 65 percent of Turkish people supported Turkey's accession as a 'good thing', and 73 percent thought that Turkey would benefit from enlargement.[86] Thus, voices from-below in Turkey were also calling for reforms for the sake of the country and for being a part of the Union.

3.2. Setbacks in Europeanization since 2005: The Inneficacy of Political Conditionality on Turkish Domestic Politics

The European Council in Brussels on 16-17 December 2004 welcomed the decisive progress made by Turkey in its far-reaching reforms since 2001 and declared that Turkey sufficiently fulfils the Copenhagen political criteria to open accession negotiations.[87] Based on this path-breaking decision in the history of Turkey-EU relations, the intergovernmental conference convened on 3 October 2005 to open accession negotiations with Turkey, almost 18 years after the membership application of Turkey. That optimism led to another reform package adopted by the Parliament in April 2006. Ironically, it was around those days that Europeanization was reversed in Turkey. The lowest moment was when the EU leaders decided in December 2006 to suspend negotiations on the eight of the 35 chapters until Turkey implements the Additional Protocol that extends the application of Turkey-EU Customs-Union fully by also admitting Greek-Cypriot aircrafts and ships to its ports.[88] Moreover, no chapter would be provisionally closed until the Commission verified that Turkey has fulfilled its commitments related to the Additional Protocol. This period marked

[82] *Ibid.*, p. 74.
[83] Schimmelfennig et *al.*, "Costs, Commitment and Compliance", *op. cit.*, p. 507-509.
[84] Kubicek, *op. cit.*, p. 366.
[85] *Ibid.*, p. 368. For more on the role of the civil society see, Göksel, Diba Nigar and Güneş, Rana Birden: "The Role of NGO's in the European Integration Process-The Turkish Experience", *South European Society and Politics*, vol. 10, no.1 (March 2005), pp. 57-72.
[86] "Candidate Countries Eurobarometer 2002", *European Union (EU), European Commission, Directorate General Press and Communication, Public Opinion Analysis*, at http://ec.europa.eu/public_opinion/archives/cceb/2002/cceb_2002_highlights_en.pdf.
[87] "Presidency Conclusions", *European Union (EU), European Council*, Brussels (16-17 December 2004), at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/ec/83201.pdf.
[88] These chapters are: Chapter 1: free movement of goods, Chapter 3: right of establishment and freedom to provide service, Chapter 9: financial services, Chapter 11: agriculture and rural development, Chapter 13: fisheries, Chapter 14: transport policy, Chapter 29: customs union and Chapter 30: external relations. *European Union (EU), General Affairs and External Relations*, 2770th Council Meeting (11 December 2006), at http://www.consilium.europa.eu /uedocs/cms_Data/docs/pressdata/en/gena/92122.pdf.

by the slowing-down the pace of reforms, the level of domestic change in Turkey is visualized as "loose-Europeanization" by Öniş.[89]

Since then, time is wasted in Turkey with the shift of the debate from democratic reforms towards elections where "the EU turned into a non-issue",[90] military warnings as in the case of the e-memorandum of April 2007, power struggles regarding the headscarf issue, political party closure cases and finally the so-called Ergenekon case. The victory of the 2007 elections had broadened the mandate of the AKP government, giving it every opportunity to adopt and implement reforms in line with EU demands. However, the government missed this opportunity of reviving the process of democratic change; and this inertia in reforms became subjected to criticisms in EU circles. The Commission in its 2008 Strategy Paper stated that "the pace of accession negotiations with Turkey reflects the pace of reform as well as the country's fulfillment of the relevant conditions. Turkey now needs to renew its political reform effort."[91] Moreover, the European Parliament in 1998 was "concerned to see in Turkey, for the third consecutive year a continuous slowdown of the reform process."[92]

Since Turkey was still a candidate for membership that began negotiating the adoption of the acquis with the EU and had to fulfill all the Copenhagen criteria in order to become a part of the Union, then what caused the paralysis in Turkey's democratic reforms? In other words, what were the underlying dynamics that circumscribed the power of conditionality on domestic change in Turkey? First at the European level, commitments of both the EU and the member states to Turkish accession were diminishing, and also the EU was losing its credibility in the application of its accession strategies coherently and legitimately.

The lack of *EU commitment* was apparent in the almost invisible progress of accession negotiations, through which only one chapter –science and technology- was provisionally closed, 12 opened so far and a few left to be opened due to the 2006 decision of the Council. EU's existential crises of enlargement fatigue and deepening in the form of a constitutional treaty were the main reasons why the EU was engaged with issues other than Turkey's accession. EU's lack of commitment was also coupled with the *changing attitudes of the member states* towards Turkish membership. The debate in the European circles on the issues arising from Turkey's possible accession such as the fears of mass immigration intensified with the 2004 European Council decision and the starting of negotiations. In other words, the fact that Turkey came to the brink of membership with the prospects of negotiations triggered alarm bells in many European capitals, mostly in Germany, Austria and France. The leaders of centre-right parties in Germany and France, Merkel and Sarkozy, formed a grand coalition in favor of a privileged partnership for Turkey as an alternative to EU membership.[93] Thus, "whatever we do, they will not let us in" sentiments gained momentum across Turkey, thereby decreasing the leverage of the EU anchor in the advancement of domestic reforms.

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[89] Öniş, "Turkey-EU Relations", *op. cit.*, p. 35.
[90] *Ibid.*, p. 53.
[91] "Turkey 2008 Progress Report", *European Union (EU), European Commission* (5 November 2008), at http://ec.europa.eu/enlargement/pdf/press_corner/keydocuments/reports_nov_2008/turkey_progress_report_en.pdf.
[92] "Motion for a Resolution", *European Union (EU), European Parliament* (13 February 2009), at http://www.europarl.europa.eu/sides/getDoc.do?language=EN&reference=B6-0105/2009.
[93] For the arguments on privileged membership and Franco-German attitudes see Yılmaz, Hakan, "Turkish Identity on the Road to the EU: Basic Elements of French and German Oppositional Discources", Verney, Susannah and Ifantis, Kostas (eds.) (2009): *Turkey's Road to European Union Membership: National Identity and Political Change*, Abingdon/New York, Routledge, pp. 79-91 and İçener, Erhan, "Privileged Partnership: An Alternative Final Destination for Turkey's Integration with the European Union", *Perspectives on European Politics and Society*, vol. 8, no. 4 (December 2007), pp. 415-438.

Furthermore, the Negotiating Framework for Turkey as well as the accession strategy for Cyprus raised concerns about *double-standards in EU's implementation of conditionality*. Even though the Negotiating Framework of 3 October 2005 stated that "the negotiations are an open-ended process, the outcome of which cannot be guaranteed beforehand" both for Turkey and Croatia, the fact that this was not explicitly used in the previous enlargement rounds was of great concern for Turkey. Moreover, the clause on EU's possible recourse to the absorption capacity of the Union as a justification for Turkey's rejection to the Union was perceived as a sign of unwillingness of the EU to admit Turkey to the EU club. The statements of the Negotiating Framework on the long-transitional periods, derogations, specific arrangements or permanent safeguard clauses in areas such as agriculture, structural policies and free movement of persons for Turkey were almost unique in the enlargement history.[94] The accession of Cyprus in 2004 also created an image of differentiated accession strategies employed by the EU. The unfair treatment can easily be seen from the accession of Cyprus in 2004, without being imposed any additional criteria to resolve any item of its problematic agenda with the Northern Cyprus in particular, and with Turkey in general. Without any peaceful settlement on the island, the EU declared in December 2002 that accession negotiations were concluded and Cyprus would be a member in 2004. In the case of Turkey, the resolution of Cyprus issue in its whole has not been stipulated as a condition for Turkish accession, but Turkey is obliged to extend the implementation of the Association Agreement fully to all new member states including the opening its ports and vessels to Cypriot-flagged ships and aircraft. Since Turkey did not meet this demand, EU decided in December 2006 to partially block the negotiation process. This decision that marked a break with the conditionality applied to Cyprus "proved to be the ultimate blow" in the pace of democratic reforms in Turkey.[95]

At the domestic level, there were also various signs of the decline in AKP *government's European commitments*. The government's lack of enthusiasm for the EU project in general was apparent in its hesitancy in abolishing article 301 of the Penal Code on the way to the enhancement of freedom of expression, in the reservations to implementation of broadcasting on mother tongue that was endorsed on paper on 3 August 2002, in the non-responsiveness to the third accession partnership in the form of a national program and finally in the decision to appoint the Minister of Foreign Affairs also as the chief negotiator on 3 June 2005; thereby rendering EU affairs not as a priority but as a part of the complicated foreign policy agenda.[96] Moreover, as argued by Narbone and Tocci, the European Court of Human Rights' judgment of 2005 that "Turkey's headscarf ban does not constitute a violation of fundamental rights has tarnished the appeal of Europe amongst the AKP and its sympathizers".[97] Thus, it became evident that AKP's own agenda of religious reforms did not always coincide with European demands; and therefore the government did not have much reason to resort to EU for implementing its own agenda.

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[94] "Negotiating Framework", *European Union (EU)*, Luxemburg (3 October 2005), at http://ec.europa.eu/enlargement/pdf/st20002_05_tr_framedoc_en.pdf. For more interpretations of the Negotiating Framework see Aydın Düzgit, Senem (2006): *Seeking Kant in the EU's Relations with Turkey*, İstanbul, TESEV, p. 6-13.

[95] Öniş, "Turkey-EU Relations", *op. cit.*, p. 42.

[96] Ulusoy, "Turkey and the EU", *op. cit.*, p. 55.

[97] Narbone, Luigi and Tocci, Nathalie: "Running Around in Circles? The Cyclical Relationship between Turkey and the European Union, in Verney, Susannah and Ifantis, Kostas (eds.) (2009): *Turkey's Road to European Union Membership: National Identity and Political Change*, Abingdon/New York, Routledge, p. 31. For a similar discussion see Öniş, Ziya: "Conservative Globalists versus Defensive Nationalists: Political Parties and Paradoxes of Europeanization in Turkey" in Verney, Susannah and Ifantis, Kostas (eds.) (2009): *Turkey's Road to European Union Membership: National Identity and Political Change*, Abingdon/New York, Routledge, p. 42-43.

Apart from the government's reluctance in conducting reforms, the grand coalition on Turkey's European vocation began to disintegrate, and thus the *veto players* started to voice their concerns on Turkey-EU relations. Mostly because of the EU conditionality attached to the Cyprus issue which had "high nationalist resonance that has long been used by hardliner circles in Turkey as a populist tool", the military as well as the political parties and even civil society institutions took a rather nationalist stance and skeptical attitude towards Turkish accession. In other words, *the costs of compliance* involved in the Cyprus issue not only shaped government's commitment to reform process to a certain extent, but also transformed the elitist positive stance towards the EU integration to a skeptical one.[98] That skeptical tone was also adopted at the *societal level*. According to the Fall 2008 Eurobarometer survey, only %42 of Turkish citizens supported Turkish accession as a good thing (-7 points since summer 2008; -19 points since 2005).[99] Thus, since 2005 domestic and European environments were not conducive to the effective implementation of conditionality that would have culminated in the transformation of Turkish politics akin to the European norms and principles. In other words, since 2005 conditionality *per se* has not created enough momentum in Turkey for the continuity of the reform process evident in the previous cycle of Europeanization.

4. Conclusion: Hopes for Revived-Europeanization?

The unprecedented reform process in Turkey between 2002 and 2005 owes much to the successful implementation of political conditionality that has been filtered through a combination of exogenous and endogenous factors. However, that miraculous progress was knocked down in 2005 due to the very same mediating components of political conditionality, which raised doubts about a "train-crash" in Turkey-EU relations. Even though Olli Rehn assured Turkey that the train which slowed down because of works further down the tracks, will continue to move, it was up until 2008 that a period of inertia in the advancement of Turkey's democratization prevailed.[100]

The closure case of 2008 made up AKP government's mind on pursuing EU democratic reforms. As argued by Ulusoy, "Prime Minister Erdoğan saw the EU again as a savior", first because "democratization process was necessary for its survival and that any serious step backwards in this process will jeopardize its political supremacy", and second sacrifices should be made so as to keep accession negotiations on track that would push the government to sustain the process of democratization.[101] It was in this context that Turkey resumed its democratization efforts. The most striking elements of the initial reform steps were in the areas of broadcasting in Kurdish and the opening of Kurdish language departments at universities. More substantial changes were introduced in the recently debated constitutional package comprising the advancements in gender equality, protection of children's rights, law on trade unions, the composition and working procedures of the Constitutional Court as well as the functioning of political parties.

Since 2008 the government is pursuing a reformist strategy for overcoming the disparities between Turkey and the EU. However, it is too early to announce a new era in Turkey-EU relations or Turkey's democratization process. The salience of the government's

[98] *Ibid*., p. 63 and Eralp, "The Role of Temporality", *op. cit.*, p. 162.
[99] "Eurobarometer 70: Public Opinion in the European Union", *European Union (EU), European Commission*, (Fall 2008), at http://ec.europa.eu/public_opinion/archives/eb/eb70/eb70_first_en.pdf.
[100] "EU on Collision Course with Ankara Over Membership", *Guardian*, 30 November 2006.
[101] Ulusoy, "Turkey and the EU", *op. cit.*, pp. 55-56.

recourse to the EU process and the future prospect of reforms to be converted into a new cycle of Europeanization will depend mostly on the responses from the EU and member states. Stronger signals from the EU will not only result in the normalization of Turkey-EU relations, but also will pave the way for Turkey's further democratization. In other words, Turkey needs to see the light at the end of the EU tunnel.