EU Accession Process and Europeanization in Turkey

Introduction

This paper focuses on the linkage between the more inclusionary approach of the EU after the Helsinki Summit of 1999 and the reform process in Turkey. It examines the reform initiative of the last six years undertaken in Turkey and argues that the incentive of membership in the aftermath of the Helsinki Summit was crucial in shaping the reform project in Turkey. It attempts to show how the Turkish reform project is turning from a general process of Westernization to a more concrete process of Europeanization within the context of the EU accession process. The paper concludes by emphasizing the need for further clarification of the time table of negotiations as well as the increasing support of the reform-coalition in Turkey to deepen the project of Europeanization.

The Helsinki Turning Point

The Helsinki Summit overcame the long-lasting ambiguity surrounding the Turkish case, ending the debate over whether Turkey is a European country. Turkey was clearly situated in the present enlargement process along with other twelve candidate countries. Turkey also became part of the same accession-partnerships as the other candidate countries. This is a clear reflection of the willingness of the EU to provide financial and technical supports to prepare Turkey for membership as for the other candidate countries. On this issue, there was a major difference between Luxembourg and Helsinki Summits. While Turkey was treated separately from other candidate countries and put in an ambiguous European Strategy in Luxembourg, in Helsinki Turkey was offered an accession-partnership. The EU also manifested a clear attitude to treat Turkey according to the same “Copenhagen Criteria” as the other candidate countries. These resolutions regarding Turkey were drastically different from Luxembourg: they were more open, inclusive and less discriminatory. As a result, the

Helsinki resolutions were perceived quite positively by the Turkish elites, as resolutions correcting the “mistakes” of Luxembourg.

The Helsinki framework required a major mental shift of orientation in the attitudes of both the EU and Turkish officials to create a more cooperative relationship. This mental shift was not easy, primarily because Turkish and EU officials have long been used to an adversarial relationship and treated each other in bilateral “us-them” terms. It should, however be mentioned that the Helsinki Summit pressured for major political and economic reforms in Turkey. The EU actively stimulated these reforms through the publication of its “Accession Partnership” (AP) document, which was announced in November 2000. This announcement was important because it led to the inclusion of Turkey in the accession-partnership relationship with the EU as with other candidate countries. The Commission listed the short and medium-term political and economic priorities aimed at the transformation of the Turkish state in line with the Copenhagen criteria. The political measures in the document aimed at creating a more liberal and pluralistic order and the economic measures focused on the achievement of macro-economic stability and an effective regulatory economic structure.

In response, to the AP, the Turkish government prepared the “Turkish National Program for the Adoption of the Acquis” which was submitted to the EU Commission in March 2001. The National Program was a major attempt to meet the political and economic expectations of the EU. From the EU perspective, the National Program was a significant progress, yet, EU officials emphasized that the state of reforms in the report fell rather short of expectations primarily in the political field.

Turkish authorities focused on the implementation of the National Program in order to meet the political expectations of the EU in the latter part of 2001 and 2002. The government used two main instruments in the implementation of the political reform process: amendment of the Constitution and “harmonization laws”. First, 34 amendments to the Constitution were accomplished primarily in the area of human rights, freedom of expression and freedom of organization. After the constitutional amendments, the Turkish Parliament also adopted a new Civil Code and introduced improvements notably on the fields of freedom of association and the right to assembly, as well as gender equality and child protection. These constitutional amendments were followed by “harmonization laws” designed to translate the constitutional amendments into concrete action by bringing Turkish laws in line with the acquis. The first harmonization package focused on freedom of expression and amended previous laws, which

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3 For a detailed analysis of the National Program and its implementation by the Turkish governments, see particularly the relevant sides of the web-page of the Secretary General of the EU Affairs, [www.abgs.org](http://www.abgs.org).
were the legal bases for the detention and sentencing of many intellectuals for expressing their views. The second harmonization package extended further the scope of freedom of thought, the freedom of press, the freedom of association and peaceful assembly and also reinforced measures for the prevention of torture and ill-treatment. It further introduced measures against human rights violations by government functionaries.

Clearly, these reform measures were quite dramatic compared to previous efforts and they were engineered by a relatively weak coalition government of three different political orientations, including a nationalist-rightist party (MHP), a nationalist-leftist party (DSP) and a liberal center-right party (ANAP). While dramatic in Turkish terms, critical areas were still left contested between the EU and Turkey, such as the abolition of the death penalty, extension of cultural rights of “minority groups”, the role of the military and the Cyprus question.

These areas remained thorny not only between the EU and Turkey but they were also at the center of domestic debate in Turkey. Actually, EU issues have been at the center of political debate in the aftermath of the Helsinki Summit. While all of the major political parties in Turkey displayed a vague commitment on the issue of EU membership, when it came to the sensitive issues mentioned above, there was a lack of consensus. The coalition was clearly fragmented on these issues. MHP, the nationalist-rightist party opposed the abolition of the death penalty, as well as the extension of cultural rights and took a hard-line on Cyprus. DSP, the nationalist-leftist party, was more favorable on the abolition of death penalty, but had serious reservations on other sensitive matters. It was only the liberal Motherland Party (ANAP) which had a clear “pro-EU” attitude. Within this climate, it became increasingly difficult for the government to go ahead in the reform process on these key political issues. These tensions resulted in the disintegration of the coalition government and the call for early elections. The early elections on October 3, 2002 ended the coalition government and led to a change of government with a clear victory of the pro-religious Justice and Development Party (AKP).

In this election climate, the Turkish Grand National Assembly on August 3, 2002 took some historical decisions in its third package on the political reform process in order to show Turkey’s willingness to join the EU. It abolished the long contested death penalty as well as granted the rights to broadcast and learn one’s “mother tongue”. The decisions on the sensitive matters were taken with large majorities in the Grand National Assembly. With these decisions, there was an increasing expectation from the EU to set a clearer timetable to start negotiations in 2003 or at the least in the beginning of 2004.

The AKP government which was formed after the general elections of 3 November 2002 prepared four “harmonization packages” to bring Turkish legislation in line with the EU legislation. During this period, we see the acceleration of the reform process as well as
increasing consensus on the harmonization packages both within the Parliament and in the government and bureaucracy. The fourth package of the government focused on the issue of torture and ill treatment and declared, “zero tolerance” against torture. It removed all the legal impediments for the prosecution of public officials who resort to torture and ill treatment. The fifth package focused on the issue of re-trial and expanded the scope of re-trial arrangements on the basis of judgments rendered by the European Court of Human Rights. The sixth and seventh packages were more comprehensive. They tried to respond to the recommendations made in the revised Accession Partnership Document of the EU, which was adopted on the 19th of May 2003 and to the commitments made by the Turkish government in its revised National Programme, which was published on the 24th of July 2003. The government tried to remove all the legal restrictions on the freedom of expression, freedom of association, freedom of press and assembly. In the sixth package it introduced measures for TV broadcasting in mother tongues other than Turkish in both public and private channels. In the seventh package, the legislative package focused on civilian-military relationship and changed the character of the National Security Council and made it an advisory body. There were amendments on both the functions of the National Security Council to make it a more advisory body as well the procedures for the appointment of the Secretary General of the Council. The amendments opened up the possibility to appoint a civilian as a Secretary General.

The AKP government believed that Turkey had achieved the “critical mass” in terms of legislative harmonization in compliance with the Copenhagen political criteria. The government started to focus more on the process of implementation of these reforms and channeled its energy and resources on this issue. A Reform Monitoring group was established at the highest political level to overview the progress in the implementation of political reforms. This group is chaired by the Minister of Foreign Affairs and comprises of Ministers of Justice and Internal Affairs.

From Westernization To Europeanization in Turkey

In all candidate countries, the political and economic reforms have accelerated as the EU provided clearer signals to their accession. It seems that there is an increasing linkage between the reform process in candidate countries and their accession. As some close observers of the EU integration process have pointed out, enlargement has been one of the most successful foreign policy tools of the EU. The EU has created an environment

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conducive to the reform process with the offer of the membership status. The status of membership has been a major incentive provided to the candidate countries and has affected their reform processes positively. As the analysis in the preceding sections suggest, Turkey’s reform process has been somewhat “slow” compared to the other accession countries. It has been slow in comparison to other countries in the present enlargement process primarily because of the ambivalence of the EU regarding Turkey’s accession coupled with Turkey’s domestic constraints. Turkey is the only country, which has not fulfilled the political expectations of the EU and therefore it remained the only country without a clear timetable on its accession in the current enlargement process.

Nevertheless, the analysis in the preceding sections also suggests that the reform process in Turkey has accelerated as the EU formulated a more inclusionary framework with the Helsinki Summit and offered a candidate status to Turkey. The reform process has further accelerated after the Copenhagen Summit when it was declared that if the European Council in December 2004 decided that Turkey fulfilled the Copenhagen political criteria, the EU would open accession negotiations with Turkey without delay. While the decisions of the Copenhagen European Council in December 2002 did not meet Turkey’s expectations; nevertheless there was improvement compared to the previous situation in clarifying the timetable to start negotiations.

In the aftermath of the Copenhagen Summit, the Turkish government has formulated four “harmonization laws” as examined in the preceding section, which focused on more sensitive issues of the reform process such as the civilian-military relationship and cultural-minority rights. Furthermore, the government has increasingly realized that the reform process required not only the promulgation of laws, but also their implementation.

Turkish government functionaries, as was pointed out, were long geared to a perception of the Community/Union in adversarial terms. Recently there is a mentality shift among the government functionaries to see the Union more in cooperative terms. It is quite interesting to note that this shift is taking place when a religious–rightist party is in power (AKP). The AKP government has adopted a clear European stance and has tried to accelerate the reform process in Turkey. This attitude of AKP is dramatically different from the previous religious-rightist parties. In the 1970s, religious-rightist parties such as National Salvation Party depicted the EC as a Christian Community organized to undermine the Islamic world and suggested the creation of an alternative Islamic Common Market. This attitude has continued in the cases of Welfare Party as well as of Virtue Party in the 1980s and the 1990s. With the Justice and Development Party, there is a diametrically opposed new approach to the EU. The EU integration is perceived as a process of democratization and the issues of religious rights

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and freedoms are seen within the context of the processes of democratization of the EU. With this change, we are witnessing the transformation of the religious-right in Turkey. The religious right is becoming more moderate as it adopts a more pro-EU stance. It seems that the EU accession process in Turkey is creating an environment conducive to the transformation of the religious-rightist political tendencies. Such a transformation is quite crucial in an international system where there are all kinds of possibilities of tension along cultural/religious lines. Both the EU and Turkey have important stakes in creating a world of an increasing dialogue between cultures and civilizations, rather than a “clash” of them. The transformation of AKP and the religious right in Turkey opens up a possibility for a meeting of Islam and democracy in the political space. It is quite important in this context that there should be a legitimate place for moderate Islam in the European political space. Turkey’s process of reform within this climate should not be thought merely as a technical process of harmonization with the EU acquis. It is a major process of transformation, which is leading to the meeting of Islam and democracy and creating a legitimate place for moderate Islam in the European political space and therefore consolidating the multicultural basis of the European integration process.

We have witnessed critical points and ups and downs in Turkey’s forty-year relationship with the Community/Union. Nevertheless, the EU vocation has helped Turkey’s project of Westernization, which has been the guiding principle of the Turkish Republic. Modernization was defined as Westernization by the Turkish elites and closer association with Europe; above all meant a “civilizing mission” which would bring an increasing section of the Turkish population into contact with Western life styles, behavior and methods. Efforts towards Westernization would also bring economic development and greater political stability. Turkish elites believed that Europe and the West were main sources of economic development as well as models of social change.

The project of Westernization has been quite crucial in the creation and the consolidation of the framework of secularism in the Turkish context. The long-lasting relationship with the Community/Union has also helped immensely in the transformation of the Turkish private sector into a more competitive and global oriented one. These are important accomplishments, but they have to be reinforced by the transformation of political structures and institutions and the consolidation of democracy in Turkey. As the analysis in the preceding sections suggest Turkey has entered a new period of democratization after the Helsinki Summit; the political reform process has accelerated as the EU adapted a more inclusionary approach to Turkey. In this process, the general project of Westernization is increasingly turning into one of a concrete project of Europeanization— a more complex process of not only adapting of common values but also of transformation of political and economic structures and governance systems. With the “harmonization laws” of the last
years, Turkey is changing its political practices and institutions as well as its approach to political problems, which require a major mentality shift to think and act within the larger context of the European Union. This is a slow and a contested process, but there has been an immense progress as mentioned in the more recent reports of the European Commission.\(^6\)

The process has been slower and a contested in the Turkish case because of the ambivalence of Turkey’s timetable as well as the availability of less incentives as compared to the other candidate countries in the present enlargement process. It is evident that the most important turning point in the reform process comes with the start of the negotiations.\(^7\) As the findings related with other accession countries indicate, the reform process becomes irreversible with the opening of negotiations. With the start of the negotiations, as the candidate country harmonizes its institutional system along the lines of the EU *acquis*; we witness the process of Europeanization of institutional structures and the public administration of the country.

Turkey-EU relationship was at another historical crossroads in 2005. If Turkey started negotiations, the reform process would not only accelerate but also consolidate and become irreversible; if not, the process might slow down and it might not be easy to sustain the process. The EU has made substantial commitments to Turkey and Turkey has channeled important material and immaterial resources to fulfill its requirements in order to start negotiations with the EU. The “EU issue” has been the most important issue on the domestic agenda of the Turkish public opinion. As a result, a negative decision by the EU would not only harm the Union as a credible partner but also would lead to the rise anti-EU feelings in Turkey. The recent discussions related with the possibility to offer a “special relationship” to Turkey would not counterbalance the damage inflicted to the relationship. It was too late to offer this status as the Turkish public opinion was geared to the start of negotiations at the end of 2005.

It was a defining moment in the long lasting relationship with the EU. Within an intense climate of debate all over Europe, the EU Council decided on October 3 that Turkey has met political criteria sufficiently and the EU was willing to start negotiations with Turkey. It also declared that this process was an open-ended one and the outcome would depend both on Turkey’s adoption and implementation of the EU *acquis* as well as on the EU’s absorption capacity. The EU Council also adopted a different framework for negotiations with Turkey, taking into account both some of the lessons derived from the previous enlargement process as well as emphasizing the difference of Turkey on political, economic, social and other factors. The emphasis by the EU on “difference” created a climate of resentment in Turkey;

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public opinion formers stated that the EU was not only treating Turkey differently from other accession countries but also in a more discriminatory manner. The emphasis on open-endedness of the accession negotiations, the possibility of referenda in some EU countries as well as the idea of permanent safeguards in some sensitive issues such as free movement of persons, structural funds and agricultural policy are some of the areas of friction in the relationship between the EU and Turkey. In addition to these issues, there is also the problem of Cyprus. Since Cyprus became the member of the EU without the solution of the Cyprus problem, there is a potential for Cyprus to block the process of negotiations with Turkey on the opening and closing of each chapter of the EU acquis.

**Conclusion**

As the literature on Europeanization indicates, this process is different and more difficult in the context of non-member countries. The EU has mainly used the incentive of membership and formulated more specific financial instruments to implement its principle of “conditionality” in the last enlargement process. This package of incentives together with conditions was quite important in the acceleration of the reform process in the accession countries. It helped the building of a reform coalition in these countries and decreased the political costs in the process.

As argued in this paper the process of Europeanization in Turkey accelerated after the more inclusionary approach of the EU after the Helsinki Summit of 1999. The “limited” clarification of the time table for Turkey after the Copenhagen Summit of 2002 was quite important in the further acceleration of the reform initiative in the last three years. The decision of the EU Council on 3rd of October 2005 to start negotiations with Turkey was also critical in maintaining the incentive of membership for Turkey. However, as I argued, the formulation of a different negotiation framework which emphasizes the open-endedness of this process for Turkey creates difficulties for the consolidation of the project of Europeanization in Turkey. As the accession process in other countries shows, the process becomes more difficult with the rise in the number of losers as well as increase of political costs with the start of negotiations. Governments faced with such difficulties were able to maintain their political will because of a clear incentive of membership in their cases. In the Turkish context, the process becomes increasingly difficult because of the ambivalence of the time table of negotiations and its open-ended nature.

It may take some time but there is a need to increase confidence in the relationship and decrease this ambivalence with the start of negotiations. This could help the building of a stronger reform coalition in Turkey which would own the project of Europeanization internally. It is extremely important for the project of Europeanization to be owned by

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domestic groups. If there is non-correspondence between the principle of conditionality and the incentives of the EU, there might be the dangerous image of Europeanization as a project imposed by the European Union. This could damage the project of Europeanization, the core of which is the issue of democratization. It could lead to the perception of democratization as something which is imposed from the outside. In the Turkish context, the process of democratization has a long history and a strong internal support base; it is not seen as a process imposed from the outside as in some other countries. The EU should be sensitive during the negotiations to the internal dynamics of this process. In this context, the implementation of the principle of “conditionality” should not be treated as a technical matter; it is a highly politicized matter and has important internal ramifications. It should always be matched with incentives and be sensitive to the internal dynamics of the country. To put it briefly, domestic ownership of the process of Europeanization is extremely important and the EU should give more consideration to this issue if it wants to deepen this process in the acceding countries. The acceding countries on their part should consider that the EU accession process provides many incentives to consolidate their attempts of democratization. This linkage between the EU accession process and the democratization drive is extremely important in the present turbulent international climate and this opportunity should not be missed.

Turkish accession is one of the most challenging cases for the EU. Amid all these problems, Turkey has entered the screening process on several chapters of *acquis* at the end of 2005 and is planning to start negotiations in the first half of 2006. It seems that this process will be a long, contested and a challenging one both for Turkey and the EU. It will be a challenging for Turkey, because Turkey will adopt the multilevel governance system of the EU and will act within the broader context of the EU. Turkey will increasingly define itself within the process of Europeanization in the context of Wider Europe and neighborhood issues. This process will also consolidate the project of Westernization pursued since the founding of the Turkish Republic in 1923. It is challenging project for the EU, because it will include a country, which has far a long time considered as the “other” of Europe. However, The EU has faced many challenges in the past and has been successful; it can also meet the present challenge.