

# Turkey and the European Union's Political Conditionality

Meltem Müftüleri-Bağ\*  
Sabanci University

May 2008

**When Turkey began its accession negotiations with the European Union in October 2005, this created a renewed interest in understanding Turkey's politics. A question looming in many minds in assessing Turkey's fit as an EU member was whether Turkey conforms to the basic principles of European democracy.**



This concern is highly salient in spite of the European Commission's assessment in its 2004 Progress Report that 'Turkey *sufficiently* fulfills the political aspects of the Copenhagen criteria', based upon which Turkey's accession negotiations were opened. Though Turkey was deemed to meet the political criteria, there was still doubt in the minds of European officials, as underscored by the stipulation in the 2005 Negotiating Framework for that 'In the case of a

serious and persistent breach in Turkey on the principles of democracy [...] the Commission will, on its own initiative or on the request of one third of the Member States, recommend the suspension of negotiations'.<sup>1</sup> This essay rests on the proposition that Turkey's accession to the EU ultimately depends on the consolidation of democracy in Turkey and addresses the adaptation process in Turkey to European political norms.

Turkey is an interesting case study to assess the degree of the European Union's political conditionality and its ability to induce political change through the carrot of membership. This is partly because of Turkey's incorporation into the European order since 1945 and its extensive ties to the EU. Turkey became a member of the Council of Europe in 1948, OECC in 1949 and NATO in 1952. Its relationship with the EU dates back to 1963 when it became an associate member of the EC with an eye towards full membership. Turkey applied for full membership in 1987, realized a Customs Union with the EU on industrial products in 1996, and became a candidate country for EU membership in 1999.

Even though Turkey was an integral part of the European order since 1945, its democracy did not meet West European standards as of the 1990s. The Turkish political system suffered from restrictions on individual rights and freedoms, as well as an institutionalized role of the military in civilian politics. A significant wave of

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\* This commentary was published in RECON Newsletter 1/2008, available at: <<http://reconproject.eu/projectweb/portalproject/Newsletters.html>>.

<sup>1</sup> Negotiations Framework, Principles Governing Negotiations, the European Commission.

political reforms began in Turkey by the end of 1990s and gained significant momentum in 2002. The EU provided a major motive for these reforms as the 1993 Copenhagen criteria tied Turkey's candidacy and opening of accession negotiations ultimately to its democratic credentials. As a result, Turkey adopted a substantive Constitutional Amendment package in 1995 in order to fulfill its political obligations under the 1995 Customs Union agreement. Similarly, Turkey underwent significant political reforms in 1998-1999 to qualify for candidacy, and then greatly accelerated reforms in the period 2002-2005 to qualify for accession negotiations. Since the opening of accession negotiations, the pace of political reform is still on track, despite the backlash against it that I discuss below. Turkey's leaders know full well that final accession to the EU will be determined by its democratic credentials in addition to its ability to adopt the EU *acquis communautaire*.

The major political changes in Turkey since 1995 range from legal to institutional restructuring. At the same time, one could argue that there is an increased assimilation of rules and norms of liberal democracy in Turkey since 1999. It is clear that these political reforms and the subsequent norm diffusion partly resulted from the EU's political conditionality.<sup>2</sup> For example, the Turkish Prime Minister Recep Tayyip Erdogan declared that 'the reforms would continue at a rapid pace and Turkey's EU bid is a reconstruction process that is raising Turkey's political, economic and social standards'.<sup>3</sup> One should note that the adaptation to EU rules is a costly process, as is almost any process of significant political reform.<sup>4</sup> In addition, the reception of European norms by various segments in the Turkish society during the negotiations process is particularly problematic. Thus, it comes as no surprise that the Turkish political adaptation process to the European Union's political criteria created a backlash that is mainly nationalist in character.

## The Turkish political system and costs of change

Various Turkish governments since 1999 have engaged in political reforms. Of these reforms, the most notable changes are the new Civic Code adopted in 2001, abolition of the death penalty in August 2002, and the new Penal Code adopted in 2005. The changes in the civil-military relationship were underway since 1999 when the military's ties to the civilian institutions were gradually removed. A major constitutional package was adopted in May 2007, which allowed for the election of the Turkish President by popular vote. In addition, a series of political reforms strengthened the cornerstones of democracy such as freedom of speech, association, and religion. Since 2002, the Turkish government adopted at least 12 different Constitutional packages and around 400 different laws to adjust to the EU's political criteria. These political changes aimed at effectively transforming the Turkish political system into a liberal democratic order.

This transformation is not fully complete, however. The three main current political issues in Turkey show that the process of Europeanization has become the major

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<sup>2</sup> Meltem Müftüler-Bac, 'The Impact of the European Union on Turkish Politics', *East European Quarterly*, vol. 34, no. 2, June 2000, pp. 159-79; Meltem Müftüler-Bac, 'The New Face of Turkey: Its Domestic and Foreign Policy Implications', *East European Quarterly*, vol. 37, no. 4, January 2004, pp. 421-38; Meltem Müftüler-Bac, 'Turkey's Political Reforms: The Impact of the European Union', *Southeast European Politics and Societies*, vol. 10, no. 1, April 2005, pp. 16-30.

<sup>3</sup> 'Turkish PM pledges more democracy, EU reforms', *EU Business*, 31 August 2007, available at: <<http://www.eubusiness.com/Turkey/1188572521.27/>>.

<sup>4</sup> Frank Schimmelfennig, Stefan Engert, Heiko Knobel, 'Costs, Commitment, Compliance: Latvia, Slovakia and Turkey', *Journal of Common Market Studies*, vol. 41, no. 3, June 2003, pp. 495-519.

fault line in domestic politics: the process of democratization, most notably freedom of speech and civil-military relations, gender equality, and the Kurdish issue. The history of Turkish modernization since the early 19<sup>th</sup> century is one of a fierce struggle between the proponents of Europe and opposers to Europe. Deniz Baykal, the opposition leader from the Republican People's Party, is unambiguous: 'We approach the Turkish EU membership with scepticism'.<sup>5</sup> Thus, the Turkish accession to the EU should be analyzed and read through this cleavage, and the EU acts as a force on its own right to deepen and highlight this division in Turkish politics. Even though negotiations between Turkey and the EU evolve around the Turkish adoption of the EU *acquis* and laws in 35 different chapters, there is an equally important negotiations process going on within the Turkish society itself, between the reformists and those who would like to keep the status quo intact.

One needs to note that even when Turkey adopts the changes in legislation in order to harmonize its laws to the EU standards, the society's reception of these laws and norms might remain problematic. In other words, political change has two important aspects: the adoption of legal political reforms and the society's internalization of these changes. It seems that the second aspect is a gradual process of change, much harder to accomplish than legal harmonization.

An important revelation with respect to the Turkish case is that it demonstrates that the EU becomes a credible influence only when it signals its intent and political resolve. This is also similar to the EU's impact on democratization in Central and Eastern Europe. The 1999 Helsinki decision and the opening of accession negotiations in 2005 were all the right steps in that regard. However, when the internal disputes and debates within the EU over enlargement and Turkey's accession are reflected onto Turkey, or when such leaders as Nicholas Sarkozy or Angela Merkel talk about 'privileged partnership' rather than membership for Turkey, that rhetoric decreases the EU's credibility in the Turkish eyes, thereby reducing its effectiveness as an anchor for political reforms. Were the EU to present a clearer commitment, this would effectively strengthen the hands of the political reformers. Their position is challenged by the conservative forces at home, which claim that Turkey is adopting political reforms in an attempt to adjust to the EU norms and fulfill the political aspects of the accession criteria but the EU is not going to accept Turkey as a full member in any case. In this fashion, the EU becomes an additional player in Turkish politics.

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<sup>5</sup> Onder Yilmaz, 'Almayacaksanız Acıkca soyleyin – If you are not going to accept, tell it openly', *Milliyet*, 16 February 2007.